

# TITLE V: THE JUDICIAL BRANCH

## Chapter 500 Students' Rights

- 500.1 No right guaranteed by the Constitution of the Student Body of the University of Central Florida, the UCF Golden Rule, or by the constitutions of the United States or the State of Florida shall be abridged by any student conduct proceeding.
- 500.2 Any student or student group appearing before any student judiciary shall have the following rights:
- A. To be given notice and explanation, both oral and written, of pertinent procedures, specific alleged violations, disciplinary measures which may result, and all rights guaranteed by law.
  - B. To present witnesses and evidence at said hearings.
  - C. To confront and/or cross-examine all witnesses involved in the proceedings.
  - D. To receive a written explanation of the council's decision and the rationale for the recommendation pursuant thereto.

## Chapter 501 Appearance of Witnesses

- 501.1 The Chief Justice shall notify all parties so designated by the Council of the occasion, time, and place of the proceedings and shall:
- A. Direct all student parties to appear before the Council at the time and place specified.
  - B. Request all non-student parties to appear before the Council at the time and place so specified.
- 501.2 Failure by a student party to comply with a directive to appear before the council, without reasonable cause, may result in the initiation of disciplinary action.
- 501.3 Cases in which the proceedings involve a recognized student organization, or an individual acting on behalf of such an organization, shall result in a freeze of Activity and Service Fee funds to that organization.

## Chapter 502 The Records of the Judicial Council

The Chief Justice, with majority approval of the council, shall be responsible for notifying all parties concerned, except as provided in Title V, Chapter 501.1.

## Chapter 503 Interfraternity, Panhellenic, National Pan-Hellenic, Diversified Greek, and Sports Club Councils

- 503.1 The Sports Club Council, Interfraternity Council, and National Pan-Hellenic Council, Diversified Greek Council, and Panhellenic Council have the right to appoint their own judicial bodies according to their own by-laws. All members of these bodies

must meet Student Government eligibility requirements.

503.2 These bodies shall hear cases involving infractions of their own regulations and by-laws.

503.3 These bodies shall have the power to make decisions in cases that arise within their organizations according to their own regulations and by-laws.

#### **Chapter 504 Partisanship**

No member of the Judicial Council shall actively campaign for any candidate for elective office, or act in any partisan manner.

#### **Chapter 505 Responsibilities of the Chief Justice**

505.1 The Chief Justice, with majority concurrence of the Judicial Council, shall be able to remove from a case any Justice whom they deem to have a conflict of interest.

505.2 If the Chief Justice is unavailable to fulfill their duty of administering the "Oath of Office," it may be administered by another Justice of the Judicial Council.

505.3 Shall be responsible for appointing up to two Assistant Chief Justices from among the Justice membership. All Justices shall be eligible for appointment. These appointments must be confirmed by a majority vote of the Senate, by ballot.

505.4 May assign duties not stipulated in Statutes to the Assistant Chief Justices, as necessary.

505.5 May remove an Assistant Chief Justice at any time. If removed, the Assistant Chief Justice is considered resigned from their position.

505.6 In the event that a Judicial member feels an Assistant Chief Justice is not performing their duties, the member shall recommend to the Chief Justice that they evaluate their performance and/or take corrective action.

#### **Chapter 506 Term of Office**

506.1 Judicial Council Justices shall take office upon installation and shall serve for the remainder of their seat's term or until considered resigned.

- 506.2 Justice Seats carry a two year term concurrent to the Executive branch.
- A. Justice Seats #1-7 shall open for appointments in the summer of every odd year (e.g., 2011). Their terms shall run concurrent to two (2) Executive administrations to terminate and re-open at the summer of the following odd year (e.g. 2013).
  - B. Justice Seats #8-14 shall open for appointments in the summer of every even

year (e.g. 2012). Their terms shall run concurrent to two (2) Executive administrations to terminate and re-open at the summer of the following even year (e.g. 2014).

C. This pattern shall continue perpetually.

## **Chapter 507 Justices' Duties outside of Student Government**

507.1 Justices shall be required to serve on several appeals boards from across the University including, but not limited to:

- A. Student Conduct Boards
- B. Parking Appeals Boards
- C. Grade Appeals Boards from the colleges

### 507.2 The Student Conduct Process

- A. All of the Justices of the Judicial Council, excluding the Chief Justice unless they consent, shall be members of the Student Conduct Board from which students are chosen for Conduct Hearing Panels according to the Golden Rule.
- B. All Justices shall be judicially trained according to the guidelines put forth by the Golden Rule and the Constitution of the Student Body for the purpose of hearing conduct cases.
- C. A Justice assigned to a Hearing Panel shall adhere to the provisions guaranteed to student defendants under the Constitution of the Student Body and the Golden Rule and shall not contravene the hearing procedures outlined in the Golden Rule.
- D. The records, notes, and official transcripts of student conduct procedures to which a Justice is privy shall be considered judicial in nature and exempt from Sunshine regulations according to the Student Body Statutes and the Golden Rule. No Justice shall disclose records that are deemed confidential by the Golden Rule or Office Student Conduct unless all parties consent in writing and, even then, only to the Chief Justice for the purpose of recordkeeping.
- E. All pertinent and non-confidential records shall be maintained by the Office of the Chief Justice with the advice of the Office of Student Conduct. These records shall not be open to students unless so authorized by the Judicial Council, the Office of Student Conduct, and all parties. These records shall exist to maintain an understanding of student trends dealing with the conduct process.

### 507.3 Student Grade Appeals

- A. All Justices shall be members of the Student Academic Appeals Panel from which students are chosen by deans to form Student Academic Appeals Committees to hear academic appeals.
- B. Determination of which Justice shall sit on a formed Committee shall be based on an assignment by the Chief Justice at the request of the dean of the college in which the alleged offense has arisen.

- C. Justices hearing academic appeals shall adhere to all procedures of the college/school in which the dispute arises and all confidentiality requirements of the Golden Rule. Records which may not be disclosed shall not be disclosed without written consent of both parties.
- D. Student Academic Appeals Committees shall be considered confidential judicial hearings and thus exempt from Sunshine regulations.

507.4 Parking Citation Appeals

- A. The Judicial Council shall be vested the authority to hear appeals based on the decision of the Parking Citation Appeals Committee.
  - 1. The Judicial Council must schedule such cases within fourteen (14) days upon receiving notification of the appeal.
  - 2. A case may only be heard if the grounds for the appeal are in accordance with the stipulations set forth in Article 006.02 of the UCF Parking Services Rules and Regulations.
  - 3. In the event that the decision of the Parking Citation Appeals Committee is overturned by the Judicial Council, the Chief Justice shall submit the reasons in memo form to the Director of Parking Services and to the Parking Citation Appeals Committee Chairman.
- B. The Chief Justice shall contact the appellant within three (3) business days to schedule a hearing.

507.5 The Chief Justice and Assigning Justices

- A. Justices shall be assigned to their respective boards and panels only with the consent of the Chief Justice.
- B. When a Justice is required to hear a case, that Justice must alert the Chief Justice in writing. The Chief Justice shall then make record of the Justice and case being heard including, but not limited to:
  - 1. The type of case, such as conduct, or academic
  - 2. The charge
  - 3. The result of the case
  - 4. The sanction.
- C. No record of the Chief Justice in this regard shall contain identities or any other confidential information.
- D. The case log of the Justices shall only be available with the consent of the Chief Justice or the Attorney General serving in their capacity as advisor to the President.

**Chapter 508 Diversity Training**

- 508.1 All Justices are required to attend a diversity training session hosted by the Office of Diversity Initiatives. The diversity training session shall be scheduled by the Chief Justice or designee, to be held within the first four (4) weeks of taking office.
- 508.2 Absence from the scheduled diversity training session may be expunged by a majority vote of the Judicial Council.

**HISTORY:**

BILL 09-28 (09/25/77) BILL 16-11 (11/08/83) BILL 18-37 (06/19/86) BILL 10-43 (05/25/78)  
BILL 17-12 (01/08/85) BILL 19-49 (05/17/87) BILL 15-59 (06/02/83) BILL 18-08 (11/12/85)  
BILL 20-14 (11/24/87) BILL 15-70 (09/19/83) BILL 18-14 (02/16/86) BILL 20-37 (02/23/88)  
BILL 20-78 (07/19/88) BILL 20-83 (07/19/88) BILL 21-16 (01/10/89) BILL 24-55 (04/09/92)  
BILL 26-53 (04/21/94) BILL 27-80 (06/11/95) BILL 31-31 (06/30/99) BILL 36-80 (07/08/04)  
BILL 38-26 (02/16/06) BILL 39-21 (02/21/07) BILL 40-31 (04/14/08) BILL 42-15 (01/29/10)  
BILL 42-69 (04/27/10) BILL 43-06 (01/13/11) BILL 43-109 (09/22/11)