

# TITLE V: THE JUDICIAL BRANCH

## Chapter 500 Responsibilities of the Judicial Branch

- 500.1 The Judicial Council works to ensure that student rights are always upheld through involvement in parking appeals, judicial hearings and reviews, Office of Student Conduct, Registered Student Organizations, and Greek new member outreach presentations. The Council also sits on University appeal boards and committees such as: University Fee Appeals Committee, Parking and Transportation Advisory Council, Eligibility Appeals Committee, Golden Rule Review Committee, Scholarship Committee, and Standards and Admissions Committee.
- 500.2 No member of the Judicial Council shall actively campaign for any candidate for elective Student Government Association office or act in any partisan manner relating to Student Government Association elections.

## Chapter 501 Terms of Office

- 501.1 Judicial Council Justices are appointed by the President, shall take office upon installation, and shall serve for the remainder of their seat's term or until considered resigned.
- 501.2 Justice Seats carry a two-year term concurrent to the Executive branch.
- A. Justice Seats #1-7 shall open for appointments by the first week of June for every odd numbered year (e.g. 2013). 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. 2015).
  - B. Justice Seats #8-14 shall open for appointments by the first week of June for every even numbered year (e.g. 2014). 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. 2016).
  - C. This pattern shall continue in perpetuity.
- 501.3 In order to obtain the position of Chief Justice, one must be an active Justice, appointed by the President, confirmed by Senate, and be administered the "Oath of Office" by an active Justice.
- 501.4 The External and Internal Assistant Chief Justice(s) must be an active Justice. The External and Internal Assistant Chief Justice(s) are selected by the Chief Justice, confirmed by the Senate, and administered the "Oath of Office."
- 501.5 In the event that the Office of the Chief Justice becomes vacant, the Student Body President may appoint a current member of the Judicial Council to be the Interim Chief Justice in accordance with Chapter 400.3, Section E within 5 business days of the resignation of the Chief Justice.
- A. The term of an Interim Chief Justice shall not exceed 30 school days, as determined by the UCF Academic Calendar from the date of confirmation.

1. This term may be extended through a resolution by the Student Body Senate following a request to the Senate, in writing, by the Student Body President.
- B. The Student Body President shall appoint a new permanent Chief Justice during the term of the Interim Chief Justice.
- C. In order to obtain the position of Interim Chief Justice, one must be an active Justice, appointed by the Student Body President, and be administered the “Oath of Office” by an active Justice.

## **Chapter 502 Powers and Duties of the Interim Chief Justice**

### 502.1 The Interim Chief Justice Shall:

- A. Have the authority to remove from a case any Justice whom they deem to have a conflict of interest with the majority concurrence of the judicial council.
- B. Be responsible for ensuring all elected and confirmed SGA officials are given the “Oath of Office”, either by themselves or another Justice.
- C. Be responsible for scheduling and chairing and/or designating a chair for parking appeals.
- D. Possess the authority to review, reverse, and remand any decisions made by the Election Commission during a campaign violation hearing, with majority consent of the Judicial Council.
- E. Possess the authority to enter judicial review on any act, legislation or memorandum whom they feel violates a higher document.
- F. Assign Justices to their respective boards and panels upon the concurrence and appointment of the Student Body President.
- G. The Interim Chief Justice shall not have the authority to appoint an Assistant Chief Justice, or resign any Justice.

## **Chapter 503 Powers and Duties of the Chief Justice**

- A. Have the authority to remove from a case any Justice whom they deem to have a conflict of interest with the majority concurrence of the Judicial Council.
- B. Be responsible for ensuring all elected and confirmed SGA officials are given the “Oath of Office,” either by themselves or by an Associate Justice.
- C. Be responsible for appointing the Internal and External Assistant Chief Justice from among the Council. All Justices shall be eligible for appointment. The appointment must be confirmed by a majority vote of the Student Body Senate.
- D. Assign duties not stipulated in Statutes to the Internal Assistant Chief Justice, as necessary.
- E. Be able to remove the Internal and External Assistant Chief Justice at any time. If removed, the Internal or External Assistant Chief Justice is considered resigned from that position.
  1. The Chief Justice is required to submit the reason(s) for dismissal, replacement, or removal of the Assistant Chief Justice to the person being dismissed or removed.
- F. Create and/or update and administer the University of Central Florida Student Government Association Judicial Council Bar Examination after every appointment, within one month in which a Justice will have two attempts to pass to maintain their position.

1. The Judicial Council Bar Examination shall be reviewed by the Attorney General and the Vice President of the Student Body to ensure relevant information is being tested.
- G. Be responsible for scheduling and chairing and/or designating a chair for parking appeals.
- H. Possess the authority to review, reverse and remand any decisions made by the Election Commission during a Campaign Violation hearing, with majority consent of the Judicial Council.
- I. Possess the authority to enter judicial review on any act, legislation or memorandum whom they feel violates a higher document.
- J. Assign Justices to their respective boards and panels upon the concurrence and appointment of the Student Body President.
- K. The Chief Justice must oversee the execution of retreat for the Judicial Branch.

#### **Chapter 504 Powers and Duties of the Assistant Chief Justice**

##### 504.1 The External Assistant Chief Justice

- A. Assume all assigned responsibilities of the Chief Justice in their absence.
- B. Ensure constant communication is kept between themselves and the Chief Justice.
- C. Be responsible for assisting the Chief Justice in judicial tasks deemed necessary.
- D. Be responsible for scheduling and presenting all judicial outreach presentations.
- E. The External Assistant Chief Justice's term of office will expire with the term of the Chief Justice.

##### 504.2 The Internal Assistant Chief Justice

- A. Assume all assigned responsibilities of the Chief Justice in their absence.
- B. Ensure constant communication is kept between themselves and the Chief Justice.
- C. Be responsible for assisting the Chief Justice in judicial tasks deemed necessary.
- D. Ensure Judicial Council is up to date with internal proceedings.
- E. Be responsible for maintaining an orientation and training file for the Judicial Council.
- F. Be responsible for maintaining a file with all Justices biographical information.
- G. Keep record on file of all judicial proceedings, decisions, and official opinions.
- H. Maintain attendance at hearings and Judicial Council meetings.
- I. Notify the Chief Justice of an accumulation of absences of a member of the Judicial Council.
- J. Assist the Chief Justice in planning and executing the Judicial Branch Mentorship Program; Judicial Leadership Council.
- K. Assume the position of the Chief Justice in the case of vacancy.
- L. The Internal Assistant Chief Justice's term of office will expire with the term of the Chief Justice.

#### **Chapter 505 Powers and Duties of the Judicial Council**

- 505.1 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
- D. Fiscal Administrative Decision Appeals Boards

#### 505.2 The Student Conduct Process

- A. All of the Justices of the Judicial Council 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 of Office of Student Conduct unless all parties consent in writing.
- E. All records, notes, and official transcripts of student conduct procedures are maintained by the Office of Student Conduct.

#### 505.3 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 Justices 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 without written consent of both parties.

#### 505.4 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. Including but not limited to, funding and probational decisions for Registered Student Organizations or Individuals made by the Legislative Branch.
  - 2. A case may only be heard if the grounds for the appeal are in accordance with the stipulations set forth in 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 Judicial Council.
- B. The Chief Justice shall contact the appellant within three (3) business days to schedule a hearing.

- 505.5 Fiscal Administrative Decision Appeals Boards
- A. The Judicial Council shall be vested the authority to hear appeals based on fiscal administrative decisions made in the Legislative Branch.
    1. Including but not limited to, funding and probational decisions for Registered Student Organizations or Individuals made by the Legislative Branch.
  - B. The appellant shall contact the Chief Justice to initiate the process within ten
  - C. (10) business days that the administrative decision was handed down.
  - D. If the appeal is determined valid, the Chief Justice shall contact the appellant within three (3) business days of the appellant's initial contact to schedule a hearing.
  - E. The Judicial Council must schedule such hearings within ten (10) business days upon receiving notification of the appeal.
  - F. In the event that the decision of one of the administrative authorities is overturned by the Judicial Council, the Chief Justice shall submit the reasons in memorandum form to the head of the authority in question within three (3) business days and remand back to the Legislative Branch.
- 505.6 If the Chief Justice is unavailable to fulfill their duty of administering the "Oath of Office," it may be administered by any member of the Judicial Council.
- 505.7 Adhere to all Judicial Branch Internal Rules.
- 505.8 Attend retreat once per semester unless absence is approved by the Internal Assistant Chief Justice and the Chief Justice.
- 505.9 Judicial Quorum
- A. Quorum for a Judicial Hearing or an official meeting of the Judicial Council shall consist of a minimum of four (4) Justices and the Chief Justice for a student hearing. Quorum for Student Government Association hearings shall be set at fifty percent (50%) plus one (1) of the current membership.
  - B. The Judicial Procedures shall provide guidance on the removal of members of the Council from office for absences.

## **Chapter 506 Student Rights**

- 506.1 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 of the State of Florida, shall be abridged by any student conduct proceeding.
- 506.2 Any student or student from 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 507 Interfraternity, Panhellenic, National Pan-Hellenic, Diversified Greek, and Sports Club Councils**

- 507.1 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.
- 507.2 These bodies shall hear cases involving infractions of their own regulations and by-laws
- 507.3 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 508 Diversity Training**

- 508.1 All Justices are required to attend a diversity training session hosted by the Office of Diversity and Inclusion. The diversity training session shall be scheduled by the Chief Justice or designee, to be held during Judicial Retreat or 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.

### **Chapter 509 Appearance of Witnesses**

- 509.1 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.
- 509.2 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.
- 509.3 Cases, in which the proceedings involve a Registered 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 510 The Records of the Judicial Council**

- 510.1 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.

### **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) BILL 46-98 (05/13/14)  
BILL 48-64 (04/13/16) BILL 48-65 (04/13/16) BILL 48-66 (04/13/16) BILL 48-67 (04/13/16)  
BILL 48-68 (04/13/16) BILL 48-69 (04/13/16) BILL 48-107 (10/12/16) BILL 50-82 (04/02/18)  
BILL 50-108 (10/08/18) BILL 51-17 (3/21/19)