



UNIVERSITY of ROCHESTER  
**STUDENTS' ASSOCIATION**  
GOVERNMENT

**STUDENTS' ASSOCIATION GOVERNMENT**  
**JUDICIAL BRANCH**  
**(All-Campus Judicial Council)**  
**POLICY AND PROCEDURES MANUAL**

## **Part 1: Operations, Policies, and Procedures**

### **SECTION ONE: ALL-CAMPUS JUDICIAL COUNCIL**

1. The judicial power of the Students' Association will be vested in the All-Campus Judicial Council.
2. The Council may review all cases and controversies arising between elements of the Students' Association for conflict with the Constitution, bylaws, or appropriate procedure and policy manuals.
3. The decisions of the Council will not be subject to review or reversal by the Senate or the Students' Association President.
4. The judicial power of the Council will also extend to those cases to which the University delegates its authority to adjudicate, where the Council's authority will be constrained as determined by the University or its officials.

### **SECTION TWO: CHIEF JUSTICE**

1. The Chief Justice shall act as the official representative of the All-Campus Judicial Council.
2. The Chief Justice shall preside over hearings and meetings.
3. The Chief Justice shall regularly inform the Senate of judicial activities.
4. The Chief Justice reserves the right to withhold confidential information from the Senate.
  - a. All information regarding student conduct and academic honesty hearings is confidential.
5. The Chief Justice shall serve on the Senate Steering Committee.
6. The Chief Justice may choose to recuse oneself if they foresee a conflict of interest.
  - a. The Deputy Chief would fulfill the duties of the Chief Justice.

### **SECTION THREE: DEPUTY CHIEF JUSTICE**

1. The Deputy Chief Justice shall fulfill the duties delegated by the Chief Justice.
2. The Deputy Chief Justice shall serve on the Senate Steering Committee.
3. The Deputy Chief Justice may choose to recuse oneself if they foresee a conflict of interest.
  - a. The senior most Associate Justice would fulfill the duties of the Deputy Chief Justice.

### **SECTION FOUR: ASSOCIATE JUSTICES**

1. The All-Campus Judicial Council consists of up to nine associate Justices, not including the Chief Justice and Deputy Chief Justice.
2. The Associate Justices serve on the All-Campus Judicial Council for the duration of their college careers.
3. Associate Justices may choose to recuse themselves if they foresee a conflict of interest.

### **SECTION FIVE: SELECTIONS**

1. **The Chief Justice and Deputy Chief Justice:**
  - a. The Chief and Deputy Chief Justices shall be chosen from the current Associate Justices in an internal election to be held in the Spring of each year prior to the start of new Associate Justice Selections process.
  - b. The election of the Chief Justice will occur before the election of the Deputy Chief Justice.
  - c. The term of both officers shall be one year; both may be reelected.
  - d. The incoming Chief Justice and Deputy Chief Justice will take office immediately following Commencement Ceremonies.
2. **Associate Justices:**
  - a. New Associate Justices shall be chosen for the following year prior to Commencement Ceremonies.
  - b. The selection process will be overseen as follows:

- i. The first round of interviews will be conducted by the Chief and Deputy Chief, Associates Justices, and the Chief Justice elect and the Deputy Chief Justice elect.
- ii. The second round of interviews will be conducted by the Chief and Deputy Chief, the Chief Justice elect and the Deputy Chief Justice elect, and the President and Vice President or their delegates.
  1. These designees shall not be Senators.
- iii. If any Justice holds more than one of these preceding titles or any of these individuals decline to participate, the All-Campus Judicial Council will select additional members from the Council for the selection committee.
- c. The SA Senate shall vote to confirm the Associate Justice nominations before the end of the second Senate meeting in the following Fall.
- d. Nominated Associated Justices do not become official members of the Council until after the Senate confirms them, by simple majority, and they receive formal training on conduct hearings, SA Government appeals, and Board on Academic Honesty cases.
- e. Associate Justices may not serve in another branch of SA Government.

## **SECTION SIX: RESIGNATIONS and REMOVALS**

1. Chief Justice and Deputy Chief Justice:
  - a. The Chief Justice may resign from their position by written notification to the entire Council, the Speaker, and the President and may resume their tenure as an Associate Justice.
  - b. The Deputy Chief Justice may resign their position by written notification to the Chief Justice and may resume their tenure as an Associate Justice.
  - c. The Chief Justice or Deputy Chief Justice may be removed by a two-thirds vote by the entire Council and resume their tenure as an Associate Justice unless also removed from that position.
2. Associate Justices
  - a. Any Associate Justice may resign by written notification to the Chief Justice.
  - b. An Associate Justice may be removed by a two-thirds vote of the entire Senate.
  - c. The Council may remove an Associate Justice by a vote of the active council membership less two as per Article IV, Section 4 of the SA Constitution.

## **SECTION SEVEN: JUDICIAL SUCCESSION:**

1. If the Office of Chief Justice is vacant, the Deputy Chief Justice shall assume the position of Chief Justice, and shall hold a selection to fill the office of Deputy Chief Justice.
2. If the Office of Deputy Chief Justice is vacant, the Chief Justice shall hold a selection to fill the office of Deputy Chief Justice.
3. In the event that the positions of Chief Justice and Deputy Chief Justice are simultaneously vacant, the Council members shall hold a selection to determine a new Chief Justice and a new Deputy Chief Justice, presided over by the senior most Council member.

## **SECTION EIGHT: DOCUMENT UPKEEP**

1. Updates, changes, or replacements to this document do not require approval of the Senate
2. The Chief Justice must notify the Senate of any alterations within two weeks of modification

## **Part 2: Appeals**

### **SECTION ONE: FILING AN APPEAL:**

1. Any SA member may appeal violations of SA governing documents to the ACJC, first by submitting an ACJC Letter of Intent, then by submitting an ACJC Appeals Form to the Chief Justice.
2. All Letters of Intent may be filed as early as the first day of classes in the fall semester and as late as five weeks before the start of Reading Period in the Spring Semester.
  - a. If a Letter of Intent is filed after five weeks before the fall semester Reading Period, the appeals process will begin on the first day of classes in the Spring semester.
3. If significant conflicts in scheduling occur, the Chief Justice—in consultation with the ACJC, the Respondent, and Appellant—has discretion to adjust the schedule of the appeals process.

**SECTION TWO: PRELIMINARY MEETING and PRESENTATION OF APPEAL:**

1. The Appellant and the Respondent shall together meet with the Chief Justice on a Wednesday. During this meeting, the Appellant must submit a completed Letter of Intent to both the Chief Justice and to the Respondent in person and via email.
2. The following Wednesday, seven days after the Letter of Intent is filed, the Appellant must meet with the Chief Justice, Deputy Chief Justice, and the Respondent to file an appeal. The Appellant must submit a completed Appeals Form to the Chief Justice, Deputy Chief Justice, and Respondent at this meeting and via email.
3. The following Friday, two days after the Appeals Form is filed, the ACJC shall vote on whether the Council will hear the appeal.
  - a. In order for an appeal to be heard, it must receive a majority vote less two from active justices.
  - b. By the end of that day, Friday, the Chief Justice will inform the Appellant and Respondent about whether the ACJC will hear the appeal.
4. The following Friday, seven days after the ACJC votes to hear the appeal, the ACJC shall hold a public hearing on the appeal.
5. The ACJC shall publicly release its decision on the appeal within two weeks of the hearing date.

**SECTION THREE: ADVISOR:**

1. The Appellant and Respondent are free to bring any member of the University community to serve as an advisor during the hearing.
2. The advisor must be a member of the University community such as a student, a faculty member, staff person, etc.
  - a. No certified legal personnel may serve as an advisor.
3. The Chief Justice must be notified 48 hours in advance of the hearing of who the advisors will be.
4. Advisors may be consulted at any point during the hearing; however, the advisor may not field or answer questions during the hearing.

**SECTION FOUR: RELEVANT DOCUMENTS and EVIDENCE:**

1. Both the Appellant and Respondent are able to submit documents and/or provide evidence for consideration during the hearing.
2. All pertinent evidence must be provided to the Chief Justice 48 hours prior to the hearing. Any evidence submitted after this time will not be considered.

**SECTION FIVE: APPEALS HEARING:**

1. Appeals hearing shall be held within 2-4 academic weeks of the initial date on which the Appeal was filed.

2. All Appeals hearings are public, however, only the Appellant and the Respondent can address the Council.
3. **Introductions:** The Council will introduce itself. Both sides will introduce themselves.
4. **Opening Statements:** Both sides give opening statements.
5. **Fact Finding Session:** The Justices ask both parties questions.
  - a. **Recess:** Justices may call recesses at any point during the hearing. Recesses are not open to the public. All non-ACJC members, including everyone in the audience, the Appellant, and the Respondent, must exit the room. All parties will be invited to re-enter the room once the recess has concluded.
  - b. The Appellant and Respondent may not address one another during the hearing, unless permitted by the Chief Justice, or their designee
6. **Closing Statements:** Both parties offer closing statements. This is an opportunity to offer amendments to your statements and to reiterate the important points in your argument.
7. **Adjournment:** The Council shall adjourn at this time.
8. **Deliberations and Decision:** The Council must publicize their decision within two weeks of the conclusion of the hearing. The decision will be based on the governing documents of the Students Association and any other evidence provided during the hearing.
  - a. The decision of the Council must be enforced in full by the Students' Association Government.