

Student Government Association  
Constitutional Amendment 17-1  
Proposed by Senator Barton  
February 2017

- I. The purpose of this proposal is to amend Article V of SGA's Constitution. The article currently reads:

**ARTICLE V**

**Judicial**

**Section 1.** All judicial powers of the Student Government Association shall be vested in the Rules Committee of the SGA Senate.

**Section 2.** The Rules Committee shall have original jurisdiction in all cases involving this Constitution and appellate jurisdiction involving inter- and intra- conflicts of SGA members and appeals from SGA members upon removal from applicable branch. It also may act on any special case referred to it by the University Administration and by the Student Senate.

- II. Now to read as:

**ARTICLE V**

**Judicial Branch**

**Section 1.** All judicial powers of the Student Government Association shall be vested in the Student Court, which shall be a court of original and appellate jurisdiction.

**Section 2.** The Student Court shall be composed of four (4) associate justices and one (1) chief justice. The Student Court shall be appointed as follows:

- A) The Chief Justice shall be appointed by the President of Student Government Association and shall be approved by a two-thirds (2/3) vote of the Student Senate present.
- B) Two (2) justices shall be appointed by the Vice President of Senate and shall be approved by a two-thirds (2/3) vote of the Student Senate present.
- C) Two (2) justices shall be appointed by the Vice President of UPC and shall be approved by a two-thirds (2/3) vote of the Student Senate present.
- D) All justices shall be appointed before officer elections by exiting SGA officers and sworn in by the current Rules Chair in the spring semester before going into term.
- E) A vacancy within the court shall be filled with an appointment by the President of SGA and be approved by two-thirds (2/3) vote of the Student Senate present.
- F) If the Student Senate fails to approve a position by one (1) week prior to officer elections then the Director of Student Engagement shall appoint the vacant positions without approval of the Senate.

**Section 3.** Qualifications for Student Justices shall be as follows:

- A) Junior or Senior standing for position of the Chief Justice
- B) Maintenance of a minimum cumulative GPA ratio of 2.5
- C) A justice must be considered a full time under university standards.
- D) Taking of an oath to put first the interest of justice and of the Student Body in all cases reviewed.
- G) The term of Student Court Justice shall be in one (1) year increments to serve in consecutive Fall and Spring Semesters of the year that they are appointed.
- H) A Justice shall not be able to serve on any branch of SGA during their term as a justice.

- I) A minimum of one (1) justice shall have served at least one (1) full year on a branch of SGA.

**Section 4.** An oath is to be taken at the first meeting of the Senate, following its approval, at which time the Chief Justice shall inform the Court of its duties

**Section 5.** The Student Court shall have jurisdiction as follows:

- A) It will have original jurisdiction in all cases involving this Constitution and appellate jurisdiction involving inter- and intra- conflicts involving students, campus clubs, organizations, and special groups.
- B) It also may act on any special case referred to it by the University Administration.
- C) It also may hear a student's appeal regarding a ruling by the Rules Committee if there question about the constitutionality of the ruling.
- D) It will approve the Rules Committee's test covering the SGA's Code of Laws, Constitution, and Robert's Rules for Senate, UPC, and Freshman Forum before it is administered.
- E) It will adhere to the Constitution and the Code of Laws of the Student Government Association.

**Section 6.** Any decision of the Student Court may be appealed directly to the Vice President of Student Affairs.

**Section 7.** An advisor to the Student Court shall be selected in the manner indicated by the Director of Student Engagement

**Section 8.** Impeachment of a Justice may take place as defined as:

- A) A justice may be impeached by two-thirds (2/3) vote by the Student Senate present if proven guilty of violating this Constitution and Code of Laws by the Vice President of Student Affairs.
- B) A justice will be immediately removed from the Student Court if convicted of a felony.

**Section 9.** Student Court Hearings:

- A) Hearings shall only occur in the presence of every Justice
- B) If a Justice has a conflict of interest, he or she shall surrender their voting rights in the hearing. In the event, of a tie the advisor of the judicial branch will make the final ruling.
- C) Hearings shall be known to the public in a week's advance and open to the public for attendance.

- III. This amendment shall take effect immediately following its ratification. The Student Court Justices appointments for the 2017-18 Student Court shall be appointed by the 2016-17 Executive Officers as stated in previous sections by Feb. 16, 2017. Failure to do so will redirect failed appointments to the Director of Student Engagement. This appointment process will go as defined above.