

## LAW SCHOOL NOTICE ON PLAGIARISM

Academic **Rule 9.3** of the Law School provides, in part:

"Serious misconduct includes but is not limited to: . . . (b) plagiarism of written work which is used to satisfy the academic requirements of any law school course or activity; . . . "

In cases of plagiarism the sanctions the faculty may impose include expulsion and suspension. In addition, the Dean will usually be called upon to report the misconduct to the appropriate state officials when the student involved applies for admission to the Bar.

Plagiarism involves using someone else's words or ideas and passing them off as your own. For law schoolwork, if proper attribution is made for the words and ideas of others, no question of plagiarism arises.

What is proper attribution? If you use the exact words (or the exact words with omissions) from some source you must so indicate by the use of quotation marks or appropriate indentation, and at that place in your work, either by footnote or textual reference, you must cite the exact location of the source. If you appropriate an idea or thought from some source you must, at that place in your work, indicate the source.

### **Two examples (as they might appear in your paper):**

- (1) In discussing the problem of the bona fide purchaser, one authority has stated: Another argument for the bona fide purchaser seeks to claim support from what may be called the Janus-faced formula . . . The trouble with this formula . . . is that it does not fit the facts. The acts of both, the original seller and the good faith purchaser, must combine to 'put it in the power of' the possessor to perpetuate the wrong in question. Each, . . . trusted the possessor not to sell goods that he was not authorized to sell. Either both can stand firmly upon this formula, or neither can. This formula does not show any basis for judging between them . . . L. Vold, *The Law of Sales* 177 (1959).
- (2) As one authority has pointed out, the use of the Janus-faced formula is not helpful. Since it took the trust of both parties, the formula does not help us to decide the question. L. Vold, *The Law of Sales* 177 (1959).

It is not enough in either example to list the source only as part of your general bibliography. You must give proper attribution for the words or ideas you use at the point they appear in your work. (In both examples the source could be identified by a footnote rather than in the body of your paper.)

The question of the academic sufficiency of a paper is different from the question of plagiarism. Plagiarism involves misrepresentation. A writer may be honest as to the sources of ideas discussed and still receive a failing grade, if the project does not reflect enough of the writer's own work.

As the nature and purpose of the written projects which you may be called upon to prepare in law school vary, the question of how much the project is to reflect your original thought cannot be answered simply. Your instructor will answer this for you in each particular case.

**Some general rules and thoughts:**

- (1) A research paper virtually always requires the student's thought and analysis of a problem. A verbatim copy or a collection of the ideas of others without any critical analysis of the ideas will not be academically satisfactory. If proper attribution is made, there will be no question of plagiarism, but the paper will still receive a failing grade.
- (2) If you are asked to prepare a form, e.g., a notice of bulk sale or a deed, you are not ordinarily expected to invent your own form. You may use a formbook or other source and make only the changes called for by your situation.

In case of doubt about what is expected, ask your instructor, as you are responsible for the outcome.