

## **STUDENT JUDICIARY REVIEW BOARD BYLAWS**

### ***Article I – SELECTION OF MEMBERS***

- Section 1.* The Student Judiciary Review Board (SJRB) shall comprise of a total of five (5) Justices, which includes the Chief Justice, as well as four (4) liaisons that are non-SGA members of the student population.
- Section 2.* The Vice President of the Student Government Association is Constitutionally designated as the Chief Justice of the SJRB.
- Section 3.* The four (4) remaining SJRB Justices are Constitutionally designated to come from each of the four (4) classes, and are elected within each Class Caucus.
- Section 4.* Before the end of the Spring Semester and after the Spring General Election, the Class Caucuses shall elect their SJRB Justices for the following year. The following year's Chief Justice shall then call and schedule a meeting of the following year's SJRB. At this meeting, it is suggested that a Vice-Chair and a Secretary shall be elected from among only the SJRB Justices selected for the following year's board. The Chief Justice shall not be eligible for either position. The procedure for the appointment of the Vice-Chair and the Secretary shall be outlined as follows:
1. Any member of the SJRB may propose a nomination for SJRB Vice-Chair or SJRB Secretary.
  2. All nominees shall then accept or decline the nomination.
  3. A candidate may not run for both positions.
  4. All nominees who accept the nomination may give a brief speech during the scheduled SJRB election meeting and field questions from any persons in attendance of the meeting.
  5. All members of the following year's SJRB shall then vote for the candidate of their choice. The vote shall be taken by secret ballot.
  6. The candidate who receives the plurality of the vote shall win the position.
- Section 5.* If either the SJRB Vice-Chair or the SJRB Secretary seat becomes vacant, the Chief Justice either may appoint any eligible member of the SJRB to fill the vacancy or may follow the above procedure. These are the only

two acceptable options for filling vacancies of SJRB Vice-Chair and SJRB Secretary.

***Article II - DUTIES OF MEMBERS***

*Section 1.* The Chief Justice of the Student Judiciary Review Board

- A. The Chief Justice shall serve as the Chairperson of the SJRB.
- B. As Chairperson, the Chief Justice shall not be a voting member, except in the event of a tie.
- C. The Chief Justice shall represent the SJRB in the Committee Chair meetings.
- D. The Chief Justice shall be responsible for setting the agendas of the SJRB meetings. The agenda must be posted at least twenty-four (24) hours in advance of the meeting. If the agenda is not posted at least twenty-four (24) hours in advance and there is quorum, a vote must be taken to determine whether or not to hold the meeting. This vote shall require a simple majority vote of all members present to hold the meeting.
- E. The Chief Justice shall be responsible for assigning SGA-recognized clubs and organizations to each SJRB Liaison for the purpose of communication between the various SGA-recognized clubs and organizations and the SJRB. The Chief Justice must also be a liaison.
- F. The Chief Justice shall be charged with the responsibility of scheduling all elections of SGA-recognized clubs and organizations, in accordance with the policies of the Office of Student Leadership and Involvement. The following shall apply to this responsibility:
  - 1. The Chief Justice shall be responsible for informing the SJRB Liaison for the given club or organization of the date, time, and place of the election at least twenty-four (24) hours in advance of the election. If the Chief Justice does not inform the SJRB Liaison at least twenty-four (24) hours in advance of the election, the Chief Justice shall be responsible for the oversight of the election, unless the designated liaison is willing to oversee the election.
  - 2. The SJRB Liaison for any given club or organization shall be responsible for the oversight of the election, unless otherwise arranged by the Chief Justice.

3. If the SJRB Liaison for a given club or organization is unable to oversee the election, then the Chief Justice shall be responsible for appointing a different SJRB Liaison to run the election of the given club or organization. The alternative SJRB Liaison must be notified at least twenty-four (24) hours in advance of the election. If the Chief Justice does not inform the SJRB Liaison twenty-four (24) hours in advance, the Chief Justice shall be responsible for the oversight of the election, unless the designated liaison is willing to oversee the election.
- G. The Chief Justice shall be charged with the responsibility of scheduling an election for non-SGA-recognized clubs and organizations, if requested to do so in accordance with the policies of the Office of Student Leadership and Involvement. The Chief Justice shall be responsible for the oversight of the election on the scheduled time, date, and place, unless a designee of the Chief Justice is willing to oversee the election.
  - H. The Chief Justice shall serve as the chief enforcer of the SGA Absence and Late Policy and shall schedule all attendance violation hearings, unless the Chief Justice requests a designee to be charged with scheduling attendance violation hearings.
  - I. Should a new Constitution be proposed, the Chief Justice shall be responsible for evaluating these SJRB Bylaws for their constitutionality in regard to the proposed document in consultation with the author of the new document. Upon ratification of a new Constitution, the Chief Justice shall submit a new set of SJRB Bylaws that complies with the new Constitution. Submission of this document shall be in compliance with the new document ratification procedure, as outlined in Article XI, § 2, B.

*Section 2.* The Vice-Chair of the Student Judiciary Review Board

- A. The Vice-Chair shall serve as the Chairperson of the SJRB in the event of the absence of the Chief Justice, and in that absence shall exercise all duties on behalf of the Chief Justice. If the Chief Justice is unable to attend the Committee Chair meeting, the Vice-Chair shall appear in the Chief Justice's stead to represent the SJRB. The Vice-Chair may only appear in the Chief Justice's stead with approval by the Chief Justice and approval of the report to be given.
- B. The Vice-Chair shall be responsible for coordinating and authoring all of the decisions of SJRB. All decisions must be reviewed, passed, and signed during an executive session of the SJRB before being released.

- C. The Vice-Chair shall be charged with making sure that all evidence considered during the decision-making process is admissible according to the rules of evidence as described in these bylaws. Further, the Vice-Chair shall be charged with making sure that no evidence submitted in a manner inconsistent with these bylaws is considered or influences the decision of the members.
- D. In the event of the absence of the Vice-Chair from the SJRB meeting, the duties of the Vice-Chair shall fall to the responsibility of the Secretary or another member of the SJRB, as decided by the Chairperson of the meeting.

*Section 3.* The Secretary of the Student Judiciary Review Board

- A. The Secretary shall be responsible for documenting and publishing all meeting minutes.
- B. The Secretary shall also be in charge of maintaining an organized collection of all documents relevant to discussions held during SJRB meetings.
- C. In the event of the absence of the Secretary from the SJRB meeting, the duties of the Secretary shall fall to the responsibility of another member of the SJRB, as decided by the Chairperson of the meeting.
- D. The Secretary shall keep records of all correspondence, be charged with documenting the receipt of all officially submitted documents, and with keeping records of all written opinions after approval by a simple majority vote of the SJRB.
- E. The Secretary shall also be responsible for keeping in some fashion a summary of all oral evidence delivered to the SJRB in hearings.
- F. The Secretary shall maintain an organized collection of all approved constitutions of SGA-recognized clubs and organizations as well as an accurate, updated list of SGA-recognized clubs and organizations. A hard copy of all approved constitutions of SGA-recognized clubs and organizations shall be kept in the “Club Constitutions and Contact Info” binder. Additionally, an electronic copy of all approved constitutions of SGA-recognized clubs and organizations shall be kept on the Student Judiciary Review Board Campus Cruiser portal.

*Section 4.* SJRB Liaisons

- A. An SJRB Liaison that is not a member of SGA must approach a member of the Executive Board and ask to join SJRB. He or she will then be brought before SGA to be confirmed as a liaison.
- B. Each SJRB Liaison shall be responsible for maintaining the lines of communication with clubs and organizations which they are assigned to.
- C. Each SJRB Liaison shall be responsible for overseeing elections during the Spring election period as well as special elections that arise on an as-needed basis.
- D. Each SJRB Liaison shall be responsible for understanding and having a working knowledge of the SGA Constitution, SGA Bylaws, and these SJRB Bylaws in order to effectively rule on matters officially submitted to them.
- E. Each SJRB Liaison is bound by the duty to fairly and justly consider all pieces of evidence in an equal, appropriate, and unbiased manner.
- F. Each SJRB Liaison is expected to be present at all SJRB meetings in accordance with the SGA Attendance Policy.

***Article III - SJRB YEARLY POLICY***

The SJRB shall, from year to year, mandate the following at the first meeting of the SJRB where quorum is attained by a simple majority vote:

- 1. A policy governing and mandating the guidelines and operational procedures for the submission and consideration of legislation including what constitutes form and grammar;
- 2. Procedures for how non-SGA-recognized clubs request elections, special or otherwise; and
- 3. A policy describing acceptable methods of disciplinary action when deciding the various kinds of attendance policy infractions, which shall be done in consultation with the Executive Board including Committee Chairs.

The yearly policy set must be in compliance with the SGA Constitution, SGA Bylaws, these SJRB Bylaws, the Finance Committee Bylaws, and the policies of the Office of Student Leadership and Involvement. The yearly policy set must in no way supercede or override any of these documents or policies. These topics shall be the main focus of the

first SJRB meeting of the calendar year and shall comprise the entirety of the agenda so that yearly policies and procedures can be taken into effect without excessive delay. These policies and procedures shall all be widely publicized after approval, shall be in a written format, and shall be made available to the general public within one (1) week of the decision. Any legislation submitted during that week will go by the previous year's policy.

#### ***Article IV – SGA ATTENDANCE POLICY***

*Section 1.* The SGA Absence and Late Policy is established in this section. Every year, SJRB must present to the general SGA board the following years suggested attendance policy. A simple majority vote will ensure the policy be issued for the following year.

*The policy is this:*

- i. Three (3) unexcused absences in a row bring a member before SJRB for an official hearing.
- ii. Five (5) unexcused absences in a semester bring a member before SJRB for an official hearing. Five (5) absences will result in an automatic consideration of removal for the offender.

*Section 2.* The SJRB shall enforce the SGA Absence and Late Policy. The policy shall apply within the SGA standing committees, at the discretion of the Chairperson; a separate account of violations will also be kept for SGA meetings; and an account for violations of class meeting absences.

*Section 3.* After an infraction of the SGA Absence and Late Policy, be it in Committee, Regular SGA Meetings, or in Class Meetings, the Chief Justice shall notify the offender and shall automatically schedule a hearing to adjudicate the violation. The Chief Justice shall also solicit evidence from the party in question. If the Chief Justice does not hear back from the offender in one (1) week from the day the notification was heard, then he/she shall hold the hearing withstanding the presence of the offender.

*Section 4.* Due to the potential for private, personal information to be discussed in relation to attendance violations, all attendance violation hearings and decision-making meetings shall be kept closed door and all records shall remain confidential to those not officially associated with the violation in question.

*Section 5.* The SJRB may, after adjudication, impose sanctions on the party in question as detailed in Article X of these bylaws.

*Section 6.* While in the process of deciding an infraction of the SGA Absence and Late Policy, the SJRB shall apply yearly policy regarding the acceptability of the following:

1. Absences where the Chief Justice was notified in advance.
2. Absences brought about by a problem of a severe nature.
3. Absences where no advance notification was given.

*Section 7.* The SJRB shall not automatically overrule evidence that justifies the conduct of the party in question unless said piece of evidence is not submitted before the conclusion of the decision-making meeting.

*Section 8.* An excused absence is one that is defined as an absence for SGA-related business. Excused absences will also be considered for those that provide proper documentation, at the discretion of the Chief Justice.

***Article V - BRINGING MATTERS BEFORE THE SJRB (EXCLUDING LEGISLATION)***

*Section 1.* Matters covered by this article shall include: a suit, a formal complaint, or other matters as covered under the SJRB's jurisdiction, excluding legislation.

*Section 2.* In order for the SJRB to hear any such matter as listed above, a written brief, letter, or complaint must be officially submitted to the Chief Justice and the Secretary of SJRB. A hearing can only occur when there is a full SJRB board. The Secretary shall give notice of receipt of such a document. If the suit, allegation, or other matter is filed against the Chief Justice, then the party filing must submit the written brief, letter, or complaint to the Vice-Chair of SJRB and the Secretary of SJRB.

*Section 3.* A written brief, letter, or formal complaint should include the following components: an issue that is justiciable, a statement of facts, exhibits to serve as proof of claims, and an explanation of desired outcome. In order for an issue to be justiciable, all of the following conditions must be met: there must be an actual controversy between the parties, the plaintiff(s) must have standing to sue, the question must be neither unripe nor moot, and the SJRB must not be asked to resolve a political question.

*Section 4.* The party who the written brief, letter, or formal complaint was written against shall have the sole decision on whether or not a hearing will be held. The individual(s) will have forty-eight (48) hours to decide if a hearing will be held.

*Section 5.* On any matter in which a hearing is not officially requested, the SJRB shall rule on the merits of the matter presented and only on the evidence presented in the written brief. This decision shall require a simple majority vote.

*Section 6.* If a hearing is desired by the individual(s) filed against, the Chief Justice or designee shall schedule the hearing and the hearing shall be held according to the provisions in Article VI of these bylaws.

#### ***Article VI – HEARINGS***

*Section 1.* The SJRB, by a simple majority vote, may rule on any matter brought before them in which the board possesses the jurisdiction and authority to rule as shall be determined in the SGA Constitution and these bylaws. The SJRB shall only rule on matters officially submitted to them and when there is a full SJRB board.

*Section 2.* In order for the SJRB to schedule a hearing, such a hearing must be requested in a written brief, letter, or formal complaint submitted to the Chief Justice. A copy of this formal letter must also be submitted to the Secretary of SJRB. Upon receiving such a request, the Chief Justice shall contact the individual(s) filed against to determine if the hearing will be held. Upon confirmation that the individual(s) desire(s) a hearing, the Chief Justice shall schedule a hearing.

*Section 3.* Any scheduled hearing shall be posted in a conspicuous manner at least one (1) week in advance. A conspicuous manner shall include at least one (1) of the following: an announcement at an SGA regular meeting, a paper copy posted on the SGA bulletin board, or an electronic notice on Campus Cruiser in both the SGA and SJRB groups.

*Section 4.* The SJRB shall try to, in every matter before it, accommodate testimony from parties not associated with the two conflicting sides. If other parties are not able to speak at the hearing then within forty-eight (48) hours of the close of the hearing the other parties shall submit a letter to the Chief Justice and the Secretary of SJRB requesting a seventy-two (72) hour continuance for the purpose of submitting comprehensive testimony for the SJRB to consider in making its decision.

*Section 5.* New evidence or evidence not presented in the initial written brief, letter, or formal complaint shall be submitted at least forty-eight (48) hours in advance of the scheduled hearing. Surprise evidence, or evidence that is submitted any time following the forty-eight (48) hour deadline will require a simple majority vote by the SJRB to determine admissibility.

*Section 6.* The individual chairing the hearing shall announce the format for the hearing at the beginning of the hearing. The format shall be agreed upon by a simple majority of the SJRB Justices before the hearing. The parties of both sides must determine whether or not the hearing will be open to other members of the Suffolk community. If one party objects to having an open hearing, the hearing will be closed-door.

***Article VII - DECISION-MAKING IN REGARDS SUITS, APPEALS, AND MATTERS NOT RELATING TO LEGISLATION***

- Section 1.* The SJRB shall meet in a decision-making meeting following the completion of the hearing and the continuance, if any occurs. This meeting shall occur within one (1) week of the hearing date, unless a University holiday interrupts this period.
- Section 2.* The Vice-Chair is generally charged with making sure that all evidence considered is relevant and submitted properly. However, any SJRB member may raise objection to a piece of evidence. It shall require a simple majority vote for the evidence to be removed from consideration.
- Section 3.* Any member with personal knowledge of evidence in the matter may put it forth for consideration whether it be at hearing or by written testimony, provided it meets the rules of evidence as described in these bylaws.
- Section 4.* The SJRB may rule on briefs and written testimony without a hearing, but only if a hearing is not requested.
- Section 5.* In reaching a decision there shall be an initial closed-door meeting to discuss and vote on which party to rule for and what the rationale should be. The secretary or designee shall keep minutes for both the writer of the opinion and for the SJRB record. However, the minutes of the decision-making meeting shall be unavailable until an official written decision is completed. Once the official written decision is completed, the minutes of the decision-making meeting shall only be made available to the parties involved. These minutes shall be filed separately from other official SJRB minutes.
- Section 6.* After deciding which party to rule for in the decision-making meeting, the SJRB shall discuss and decide, by a simple majority vote, what relief can and should be granted to the party who wins the case.
- Section 7.* After reaching a decision during the closed-door meeting, the Vice-Chair shall write a preliminary opinion that shall reflect the opinion of the majority of the voting members. The opinion shall then be circulated to the justices for a vote of adoption. Should the opinion fail to carry or should amendments be added, the author of the opinion shall modify it and bring it back before the board for another vote. Such shall be the process until there is a written opinion that carries a simple majority vote of adoption. All members who voted during the decision-making meeting are

required to sign a copy of the official written opinion to be kept in the records before distribution to any and all of the parties involved in the suit, injunction, appeal, or other matter in question.

***Article VIII. – RULES FOR THE CONSIDERATION OF LEGISLATION***

*Section 1.* All official legislation must be submitted with an official SGA logo. Legislation without an official SGA logo shall not be sent to the SGA Legislature for consideration. Official SGA logos shall include any official committee logos.

*Section 2.* In order for consideration by the SJRB, all legislation must be submitted in a text that embodies the Arabic system of communication as based off of, but not limited to, Times New Roman. Further, all text of the submitted legislation must be typed in a size of a reasonable, readable nature. If a piece of submitted legislation is received and does not meet this criteria, the SJRB reserves the right to not consider the legislation.

*Section 3.* Legislation shall not contain profane, vulgar, lewd, or derogatory language or images.

*Section 4.* Official legislation may not contain copyrighted images without the consent of the author of the image. The SJRB shall be charged with determining whether or not the image(s) are of an appropriate nature to the legislation in question by simple majority vote.

*Section 5.* All legislation shall include the following: an official SGA logo, an official legislature number as determined by the SJRB in consultation with the President, a title, a minimum of one (1) whereas clause, a minimum of one (1) enacted, resolved, or proclaimed clause, an “Author(s):” line, a “Sponsor(s):” line, a “Date Passed:” line, a “Vote:” line, and a “President’s Signature:” line with the President’s name listed below the line. Resolved actions must include a minimum of one (1) resolved clause and a minimum of one (1) enacted clause in addition to the above criteria.

*Section 6.* Whereas clauses shall not contain action statements.

*Section 7.* Author lines shall be required so that authors may find amendments to their legislation friendly. A minimum of one (1) author must be listed.

***Article IX – CONSTITUTIONALITY AND FORM***

*Section 1.* This section shall supercede any yearly policy set by the SJRB, as shall these bylaws concerning the submission and consideration of legislation.

- Section 2.* The SJRB is constitutionally charged with reviewing legislation only for constitutionality and form. The SJRB shall determine within its yearly policy what constitutes form. This policy shall also set out the various forms of acceptable clauses including, but not limited to, whereas, enacted, resolved, and proclaimed clauses.
- Section 3.* This yearly policy shall determine, in coordination with the Secretary of SGA, standards for appropriately reviewing grammar within legislation. This shall not be construed to anyway deprive the author or the general board of absolute control of the disposition of the legislation.
- Section 4.* Submitted legislation must be found to be in compliance with the rules as set out in the Suffolk University Student Government Association Constitution, Student Government Association Bylaws, these Student Judiciary Review Board Bylaws, and the Finance Committee Bylaws before being approved by the SJRB.

#### ***Article X - SANCTIONS***

- Section 1.* The SJRB may, after adjudication of matters of a disciplinary nature or a complaint, impose penalties as is proper and within the jurisdiction of the SJRB. Any imposition of such penalties as listed in these bylaws shall require a simple majority vote. The exact details of the sanction, its duration, its effect, why it has been imposed, and other details as are appropriate shall, be detailed in the published opinion.
- Section 2.* Examples of sanctions that the SJRB may impose upon members of SGA for problems relating to their actions under the guise of their official capacity shall be listed in this section. The SJRB shall not be limited to the penalties that follow in this section, but any penalties that the SJRB chooses to impose that are not listed under this section shall require a supermajority (2/3) vote to impose. These penalties may not be combined, unless otherwise noted. These penalties are not to exceed two (2) weeks in duration, unless otherwise noted, with the exception of removal.
1. Censure of a member in any combination of SGA meetings, committee meetings, and class meetings. This punishment shall not deprive members of their right to vote or to motion, only their right to speak. This penalty shall not exceed a duration of two (2) weeks, unless three-fourths ( $\frac{3}{4}$ ) of the SGA Legislature vote to extend the punishment.
  2. The SJRB may mandate extra office hours as punishment, not to exceed more than four (4) hours per week.

3. The SJRB may initiate removal proceedings.

### ***Article XI - AMENDMENTS TO THESE SJRB BYLAWS***

A proposal to amend the SJRB Bylaws must be introduced in compliance with this article.

*Section 1.* For a maximum of five (5) amendments:

- A. By any member of SGA, voting or special (i.e. Finance Committee Liaisons or Members-at-Large) or any undergraduate with a petition of fifty (50) undergraduate students' signatures.
- B. The amendment must be drafted in written legislative format detailing the proposed amendment. Such an amendment must be submitted to SJRB in compliance with the policy of the current year's Student Judiciary Review Board.
- C. After SJRB's constitutionality and form review, it must be posted for at least one (1) week before proceeding for a vote of passage. The amendment shall be sent to the floor of the SGA Legislature, requiring a supermajority (2/3) vote for adoption.

*Section 2.* For a ratification of a new document:

- A. In the event that a member wishes to propose a new set of SJRB Bylaws, the following procedure must be adhered to:
- B. The document must be posted for a minimum of two (2) weeks. The author(s) of the document must make themselves available for questions, comments, and concerns in the SGA office. This may exceed the two (2) required office hours per week. The author(s) must also send out weekly messages in regard to the proposal of the new document.
- C. Should the Constitutional Review Committee evaluate the present Constitution and decide to make significant changes or drafts a new document entirely, these SJRB Bylaws shall also be evaluated by the Chief Justice for their constitutionality in regard to the proposed document. Upon ratification of a new Constitution, the Chief Justice shall submit a new set of SJRB Bylaws that complies with the new Constitution. Submission of this document shall be in compliance with the above new document ratification procedure.

*Section 3.* A minimum of every three (3) years, beginning with the Fall of 2011, the SJRB in consultation with the SGA President, shall be mandated to review these SJRB Bylaws for their effectiveness, relevance, and constitutionality.

**Presiding Vice President, Author of Student Judiciary Review Board By-Laws**  
**Cordelia R. Pisacane, Class of 2008**

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