

Academic Integrity

A necessary prerequisite to the attainment of the goals of Northeastern University is the maintenance of honesty in all academic work. Students are expected to present only that which is clearly their own work on tests and in any material submitted for credit.

The university's Academic Integrity Policy (<https://catalog.northeastern.edu/handbook/policies-regulations/academic-integrity/>) defines plagiarism as "using as one's own the words, ideas, data, code, or other original academic material of another without providing proper citation or attribution." Sanctions for violations of the Academic Integrity Policy are determined by the Student Conduct Board in accordance with the university's Code of Student Conduct (<https://catalog.northeastern.edu/handbook/code-student-conduct/>). Visit the Office of Student Conduct and Conflict Resolution (<https://osccr.sites.northeastern.edu/>) for more information.

The Law School is bound by these rules, which are referenced in the Graduate Catalog (<https://catalog.northeastern.edu/handbook/policies-regulations/academic-integrity/>). This policy clarifies for the Law School's internal purposes how the university definition applies in the context of a field anchored in precedent and in a professional culture that relies on such practices as maintaining and drawing from "brief banks" and also to distinguish other offenses and errors that should or should not trigger university disciplinary procedures.

Unauthorized Collaboration vs. Copying from Another Student

Both unauthorized collaboration and copying from a fellow student are covered under the heading of the Academic Integrity Policy, and the same procedures and penalties apply as do to plagiarism. In the study and practice of law, many projects are the result of teamwork, consultation, and vigorous exchange. Furthermore, at least some instructors expect students to discuss issues before sitting down to draft a memorandum, paper, or take-home exam.

NUSL has a blanket presumption applicable to all assignments completed outside of class that students may discuss issues and arguments prior to writing but that the written products that students turn in must be theirs alone. Any instructor may by explicit instruction deviate from the policy (whether to encourage greater collaboration or to prohibit it) at any time. The presumption shall not apply to in-class exams, where collaboration is presumptively forbidden. If, however, instructors wish to prohibit the use of collaboratively developed course outlines, they must do so explicitly. The mere fact of an instructor prohibiting the use of commercially prepared outlines shall not be read to have been adequate notice of a prohibition against outlines prepared collaboratively by students.

As explained above, an instructor may be explicit that a written product is expected to be the result of a group effort (i.e., a single paper or memorandum may be expected to bear the names of more than one student). If one member of the group commits an offense of academic dishonesty without the knowledge of the other group members, those other group members shall not be held accountable for the offense. All students who lend their names to a final product, however, are expected to do so only when based on the good faith belief that the work is original to the group.

In addition, no student may submit a single paper in satisfaction of the requirements for two courses, nor shall a student submit two papers that are not identical but that nonetheless represent essentially the same body of research and the same ideas, unless the instructors for both courses grant their explicit permission. For example, if a student is enrolled in two courses for which a 20-page paper is required, the instructors for the two courses may, in their discretion and by mutual agreement, permit the student to submit a 40-page paper to satisfy the requirements of both courses.

Copying the work of another law student (past or present, at Northeastern or elsewhere) and turning the work in as one's own is strictly prohibited and shall result in referral to the university for disciplinary proceedings. This rule applies not only to wholesale copying of an entire product but also to copying any part of a product written by someone else. Purchasing a paper, for example, from an on-line service, is strictly forbidden and shall result in referral to the university for disciplinary proceedings.

Careless Citation vs. Plagiarism

Law students are responsible for properly citing to all sources for assertions of fact, statements of law, comments, ideas, or arguments. This obligation extends to (but is not limited to) sources such as cases, statutes, regulations, policy memoranda, law review articles, books, and websites—even movies. Instructors shall be vigilant in their continuing instruction to students regarding the specifics of this obligation. Students are excused from this obligation during timed exams and may be excused by explicit instruction from this obligation during take-home exams.

That said, students typically proceed along a learning curve as they adapt to the rigors of law school and the practice of law. Unintentional failure to meet the standards for attribution, therefore, shall be considered a deficit in learning requiring an educational remedy rather than an offense against academic honesty. When an instructor suspects that the failure to cite has been intentional, however, the offense will be deemed to fall under the university definition of plagiarism and shall result in a referral to the university for disciplinary proceedings.

Use of Generative AI Tools

Students must adhere to rules and standards for confidentiality, privilege, ethics, and professional responsibility, which are referenced below and form the foundational framework upon which any specific instruction from a professor, administrator, or employer must align. Additionally, before using any generative AI tool, students should read their professor's syllabus, review any relevant school or workplace rules, and consult their professor or supervisor to find out what is allowed and what is not allowed.

The School of Law recognizes the significant ethical considerations and risks associated with artificial intelligence, especially in the legal field where issues arise regarding confidentiality, privilege, and professional responsibility. There is a noticeable absence in many educational resources regarding

the potential dangers of utilizing AI for tasks involving, among other things, confidential information, proprietary data, or potentially incriminating material.

It is, thus, imperative for current and future legal professionals to understand these concerns and address the pitfalls of AI integration to ensure ethical and responsible use in legal practice.

Sharing information with generative AI technology through the open internet may violate principles of confidentiality, ethics, and professional responsibility. Any information uploaded into generative AI tools is considered to have entered the public domain. The loss of control over the uploaded information can pose significant risk to attorneys, clients, and the public.

Additionally, the use of generative AI in legal practice involves risks pertaining to the source and accuracy of information. In legal work, the ability to authenticate the source of information and verify its accuracy is crucial to ensuring the integrity of legal analysis, arguments, and submissions. Unlike traditional legal research methods where the sources of information are explicit and traceable, the algorithms and datasets used in AI systems often lack transparency. It is nearly impossible to determine whether the information originated from reputable sources, underwent rigorous scrutiny, or was not subject to bias or manipulation during the algorithmic process.

As noted above, the expectations for AI use might vary across professors, administrators, and employers. Before using any generative AI tool, read your professor's syllabus, review any relevant school or workplace rules, and consult your professor or supervisor to find out what is allowed and what is not allowed. For example, Northeastern's Code of Student Conduct (<https://catalog.northeastern.edu/handbook/code-student-conduct/>) provides information about academic integrity and other standards. Regardless of any rules in place at a particular institution or company, ethical practice and professional responsibility must always be adhered to.

Ultimately, the School of Law seeks to address these concerns and prepare future legal practitioners to navigate the complexities of AI integration. By advocating for transparency, accountability, and ethical standards, we strive to uphold the integrity of legal practice and ensure credibility and authenticity in the practice of law.

The Special Circumstances of Co-op and Clinical Work

In many instances, law students produce work that serves two purposes: pedagogical and professional. For example, a memorandum drafted on co-op is part of the student's education, for which the student can hope to receive feedback from a supervisor and on which the student's performance might be evaluated. The same memorandum, however, might also contribute to the work of the co-op employer in serving the employer's client or another professional function. As all lawyers know, many legal materials enjoy long lives, resurfacing in substance again and again on different occasions. For example, a law firm might use boilerplate language setting forth the standard for summary judgment or might maintain a brief bank.

The Law School would undermine the symbiosis of education and professional work that underlies the co-op and clinical programs by insisting that students deviate from accepted professional practices designed to maximize efficiency. There can be no absolute rule, therefore, that students on co-op or in a clinical setting ignore existing documents relied upon by their employers and clinical instructors and draft each document from scratch.

Instead, while students must be free to adapt to the customs of the profession, they bear the burden of ensuring that they are not wrongfully credited for work they did not perform. For example, if a student turns in a product to their supervisor that is substantially drawn from a preexisting document, the student must inform the supervisor that the work is not original so that the supervisor does not evaluate the student based on work that was performed by someone else. Similarly, the student may not use the product as a writing sample to send to prospective employers or submit the product to satisfy the rigorous writing requirement for the JD degree.

The same standard applies where the student has collaborated on a professional product so that they are not falsely credited for the product in its entirety. (If possible, the student may sever their contribution and present it separately.) Of course, the distinction between intentional and unintentional failure to meet attribution standards shall apply in co-op and clinical contexts as well as in the context of a traditional academic exercise.

Process for Internal Investigation of Possible Offenses

Instructors are those faculty members, adjunct faculty, and lecturers responsible for a course or for supervising student work. Teaching assistants and lawyering fellows are not considered instructors for purposes of this policy. Any teaching assistant or lawyering fellow who suspects one of their students of academic dishonesty shall notify the instructor for the course, whose responsibilities are set forth in this policy.

An instructor who suspects irregular citation or plagiarism in a student submission shall compare suspect passages to likely sources. If the most likely source is from an assigned course reading or fellow student's paper, the instructor shall compare the suspect text with those sources directly. The instructor also shall conduct an initial search using Westlaw, LexisNexis, and/or any other electronic databases if appropriate. If the instructor does not locate a source using these means or if these means are not appropriate, but the instructor still suspects that the work is not original to the student, they may ask the Law Library director to search other sources, first providing copies of the student submission and the results of any searches already performed. The Law Library director will report additional results back to the instructor.

If, based on the results of their own research or that of the Law Library, the instructor believes that an offense of academic dishonesty is likely to have been committed, the instructor shall notify the associate dean for student and academic services, meet with the student, present the student with any materials thought to have been relied upon without attribution, and discuss the matter. If, after said discussion, which may include the associate dean for student and academic services, the instructor still believes that an offense of academic dishonesty is likely to have been committed, the instructor shall ask the associate dean for student and academic services to refer the matter to the university for disciplinary proceedings. If the instructor believes that it is unlikely that such an offense has occurred, no referral to the university shall be made. If the instructor believes that an error in

citation, rather than an intentional misrepresentation, has occurred, the instructor shall take whatever steps they deem necessary to educate the student regarding citation standards (such as requiring the student to redo the relevant assignment or referring the student for academic assistance). If the instructor determines that the matter requires further investigation prior to making a decision, they may refer the matter to the associate dean for student and academic services, including copies of the student's submission and a copy of any suspected source that was not appropriately cited. The associate dean for student and academic services shall consider the matter and confer with the instructor regarding the instructor's decision. If the student submission in question was written on co-op, an appropriate administrator, rather than an instructor, may make the decision.