

**UNIVERSITY OF COLORADO COLORADO SPRINGS**  
**STUDENT GOVERNMENT ASSOCIATION**  
**JUDICIAL BOARD BYLAWS**  
**Amended April 2020**

**Preamble**

We, the members of the University of Colorado Colorado Springs (UCCS) Student Government Association (SGA) Judicial Board, establish these Bylaws as the procedure for the Board, to supplement the UCCS SGA Constitution (Constitution). Capitalized terms used, but not defined, herein, have their meanings set forth in the Constitution.

**I. Membership.**

- A. The Judicial Board shall be comprised of up to seven (7) members: Chief Justice, Associate-Chief Justice, Election Commissioner, and four (4) Justices.
- B. Duties and expectations for office are described within the Functions section herein.
- C. The term of office for a Judicial Board member shall be for the period of time that he/she remains eligible, according to the Constitution, Art. VIII Section A.4; Art. IX Section B.1.
  - 1. Terms of office for the Chief Justice, Associate-Chief Justice, and Election Commissioner shall be one Academic Year.
  - 2. Officers may not hold the same office longer than a total of two (2) Academic Years.
  - 3. Prior to May 31st and after the general elections, the Chief Justice shall convene a meeting to elect new Judicial Board officers for the following year.
  - 4. Resignations must be emailed to the Chief Justice and read into the Minutes at the next public meeting.
  - 5. If any member submits an application to run for an open SGA elected position, that application is considered a resignation from the Judicial Board.

**II. Procedures.**

**A. Duties.**

- 1. The Judicial Board has the rights, authority, and responsibilities delineated in the Constitution, herein clarified and supplemented.
- 2. The Judicial Board is obligated to hear reasonable disputes, grievances, and injuries brought forth by any member of the UCCS student body, in accordance with the Constitution and the Funding Guidelines and Procedures. The Judicial Board must not hear an issue that is addressed by other campus procedures mandated by law and/or described in other University policies or procedures. In those cases, such other specific procedures, rather than the Judicial Board bylaws and policies, must be followed.
- 3. A party may pursue an appeal of a Judicial Board decision in accordance with these bylaws. Any decision not appealed is binding.
- 4. The Judicial Board is responsible for administering all SGA regular and special elections.

**B. Meetings.**

- 1. In General.
  - a. Meeting procedures shall follow the current version of Robert's Rules of Order or such other model as agreed upon by a Majority of the Justices.

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- b. All meetings must have a Quorum.
  - c. Regular meetings shall be open to any and all interested parties, except meetings that are closed to any and all interested parties as determined by a majority vote of present Justices.
  - d. The Judicial Board shall hold meetings at least once per month during the academic year.
  - e. Announcement of regular meetings must be made to Judicial Board members by the Official Means of Communication.
  - f. Judicial Board meetings may be held online.
2. Posting Agendas.
- a. Agendas of all meetings must be posted in writing on the SGA bulletin board, and to the online student engagement platform maintained by Student Life.
  - b. The Chair of the meeting has the responsibility of ensuring that the Agenda is posted at least 24 hours prior to the scheduled meeting start time.
  - c. If the Agenda is not posted, then no binding decision may be made, no funding may be allocated, and no Reviews may be conducted.
3. Minutes.
- a. Minutes must be taken at all meetings and presented, either via UCCS email or writing, to the SGA Clerk.
  - b. Minutes of the previous meeting which have not yet been approved, must be posted at least 24 hours before the scheduled start time of the meeting.
  - c. Minutes from the previous Academic Year are not required to be approved at the first meeting of the current Academic Year.
  - d. Approved Minutes shall be archived by the SGA Clerk.
  - e. The responsibility of ensuring that minutes are recorded and delivered to the SGA Clerk falls upon the Chair of the meeting.
4. Calling Meetings.
- a. The Chief Justice may call a Judicial Board meeting if, and only if, notice of the meeting's time and place is given at least 24 hours prior to the meeting's scheduled start time via Official Means of Communication to all members of the meeting, with appropriate Agenda posting.
  - b. Judicial Board Reviews will be called by the Judicial Board as deemed necessary based on the duties of the Judicial Board. Review procedures can be found herein.
5. Executive Session. The Chief Justice may call a particular meeting into Executive Session, based on the need for confidentiality. Only Judicial Board members and the appointed secretary will be present during the Executive Session. Minutes are not required to be recorded during Executive Session.
- C. Request for Reviews or Questions.
1. Requests for Reviews or Questions may be submitted through Mountain Lion Connect. The request is to be submitted using the Judicial Review Form. Each charge will be specified by the party requesting a Review. Each charge will be addressed separately.

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2. The Judicial Board shall determine whether the Review or Question was properly filed as a Review or Question. If not, then the Judicial Board will consider the request as it sees proper.
3. In accordance with Robert's Rules of Order, the Judicial Board must decide if the matter presented is in need of an adjudicated decision. The Judicial Board members must state their decision in writing and may take the vote through electronic means, provided appropriate documentation of each member's vote is available.
4. If the Judicial Board decides a request for Review requires an adjudicated decision, the Judicial Board will set a meeting date for which to hear the Review.
5. If the Judicial Board denies a request for a Review or Question, that decision is final.

**D. Reviews.**

1. Reviews will be conducted only in regards to matters brought to the Judicial Board by members of the UCCS student body.
2. The Chief Justice has discretion to schedule the Review at a time that is most convenient for the Judicial Board. All parties impacted by a Judicial Board decision shall be notified by written order of the Judicial Board within three (3) School Days of the Judicial Board's decision to hear the matter. Notice is complete when the Judicial Board receives a written and signed receipt of delivery. This receipt is to be made a permanent part of the Review's record.
3. The Associate-Chief Justice will make available to each party the Constitution, Judicial Board Bylaws and any additional relevant documents.
4. For the Judicial Board to consider materials, each party must provide all written materials no less than two (2) School Days prior to the scheduled Review. Each Party must provide one (1) copy for every individual Judicial Board member, one (1) copy for the permanent record and one (1) copy for each additional individual party involved.
5. If a Quorum of Justices is lacking, the Judicial Board shall establish a Review committee comprised of no less than five (5) and no more than seven (7) members. This Review committee will consist of the remaining Judicial Board members plus students-at-large who are recommended by the Judicial Board and approved by the Executive Director of Student Life (or designee).
6. Each Review will be heard on an individual basis. The procedure for all Reviews shall be as follows:
  - a. Call to Order.
  - b. Roll Call of Justices.
  - c. Summary of Complaint by the Chief Justice or designee.
  - d. Presentation of Evidence. Sufficient time will be given to each party to present evidence relevant to the Review. The accused party will present first, followed by the accusing party, followed by the accused party's rebuttal.
  - e. Questions from the Judicial Board Members. The members of the Judicial Board may question any party and any other person relevant to the matter.
  - f. Closing Statements. Each party will have up to five (5) minutes total to make a closing statement. The accused party will start,

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followed by the accusing party, followed by the accused party's rebuttal.

g. Judicial Board Executive Session. Deliberations for a Review presented will be made by the Judicial Board in Executive Session.

**E. Questions.**

1. Each Question will be heard on an individual basis. The procedure for all Questions shall be as follows:
  - a. Call to Order.
  - b. Roll Call of Justices.
  - c. Summary of Complaint or Inquiry by the Chief Justice or designee.
  - d. Judicial Board Executive Session. Deliberations for a Question presented will be made by the Judicial Board in Executive Session.

**F. Decisions.**

1. All final decisions shall be written by the Chief Justice, or designee, and kept on permanent file open to public inspection in the Student Government office and/or on Mountain Lion Connect. Final decisions include dissenting opinions. All final decisions take effect immediately.
2. The final decision will be published within three (3) School Days and must be read into the Minutes at the next regular Judicial Board public meeting.
3. The written decision shall include: 1) an assigned identification of the Review (semester, year, number of Review; e.g., FA08-01); 2) reiteration of complaint or appeal; 3) the factual findings of the Judicial Board; 4) an analysis of the relevant issues; and 5) the decision.
4. Judicial Board Members may also file concurring or dissenting opinions. These opinions must also be published within three (3) School Days of the written decision, read into the Minutes at the next regular Judicial Board meeting, and contain the reason(s) for concurrence or dissent.
5. A party may appeal a final decision of the Judicial Board in writing to the University's Vice Chancellor for Student Success, or designee, within thirty (30) School Days.

**G. Conflict of Interest.**

1. A Judicial Board member has an actual conflict of interest when the member has any interest which might influence, impair, prejudice, or for any reason circumvent an impartial decision on the part of any member.
2. A Judicial Board member has a perceived conflict of interest when the member has any interest such that member appears to be biased.
3. Any person, including Judicial Board members, may make a good faith allegation of an actual or perceived conflict of interest. A good faith allegation is not knowingly or recklessly false. Filing a Judicial Review is automatically a good faith allegation of an actual or perceived conflict of interest.
4. Upon receiving a good faith allegation of an actual or perceived conflict of interest, the Judicial Board shall vote, in accordance with its procedures, as to whether the allegation has merit.
5. If the Judicial Board votes that an allegation has merit, then the allegedly conflicted Judicial Board member shall have the burden of proving by a preponderance of the evidence, i.e. that it is "more likely than not," that the member is not conflicted.

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6. The Judicial Board will then have an open discussion of the allegation at the direction of the Chief Justice, or designee, and in accordance with Robert's Rules of Order.
7. At the conclusion of the open discussion, the Judicial Board shall vote as to whether the allegedly conflicted member has an actual or perceived conflict of interest. If the Judicial Board votes that the member is conflicted, then the conflicted member is required recuse him or herself from considering the Review or Question.

H. Elections.

1. Refer to Election Policy as Appendix C of the SGA Bylaws.

I. Absences.

1. Failure to attend assigned meetings without a Valid Excuse will result in an absence.
2. Failure to attend Election Events without a Valid Excuse will result in an absence.
3. Failure to submit a written Monthly Report will result in half of an absence.
4. Failure to accrue two (2) Outreach/Office hours each week, without a Valid Excuse, will result in half an absence.

J. Proxies.

1. Judicial Board members may select as a proxy another member of Judicial Board for all duties outside of Judicial Board responsibilities that require the presence of a Judicial Board member.
2. Judicial Board members may not be proxies for, or have other proxies from, non-Judicial Board members.

K. Legislation.

1. Due to the nature of the Judicial Board duties, no Justice is allowed to author or submit legislation.

**III. Functions.**

A. The Judicial Board Members:

1. Shall maintain the Election Policy for efficient election administration.
2. Have the responsibility to elect from their members a Chief Justice, Associate-Chief Justice, and Election Commissioner.
3. Must serve on at least one (1) University Committee and at least one (1) SGA Committee during both the fall and the spring semesters.
  - a. At least one (1) Judicial Board member must serve on SGA Rules and Organization Committee and provide a detailed report to the rest of the Judicial Board of any and all major changes done to any of the SGA governing documents.
4. Must attend all assigned meetings, such as but not limited to:
  - i. Judicial Board meetings;
  - ii. Reviews and Questions;
  - iii. Assigned University and SGA Committee meetings; and
  - iv. Leadership and Development meetings (at the discretion of the Chief Justice).
5. Must present an oral report of activities and accomplishments at each regular Judicial Board meeting.
6. Shall respond to inquiries and requests for service as required by their SGA position.

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7. Must hold a minimum of two (2) outreach/office hours each week during the fall and the spring semesters to conduct SGA business and meet with students.
8. Any additional duties and responsibilities as defined in the Constitution or herein.

**B. The Chief Justice:**

1. Shall call and preside over all Judicial Board meetings and Senate impeachment Hearings.
2. Shall be responsible for conducting meetings within the guidelines of parliamentary procedure, unless otherwise specified.
3. Shall be responsible for writing and posting Judicial Board Agendas.
4. Shall be responsible for submitting the annual budget to the Director of Finance.
5. Shall hold a minimum of five (5) outreach/office hours each week during the fall and the spring semesters to conduct SGA business and meet with students.

**C. The Associate-Chief Justice:**

1. In the absence of the Chief Justice, the Associate-Chief Justice shall assume those duties delineated for the Chief Justice.
2. During Reviews, the Associate-Chief Justice shall make available to all parties the Constitution, Judicial Board Bylaws, and any other relevant documents.
3. Shall hold a minimum of three (3) outreach/office hours each week during the fall and the spring semesters to conduct SGA business and meet with students.

**D. The Election Commissioner:**

1. Chairs the Election Commission.
2. Upon absence of both the Chief and Associate-Chief Justices, the Election Commissioner shall assume all delineated duties.

**E.** Any of these responsibilities may be transferred to any remaining Judicial Board member by a majority vote of the Judicial Board members.

**IV. Election Commission.**

- A.** The Judicial Board shall establish an Election Commission for the purpose of regulating, monitoring, and administering elections. The Election Commission shall be comprised of all Justices.
- B.** The Judicial Board Advisor or designee will advise the Judicial Board and Election Commission.
- C.** The Election Commission shall amend election policies and posting procedures as needed. These policies must be approved by 3/4 majority of the Judicial Board membership.

**V. Matters Not Covered.**

- A.** Any matters not covered by these rules shall be governed by Robert's Rules of Order.

**VI. Amendments.**

- A.** All amendments must be presented one meeting prior to the vote.

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**VII. Definitions**

Agenda: A predetermined sequence of items of business to be covered at a specific meeting. An order of business.

Election Event: Any event deemed by the Chief Justice in consultation with the Election Commissioner as a mandatory event.

Minutes: The written record of the proceedings of a deliberate assembly.

Official Means of Communication: UCCS Email

Question: A Judicial Board process whereby the Judicial Board considers a clarification or inquiry about SGA governing documents or potential violations of the SGA governing documents.

Quorum: Shall be at least the majority of the active members of the body.

Review: A Judicial Board process whereby the Judicial Board considers an actual violation of the SGA governing documents and is adversarial in nature

School Day: Monday through Saturday with the exception of school holidays or closures, not to include interim courses, beginning at 8 a.m.