

COA Opinion: Former law student's appeal of lawsuit regarding law school disciplinary action dismissed as moot

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As a law student, the plaintiff was accused of dishonesty by one of her professors after she claimed to have completed a project, but then admitted that she had been dishonest. The professor referred the matter to the assistant dean for honor code review. A disciplinary panel concluded that the student has been dishonest and issued a penalty of three hours of counseling and instruction in civility, ethics, and stress management. The panel specifically concluded that the nature and circumstances of the student's conduct would not prevent her admission to the bar. Before the disciplinary proceeding, the student had filed a complaint in circuit court seeking to prevent the hearing from occurring. When the injunction was denied, the student amended her complaint to claim breach of contract and arbitrary and capricious conduct. She did not identify any monetary damages. After the panel rendered its decision, the trial court granted summary disposition to the school, finding that the honor code did not create an enforceable contract, and the school's conduct was not arbitrary and capricious. The student graduated and was admitted to the Illinois bar, but she nonetheless appealed as of right the trial court's dismissal of her action. In *Keita v. Thomas M. Cooley Law School*, No. 291608 (published Sept. 16, 2010), the Michigan Court of Appeals dismissed the appeal as moot, holding that because the student had already graduated from the law school, the Court of Appeals could not fashion a remedy.