

TITLE V: THE JUDICIAL BRANCH

Chapter 500 Scope of the Judicial Branch

- 500.1 The Judicial Council works to ensure that student rights are upheld in matters involving parking appeals, Student Conduct and Academic Integrity hearings, fee appeals, grade appeals, election violation appeals, and impeachment hearings.
- 500.2 No member of the Judicial Council shall actively campaign for any candidate seeking election into Student Government office or act in any partisan manner relating to Student Government elections.

Chapter 501 Terms of Office

- 501.1 Associate Justice are appointed by the Student Body President, shall take office upon installation, and 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 To be eligible for the position of Chief Justice, one must be an active Justice and must have served for at least one (1) semester. They shall be appointed by the Student Body President.
 - A. In the case that no justice has served for at least one (1) semester, any active Justice may be appointed to the position of Chief Justice.
- 501.4 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 The External and Internal Assistant Chief Justice(s) must be an active justice.
- 501.6 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 a vacancy 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 any Justice who, confirmed a majority vote of the council, has a conflict of interest in any given case.
- B. Be responsible for ensuring all elected and confirmed Student Government officials are given the “Oath of Office”, either by themselves or another Justice.
- C. Be responsible for scheduling and chairing 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 two-thirds (2/3) consent of the Judicial Council.
- E. Possess the authority to enter judicial review on any act, legislation or memorandum that they, or any other student, feels violates a higher document, with a two-thirds (2/3) consent of the Judicial Council.
 - 1. In the event that the Interim Chief Justice brings the case, or is directly involved in the case, they must recuse themselves from the hearing and appoint an active justice as chair.
 - 2. The majority opinion made by the Judicial Council following Judicial Review procedures is binding.
- F. 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

503.1 The Chief Justice Shall:

- A. Have the authority to any Justice who, confirmed by a majority vote of the Council, has a conflict of interest in any given case.

- B. Be responsible for ensuring all elected and confirmed Student Government officials are given the “Oath of Office,” either by themselves or by an Associate Justice.
- C. Be responsible for appointing active justices as Internal and External Assistant Chief Justice. All Justices shall be eligible for appointment. The appointment must be confirmed by a majority vote of the Student Body Senate.
- D. Have the authority to assign duties, pertaining to the position, not stipulated in Statutes to the Assistant Chief Justice(s), 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 removal of the Assistant Chief Justice, in writing, to the Judicial Council and to the Senate Floor.
- F. Be responsible for scheduling and chairing and/or designating a chair for parking appeals.
- G. Possess the authority to review, reverse and remand any decisions made by the Election Commission during a Campaign Violation hearing, with two-thirds (2/3) consent of the Judicial Council.
- H. Possess the authority to enter judicial review on any act, legislation or memorandum that they, or any student, feel violates a higher document, with a two-thirds (2/3) consent of the Judicial Council.
 - 1. In the event that the Chief Justice brings the case, or is directly involved in the case, they must recuse themselves from the hearing.
 - 2. The Majority Opinion, made by the Judicial Council following Judicial Review procedures, is binding.
- I. The Chief Justice must oversee the execution of the retreat for the Judicial Branch.
- J. Schedule a Diversity Training Session, or appoint a designee to do so, to be held during Judicial retreat or within the first four (4) weeks of taking office.
- K. The Chief Justice shall notify all requested witnesses, so designated by the Council, of the occasion, time, and place of the proceedings no less than three (3) academic days before the scheduled hearing.

Chapter 504 Powers and Duties of the Assistant Chief Justices

- 504.1 The External Assistant Chief Justice shall:
- A. Assume all assigned responsibilities of the Chief Justice in their absence.
 - B. Be responsible for assisting the Chief Justice in judicial tasks deemed necessary.
 - C. Be responsible for overseeing the scheduling and presenting of all Judicial outreach presentations.

- D. Be responsible for planning and facilitating the Student Government Leadership Council (SGLC) with the respective Executive and Legislative coordinators and the Internal Assistant Chief Justice.
 - E. Plan at least two (2) outreach events per semester.
- 504.2 The External Assistant Chief Justice's term of office will expire with the term of the Chief Justice.
- 504.3 The Internal Assistant Chief Justice shall:
- A. Assume all assigned responsibilities of the Chief Justice in their absence.
 - B. Be responsible for assisting the Chief Justice in judicial tasks deemed necessary.
 - C. Ensure the Judicial Council is up to date with internal proceedings.
 - D. Be responsible for maintaining an orientation and training file for the Judicial Council.
 - E. Be responsible for maintaining a file with all Justices biographical information. Keep record on file of all judicial proceedings, decisions, and official opinions.
 - F. Maintain attendance at hearings and Judicial Council meetings.
 - G. Notify the Chief Justice of an accumulation of absences of a member of the Judicial Council.
 - H. Be responsible for planning and facilitating the Judicial Leadership Council (JLC) with the External Assistant Chief Justice.
 - I. Assume the position of the Chief Justice in the case of vacancy.
- 504.4 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 boards from across the University including, but not limited to:
- A. Student Conduct Boards
 - B. Parking Appeals Boards
 - C. Grade Appeals Boards
 - 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 and Academic Integrity Board from which students are chosen for Conduct and Academic Integrity Hearing Panels according to the Golden Rule.
 - B. All Justices shall be trained according to the guidelines put forth by the Golden Rule and the Constitution of the Student Body for the purpose of hearing Conduct and Academic Integrity cases.

- C. A Justice assigned to a Hearing Panel shall adhere to the provisions guaranteed to charged students or student organizations 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 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 and Academic Integrity.

505.3 Student Grade Appeals

- A. Determination of which Justices shall sit on a formed Student Grade Appeal 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.
 - 1. All Associate Justices have the ability to be chosen for a Student Grade Appeal Committee.
- B. Justices hearing grade appeals shall adhere to all procedures of the college/school in which the dispute arises and all confidentiality requirements of the Golden Rule. Records 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. 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.
- B. The Chief Justice shall contact the appellant within three (3) business days to schedule a hearing.
- C. 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.

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 probation 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 (10) business days that the administrative decision was handed down.

- C. 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.
- D. The Judicial Council must schedule such hearings within ten (10) business days upon receiving notification of the appeal.
- E. 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 Appeals of Caucus Votes of No-Confidence

- A. The Judicial Council shall be vested the authority to hear appeals of Caucus votes of No-Confidence brought against Chairs and Vice Chairs.
- B. The appellant shall bring an appeal of a vote of No-Confidence through written communication with the Chief Justice within three (3) business days following the vote
- C. The Judicial Council shall convene a hearing within ten (10) business days following the request for appeal.
 - 1. Justices who are members of the Caucus led by the Chair or Vice Chair in question, shall recuse themselves from any matter regarding the appellant's appeal.
- D. Upon a decision from the Judicial Council, the Chief Justice shall submit the reasons in memorandum form to the Senate President and Senate President Pro Tempore within three (3) business days.

505.7 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.

505.8 Adhere to all rules outlined in the Judicial Rules of Procedure.

505.9 Judicial Quorum

- A. Quorum for an official meeting of the Judicial Council shall consist of a minimum of four (4) Justices and the Chief Justice. Quorum for Student Government hearings shall be set at fifty percent (50%) plus one (1) of the current membership.
- B. The Judicial Rules of Procedures shall provide guidance on the removal of an Associate Justice from office for absences.

Chapter 506 Student and Organizational Rights

506.1 No right guaranteed by the Constitution of The United States, the State of Florida, or the University of Central Florida, shall be abridged by any Judicial proceeding.

506.2 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.

Chapter 507 Diversity Training

508.1 All Justices are required to attend a diversity training session. 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.

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) BILL 51-39 (07/11/19) BILL 52-22 (08/03/20)
 BILL 52-31 (03/01/21)