

# Perspectives

# Trial by Fire

*Counselors help students during trying times*



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Student counselors are the unsung heroes of this university.

"I don't think a lot of people realize what we do here. We are probably one of the least known about and underappreciated roles at our school," senior student counselor Matt Silversten said.

These volunteers put in hours of time and effort defending their fellow students in judicial board and administrative hearings.

"Student counselors prepare students for what the outcome may be and guide them through the process. They recommend the best options for the student. It's definitely for the benefit of the student to use them," Honor Council member sophomore Ellen Scarff said.

"The first time I went to trial I didn't have one and I could have kicked myself. It was infinitely helpful to have one this time," senior Haslyn Howard said about his recent open Honor Council hearing.

Since most students never face an honor or administrative trial, often these counselors' good works go unnoticed.

"No one knows about us until they're in trouble," Silversten said.

For approximately 10 years student counselors have been ensuring fair trails for students to

the best of their abilities. On average student counselors take part in 150 to 175 cases a year. Hours are spent preparing for cases, attending trials and conferring with the troubled student and their family.

"It depends on the case, Honor board and Judicial cases can take many hours—at least 10 to 15 hours—but administrative hearings are a lot shorter, they take about three to four hours of preparation. Our job really never ends," senior Carrie Bowden, student counselor, said.

"In the last two years I've seen at least 200 cases," Silversten said.

Some Honor Council and Judicial Board cases can last months and take enormous amounts of preparation time.

"On (a present) case, three of us have put in 150 to 200 hours over the past three months," Silversten said.

Their close involvement with student cases on campus has given these counselors an interesting

perception of student life, the current judicial system and the role the new judicial reform will play in next year's cases.

With only a brief orientation session, these student acquire their counseling skills on the job.

"There's very little training for anyone in the judicial system. I learned through trial by fire, you get some experience and get better," Silversten said.

"The duty to educate and train lies within the judicial council and they have definitely shirked that responsibility," senior student counselor coordinator Bryan Denton said.

Through their own wishes to best understand the judicial system and to help other students, these counselors have deeply studied university law, students rights and gained hands-on experience.

"All of my experience and knowledge of the system has come from my desire to understand the system by studying the laws and understanding students rights, and how I really learned to do it was by going in there and saying 'here I am'," Denton said.

While understanding university law is essential to the student counselor role, there is another dimension to their work. Student counselors also try to attend to their client's personal needs.

"This organization started out with just the aim to be a friend and hold a student's hand, before it developed into this more official part of the system," Denton said.

"Few people understand how horrible someone's life is when any day they could be kicked out," Silversten said.

Every week students are charged with breaking campus laws, as can be seen in the *Old Gold and Black's* "Police Beat." From breaking the honor code to alcohol violations many students experience the intricate workings of the judicial system first hand.

"Cheating, lying, intoxications, verbal abuses, fights, fake ID's—I've seen them all," Silversten said.

Often the price students pay for these offenses are quite high.

"In my opinion the judicial system can be pretty harsh here," sophomore student counselor Blake Smith said.

"If you're talking about the Honor Council and Judicial Board it's gotta be at least a 75 percent conviction rate. There's a high conviction rate and a high suspension rate," Denton said.

While many students choose to represent themselves in their trials, student counselors are available to any student in need.

This resource is especially useful to students who

lack a firm grasp of the rules or the workings of the judicial system.

Beyond merely covering the legalities of each case, counselors often have a personal attachment to the accused students, especially if it is a long case.

"Our job is really a supportive role," Bowden said.

"There's so much more to it than people realize. You become the emotional support to that student and sometimes that student's parents," Silversten said.

It is no wonder these volunteers bare the name 'counselor' because often their work takes on the dual role of legal counsel and emotional counseling.

"After a verdict, the board goes home, but it's my job to walk this person home, and they could be crying - and the next morning I get a call from their parents asking 'What happened? What do we do now?' That's one thing that very few people at this school can really appreciate—to walk that person home, it really gets hard sometimes," Silversten said.

"During times like these there's a lot of stress on the student and the student counselors are a source of advice and support," Scarff said.

Student counselors understand the unique hardships and stress that accused students must endure.

"I can't imagine what it's like to cram for exams knowing that after the fact all of that work can be just thrown away if you're found guilty and expelled or suspended," Silversten said.

It is this emotional attachment and understanding that often leads to friendly relationships after all the hearings are over. Silversten said that after trials are over he often still associates with the students he has helped, from occasional phone calls to games of pool at Shorty's.

Not only do these counselors gain close relationships with the accused students, but also they gain a detailed understanding of the judicial system. They have seen how many of the current system's defects have effected the lives of students.

"Sometimes our role feels like it's kind of adversarial," Bowden said.

Many of the counselors agree with Bowden that the Honor Council and Judicial Board has treated them as opponents instead of team members.

"It seems like it's an adversarial type system, but it's not supposed to be," Silversten said.

Not only has there been tension between board members and the counselors but also between the investigators and counselors.

"We are supposed to have a non-adversarial system and the advisors and the investigator should be in a lot more contact. Investigators shouldn't be afraid to sit down with us and talk about a case," Silversten said.

"This year's leadership on the boards has been the best I've seen, but there usually has been a lot of tension between us and the Honor Council and Judicial Board," Denton said.

Also the counselors noticed that many board members were not familiar with all of the rules and regulations.

"I think that lots of times the rules aren't known well enough (by board members)," Bowden said.

"I think it's important for the members of the Honor and Ethics Council to sit down and go through the *Guide to Student Government*. I wonder how many times the average member of the judicial board reads through this," Silversten said.

An especially prominent problem that student counselors have battled is the misperception that students are assumed guilty and must prove their innocence.

"I would ask of the boards not to just assume that because a student is before the board that they are guilty. It shouldn't be 'guilty until you're proven innocent'," Silversten said.

Student counselors have also noticed that few Honor Council and Judicial Board members truly understand the concept of reasonable doubt.

"I was talking to a board member and I was disappointed that they didn't have an understanding of what reasonable doubt means. Really I think every case would be effected by this—if you really applied a strict standard of reasonable doubt," Denton said.

With their hands-on understanding of both the student and legal sides to the judicial system, these counselors also have a unique insight on the effects of the new judicial reforms that will be in effect next year.

"The new judicial reforms are definitely going to improve the situation. I can see from the experiences I've had. I think the new judicial reform is really good, it's not perfect, but there are problems in the current system that it will correct," Silversten said.

By combining the two boards into one body, the Honor and Ethics Council, and having investigators and student counselors work together through the new Board of Investigators and Advisors, these counselors hope the process will move faster.

"I hope it will move faster and more efficiently," Bowden said.

Now that student counselors, known as student advisors under the new reforms, will be working as investigators as well, they hope better investigative work will also be done.

"It's going to be a very different job. People will be switch hitting—defending one week and investigating against students the next. Having the investigator and advisor role shared by these students will advocate a less adversarial system," Denton said.

"A lot of times I felt like the investigators could have done a better job. Attaching the two together should help next year," Bowden said.

Also these counselors believe the increased faculty involvement in the judicial system is an truly a student asset.

"There is a great deal of immaturity on behalf of the members of the judicial board and Honor Council. They don't always seem to realize the implications of their decisions on these students. Having more mature members will actually help students," Denton said.

Also students will automatically be assigned a student advisor (counselor) next year once they have been charged with an offense. Although the decision to use this valuable asset is up to the student.

"Students need to know about their right to council because once a student has gone in there without council they're basically asking for their rights to be ignored," Denton said.

With the creation of the BIA, this is the last year that student counselors will fulfill this specific role. However their contribution to this campus and assistance in the lives of many students in the past is commendable.

Unfortunately none of the counselors will be members of the BIA next year.

"There were only potentially three student counselors who weren't graduating who could have applied," Denton said.

"The BIA is brand new, absolutely new, and everyone in it will be new," Silversten said.

Students can only hope that the new BIA members will continue in the tradition of service that their predecessors have demonstrated on campus.



Bowden



Denton