



# JUDICIAL RULES OF PROCEDURE

*Effective: October 23rd, 2025*

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## **Code of Conduct**

1. All Justices shall communicate professionally in their roles with all UCF community members.
2. All Justices shall adhere to the Judicial Rules of Procedures and Title V.
3. All Justices shall abstain from taking a side in any Student Body Presidential campaigns
4. All Justices shall uphold the integrity and independence of the judiciary
5. All Justices shall avoid impropriety and the appearance of impropriety in all activities through:
6. Recusing oneself from cases as appropriate
7. Reveal any possible connections prior to any hearing, if recusal is deemed inappropriate
8. Being clear about the role and capacity of any justice when interacting with others through official channels (i.e. Student Government Agents, SGLC/JLC Members, UCF officials, etc.).
9. All Justices shall respect and comply with the law and act in a way that promotes public confidence in the integrity and impartiality of the Judiciary.
10. All Justices shall not allow family, social, political, or other relationships to influence their conduct or judgment, nor shall any Justice convey, or permit others to convey, the impression that anyone can influence any Justice.
11. All Justices shall not lend the prestige of the Judicial Office to advance the personal interests of the Justices or others.
12. All Justices shall be patient, dignified, and courteous to all with whom any Justice deals within an official capacity.
13. All Justices shall perform Judicial duties without bias or prejudice. All Justices shall not, in the performance of Judicial duties, by words or conduct, manifest bias or prejudice, including but not limited to bias or prejudice based upon race, gender, religion, national origin, disability, age, sexual orientation, or socio-economic status
14. All Justice shall dispose of all matters fairly, promptly, and efficiently
15. All Justices shall not make any public comment about a pending or impending proceeding of the Judicial Council without prior approval
16. All Justices shall not disclose or use, for any purpose unrelated to their judiciary capacity, non-public information acquired in a judicial capacity.
17. All Justices with reliable information that another Justice has violated any rules within this code of conduct must follow the procedures outlined within the Disciplinary Statutes
18. Anything not listed in this Code of Conduct must be decided by a supermajority of the Council to be added.

## **Section 1: General Provisions**

### **Rule 1.01 Scope and Authority**

1. All Justices and persons having business before the Council must abide by all provisions of these rules under penalties of sanctions pursuant to Rule 1.03.
2. Within the context of a case, the Council may strike or modify any rule by a majority vote.
  1. The vote must be recorded by the Internal Assistant Chief Justice or designee in the case file.

### **Rule 1.02 Definitions**

1. "Complaint" refers to the initial council brief of a person who is requesting relief.

2. "Appeal" refers to the initial council brief of a person requesting The Council to review the legality of an action of a Student Government or its corporate entities.
3. "Complainant" refers to the person(s) having filed any complaint with The Council.
4. "Respondent" refers to any person(s) against whom a complaint is filed with The Council.
5. "Appellant" refers to any person(s) who filed an appeal with The Council.
6. "Appellee" refers to any person(s) against whom an appeal is filed with The Council.
7. "Party" refers to a person or group of persons involved in proceedings before The Council.
8. "Person" includes both currently enrolled students at the University of Central Florida and corporate entities created under and/or subject to the *Student Body Constitution* or *Student Body Statutes*.
9. "Clear and convincing evidence" suggests that the claim supported by the evidence is highly and substantially more probable to be true than not and the Council must have a firm belief or conviction in its factuality.
10. "Preponderance of the evidence" suggests that a fact is more likely true than not true.
11. "Academic day" is defined as one in which the University of Central Florida is considered open and classes are scheduled to occur. Academic days exclude weekends.
12. "Judicial Hearing" refers to the procedure in which a controversy goes beyond the *Student Body Constitution*.
1. "Motion" refers to the memoranda filed with the Judicial Council to request a specific action to be taken
13. "Submission" refers to the submission of the forms on the Judicial Branch's KnightConnect forms as the official method of receiving requests.
14. "Advisory opinion" refers to an opinion composed by the Precedent Committee. This opinion is non-binding and is issued in an advisory capacity.
15. "Summons" refers to a document that is signed by the Chief Justice to the parties of a particular complaint/appeal that includes the date and time of the scheduled hearing.
16. "Writ" refers to a formal written mandate from The Council to act, or abstain from acting, in some way.
17. "Tangible Evidence" refers to any physical object including, but not limited to, documents, photographs, and recordings relevant (pursuant to Rule 7.02) to the case.
18. "Witness" refers to a person or member of the university community that shall provide relevant testimony. Witnesses are not considered a part of a party.
19. "Executive Session" refers to a meeting of the Judicial Council that is not subject to recording, nor applicable to Sunshine State Law.

#### **Rule 1.03 Sanctions for Persons Involved in Judicial Matters**

1. The Council has the authority, by a majority vote, to determine reasonable sanction(s) proportionate to the offense and sufficient to deter further violations of the *Judicial Council Rules of Procedure*.
2. The Council may impose sanctions for failure to follow any writ or subpoena.
3. Anyone found to be in violation of the *Golden Rule* will be referred to Student Conduct and Academic Integrity for further action by the University.
4. If the respondent party is found at fault, they shall be subject to any, or all, of the following penalties (non-exhaustive list):
  1. Warning
  2. Public Reprimand
  3. Suspension from office and/or Secession of pay for an explicit amount of time
  4. Suspension of Authorization of Activity and Service Fee Funds
  5. Recommendation of impeachment should the respondent(s) be a Student Government Agent.

#### **Rule 1.04 Burden of Proof**

1. The "Burden of Proof", to be met by the Complainant, shall be a preponderance of evidence except for motions outlined in Rule 6.04.4.1.

2. The decision of The Council shall be based solely on the evidence presented during the hearing.

## **Rule 1.05 Formatting of Judgements**

1. Cover Page
  - A. The cover page, located on the first page, must include the following:
    - I. Names of both parties
    - II. Case number
    - III. Justices hearing the case
    - IV. Dates of:
      - a. Complaint/Appeal filed
      - b. Hearing
      - c. Published decision
2. Statement of Facts
  - A. Facts that provide a concrete context to the case.
  - B. Procedural history of the case (if applicable).
  - C. Any additional/supporting information that The Council deems necessary to provide appropriate context to the case.
3. Discussion
  - A. Must provide the rationale for the decision of The Council.
  - B. Concise and logical analysis of applicable law or precedence.
  - C. Disposition of The Council.
  - D. List the prevailing party on each claim.
  - E. Detail the action(s) taken by The Council.
  - F. Detail the writ(s) issued by The Council.
  - G. Dissenting or Concurring Opinions (if applicable)
    - I. Any Justice may issue opinions concurring, in whole or part, or dissenting, in whole or part, from the majority opinion.
      - a. Concurring opinions must be listed before dissenting opinions.
      - b. All opinions must include the author of the opinion and each Justice that has signed onto the opinion.
4. Line-item Actions Taken (if applicable)
  - A. List all votes, along with total vote counts, on all motions.
  - B. All opinions must include the author of the opinion and each Justice that has signed onto the opinion.

## **Rule 1.06 Representation**

1. All parties must be present at any proceeding before the Council. A party may attend in person or through a designated representative.
  - A. The Chief Justice shall send a summons to all the named parties on behalf of the Council
2. The Council must make any/all reasonable accommodations to ensure both parties are present in any hearing.
3. Should a party fail to appear to a hearing, the hearing may proceed without the party's participation.
4. Should a party wish to designate a representative, the Council must receive a written request two (2) academic days prior to the scheduled hearing time, the requesting party must notify the opposing party.
  - A. A designated representative must:
    - I. Not claim any privilege associated with private legal counsel.
    - II. Be a currently enrolled student at the University of Central Florida.
    - III. Be appointed by the Council at the request of a party.
  - B. This rule does not restrict a party's right to an advisor.

**Rule 1.07 Attendance at Hearings**

1. All hearings conducted by The Council are open to the public and must be announced in accordance with the Florida Sunshine Law, unless found or stated otherwise.

**Rule 1.08 Regular Meeting Sessions**

- 1) The Council shall convene and/or communicate weekly for a General Council meeting to conduct normal business matters, excluding university holidays or closures.
- 2) A meeting agenda must be created and made available for all in attendance.
  - a) A Regular Meeting session may enter an executive session with a simple majority vote.
- 3) Follow all the applicable requirements of the Florida Sunshine Law.
- 4) The Chief Justice, or their designee, must notify the Judicial Council of all regular meetings five (5) academic days prior to the scheduled meeting time.

**Rule 1.09 Special Meeting Sessions**

1. The Chief Justice may call a special meeting at their discretion.
  - A. By majority vote of the Council, the Council may enter an executive session during any meeting.
2. A majority of the Judicial Council may request a special session and must notify the Chief Justice of their request.
  - A. The request must be in the form of a signed memorandum.
  - B. The Chief Justice is required to honor the request if signed by the majority of the Judicial Council.
3. The Chief Justice shall also notify each member of the Judicial Council through the appropriate official Student Government email addresses of the special meeting no later than forty-eight (48) hours prior to the scheduled meeting time.
4. All special meetings are required to honor the applicable provisions of the Florida Sunshine Law.
5. Any special meeting shall be scheduled if it meets the criteria outlined in Rule 1.09 and shall be posted, if necessary, by the Chief Justice no later than forty-eight (48) hours prior to the scheduled meeting time.

**Rule 1.10 Amending the Judicial Rules of Procedure**

1. Any Justice may propose an amendment to the Judicial Rules of Procedure before the Internal Rules Committee.
  - A. The Internal Rules Committee or Chief Justice are the only entities that may bring a proposed amendment to the full Judicial Council for consideration.
2. Any proposed amendment must be approved by a simple majority of the Council.
3. The Chief Justice must sign and forward the signed amendment to the Senior Student Affairs Officer or designee for final approval.
  - A. The Senior Student Affairs Officer or designee has ten (10) academic days upon receipt of the amendment to sign the amendment
  - B. Inaction within the ten (10) academic day window will result in an automatic approval.

**Section 2: Composition of the Judicial Council****Rule 2.01 Members of the Council**

1. The Council shall be composed of fourteen (14) Justices appointed on staggered presidential terms, serving a two (2) year term. Seven (7) Justices shall be appointed each year. If a vacancy occurs, the Student Body President may appoint a replacement for the remainder of the term.
2. A Chief Justice shall be appointed yearly from within the Council by the Student Body President; the term of office shall be concurrent with that of the Student Body President.

**Rule 2.02 Responsibilities of an Associate Justice**

1. Remain fair and impartial on all business before The Council.
2. Attend Diversity Training (once per year).
3. Complete Financial Training (once each fiscal year).
4. Complete Student Conduct Training.
5. Complete Impartial Advising Training
  - A. Title IX Training is not included in this requirement
6. Attend scheduled Council proceedings unless excused by the Chief Justice, or an Assistant Chief Justice, at their request.
7. Sit on an internal Judicial Council Committee unless excused by the Chief Justice.
8. Act as a mentor for the Student Government Leadership Council and the Judicial Leadership Council.
9. Adhere to the internal Judicial Branch Performance agreement.
10. Disclose any conflicts of interest that may arise.
11. Recuse oneself from a case if there is conflict of interest.
12. Attend a regularly scheduled Senate meeting once per semester.
13. Attend a Student Conduct hearing once per month, after Student Conduct training has been completed.
  - A. Requirement to attend Conduct Hearings does not supersede educational or work obligations.
14. Work closely and efficiently with other members of the Judicial Branch.
15. Build a positive relationship with all students, faculty, staff, and other SG agents

**Rule 2.03 Powers and Duties of the Chief Justice**

1. Act as the head and Chief Administrative Officer of the Judicial Branch.
2. Appoint two Assistant Chief Justices with all current Justices eligible for appointment.
  - A. Appointments must be confirmed by a majority vote of the Student Body Senate.
3. Remove any Assistant Chief Justice at any time, if deemed appropriate.
  - A. If removed, the Assistant Chief Justice is considered resigned from that position.
4. Notify all members of the Judicial Council, no less than five (5) academic days from the first scheduled meeting of the official Council meeting time and location.
5. With majority concurrence from the Council:
  - A. Determine if The Council will hear an appeal including, but not limited to, Judicial Review and Hearing.
  - B. Remove any Justice from a case who is deemed to have a conflict of interest.
6. Appoint Justices to a committee taking into account their preference.
7. May designate a Justice to administer the "Oath of Office" should the Chief Justice be unavailable.
8. Have the authority to assign duties to members of The Council.
9. Be the Judicial Council representative and report the dealings and/or status of the Judicial Council at each Senate meeting on a regular basis.
  - A. Has the power to delegate the task to an Assistant Chief Justice or Associate Justice.
10. May act as Counsel to every committee the Judicial Council oversees.
  - A. Does not have voting power unless needed to break a tie.
11. Must maintain adequate training materials in an effort to ensure that Justices are educated and trained in the substance and matters relating to the Judicial Council.
12. Upon any Senate confirmation, appointment, or resignation of an Associate Justice, the Chief Justice or designee must inform the entire Council of the change within five (5) academic days.
13. If any appeal has been submitted to the Chief Justice, the Chief Justice must inform The Council within seventy-two (72) hours of the submission.

**Rule 2.04 Powers and Duties of the External Assistant Chief Justice**

1. Assume all the responsibilities of the Internal Assistant Chief Justice, if the position is vacant.
2. Ensure consistent communication between themselves and the Chief Justice.

3. Maintain consistent communication and cooperation between the Judicial Branch and the Executive and Legislative Branches.
4. Be responsible for assisting the Chief Justice in judicial tasks deemed necessary.
5. Be responsible for creating, contacting, and presenting all Judicial outreach presentations.
6. Be responsible for planning at least two (2) outreach events per semester.
7. Be responsible for marketing the Student Government Leadership Council (SGLC) as well as the Judicial Leadership Council (JLC).
8. Must work in conjunction with the Internal Assistant Chief Justice to manage and plan the Student Government Leadership Council (SGLC) and the Judicial Leadership Council (JLC).

**Rule 2.05 Powers and Duties of the Internal Assistant Chief Justice**

1. Assume all the responsibilities of the External Assistant Chief Justice, if the position is vacant.
2. Ensure consistent communication between themselves and the Chief Justice.
3. Be responsible for assisting the Chief Justice in judicial tasks deemed necessary.
4. Be responsible for maintaining an orientation and training file for the Judicial Council.
5. Be responsible for maintaining a file with all Justices' biographical information.
6. Keep records of all Judicial Council proceedings, decisions, and official opinions.
7. Notify the Chief Justice of an accumulation of absences of a member of the Judicial Council.
8. Has the power to verify quorum at Council proceedings.
9. Organizes and facilitates the Student Government Leadership Council (SGLC) and the Judicial Leadership Council (JLC) with the External Assistant Chief Justice.
10. Meet regularly with the Internal Legislative Assistant (ILA) and relevant Executive SGLC coordinator with the External Assistant Chief Justice.

**Rule 2.06 Provisions of the Assistant Chief Justices**

1. Shall be scheduled for a total of twenty (20) hours each pay period.
2. Meet consistently with the Chief Justice to discuss matters pertaining to the Judicial Council.
3. In their absence, the Chief Justice may designate either of the Assistant Chief Justices as Acting Chief Justice for a period of no more than five (5) academic days. They must also notify both the Student Body President and the Speaker of the Senate of this designation.
  - A. Upon designation, the Acting Chief Justice will assume the duties and powers of the Interim Chief Justice.
  - B. The Chief Justice may—at any time—end the designation and resume the duties and powers of the Office of the Chief Justice.

**Rule 2.07 Powers and Duties of the Interim Chief Justice**

1. The selection and duties of the Interim Chief Justice can be found in Title V under Chapter 5, Section 501.6

**Rule 2.08 Resignation from Office**

1. Any Justice wishing to resign from their respective office must submit a memorandum of resignation to the Student Body President, Chief Justice, and the Assistant Chief Justices.
2. Any Justice wishing to resign must give two (2) academic weeks' notice to the Chief Justice.

**Section 3: Attendance Policy**

**Rule 3.01 General Provisions**

1. All Council members must attend all Council proceedings unless excused by the Chief Justice or designee.
2. The accumulation of more than two (2) unexcused absences and two (2) excused absences in an academic semester may result in the resignation of a member of the Council.

3. The Internal Rules Committee may expunge an absence by a simple majority vote if brought to the committee within five (5) academic days of the absence occurring.
4. Resignation due to attendance shall be at the discretion of the Chief Justice with the concurrence of the Council provided the Justice has met or exceeded Rule 3.01.2.

### **Rule 3.02 Notification of Absence**

1. Excuses for absences in Judicial Council proceedings must be communicated through the appropriate means determined by the Internal Assistant Chief Justice.
  - A. Excuses must be communicated to the Internal Assistant Chief Justice and the Chief Justice no less than forty-eight (48) hours prior to the proceeding.
  - B. Excuses for committee meeting absences must be submitted to the committee chair and follows the same time constraint as rule 3.02.01.a.
2. Excuses may be communicated via email after the absence, but only in extenuating circumstances, within five (5) academic days after the proceeding has occurred.
3. If requested, proof of any excuse must be provided to the Internal Assistant Chief Justice and copied to the Chief Justice within seven (7) academic days upon receipt of request.
4. Absences will be deemed excused by the Chief Justice or Internal Assistant Chief Justice.
  - A. The Chief Justice may override any attendance decision made by the Internal Assistant Chief Justice.
  - B. The Internal Rules Committee may override any attendance decision made by the Chief Justice by a simple majority vote.

### **Rule 3.03 Excused Absence Qualifications**

1. If an absence falls within any of the following six (6) criteria, it shall be deemed a valid excuse for missing a Judicial Council event:
  - A. Official University event
  - B. Scheduled class meetings
  - C. Personal illness
  - D. Work obligations
  - E. Emergency
  - F. Religious observances
2. All other absences that do not meet the criteria shall be addressed on a case-by-case basis and excusal is at the sole discretion of the Chief Justice and the Internal Assistant Chief Justice.

## **Section 4: Judicial Council Committees**

### **Rule 4.01 Composition of the Committee**

1. Each committee shall be composed of at least four (4) Justices of the Judicial Council, not including the Chief Justice.
2. Each committee must have a Chair.
  - A. The Chief Justice must preside over the election of the Chair.
3. The Chief Justice shall serve on every committee as an advisor to the committees.
  - A. In the event of a tie, the Chief Justice must cast the tie-breaking vote.
4. By a simple majority vote of the committee, a student of any affiliation may be appointed to the committee.
  - A. This member shall only serve as an ex-officio member to the committee and shall not have the right to participate in debate or vote.
  - B. This student member must be approved by the Chief Justice.

5. The Chief Justice may appoint any faculty or staff to the committee as advisors with no voting privileges when deemed appropriate.
6. Students participating in the Student Government Leadership Council (SGLC) or Judicial Leadership Council (JLC) are allowed to sit in on any committee. These individuals cannot participate in debate and shall have no voting privileges.

**Rule 4.02 Powers and Duties of the Chair**

1. The Chair and Vice Chair (if applicable) must be an Associate Justice of the Judicial Council.
2. The Chair must be selected at the first committee meeting by a majority vote of the voting committee members or appointed by the Chief Justice.
3. The Vice Chair must be selected at the first committee meeting by a majority vote of the voting committee members or appointed by the Chief Justice.
4. In the event of a vacancy, a new Chair must be voted on or appointed at the next scheduled committee meeting.
5. The Chair is responsible for setting up all meeting times and locations and notifying the Council and committee members at least seventy-two (72) hours prior to the meeting.
6. The Chair is responsible for assigning all jobs and duties to members of the committee including the Vice Chair.
7. The Chair or designee is responsible for giving a committee report at every regularly scheduled General Council meeting.
8. The Chair must ensure that all committee meetings are in accordance with Title XII of the Student Body Statutes.

**Rule 4.03 Committee Meetings**

1. Each committee shall meet at the discretion of the committee Chair.
2. The committee may only make recommendations to the Judicial Council on official acts. The Chief Justice or designee must schedule the first meeting.

**Rule 4.04 Internal Rules Committee (IRC)**

1. The Internal Rules Committee shall present any updates and/or additions to the *Judicial Rules of Procedure and Title V* to the full Council.
  - A. The Internal Assistant Chief Justice must be a member of the Internal Rules Committee.

**Rule 4.05 Precedent Committee**

- A. The Precedent Committee shall deliver advisory opinions:
  - B. Never represent the disposition of the Council on the question being asked
  - C. Shall be formatted as a general council memorandum.
  - D. Shall be unsigned by the author(s)
  - E. Must only address questions of law or *Student Body Statute*
  - F. All advisory opinions shall be published by the Precedent Committee.
2. The Internal Assistant Chief Justice must be a member of the Precedent Committee.

**Rule 4.06 Judicial Experience Committee (JEC)**

1. The Judicial Experience Committee shall serve to organize events with the purpose of creating social bonding for Justices.
  - A. Events must be held at least once in an academic session.
2. The External Assistant Chief Justice must be a member of the Judicial Experience Committee.

**Rule 4.07 Judicial Outreach Committee (JOC)**

1. The Committee Must:
  - A. Serve to plan and market Judicial Branch resources and other outreach efforts.
2. The External Assistant Chief Justice must be a member of the Judicial Outreach Committee.

#### **Rule 4.08 Establishing an Ad-Hoc Committee**

1. To establish a new committee, a Justice shall submit a proposal consisting of the goals and purpose of the committee to the Chief Justice. The proposal must be presented at the next Judicial Council meeting to vote on the proposal. The committee shall be established by a two-thirds (2/3) vote of the Judicial Council.
1. Immediately following the establishment of a new committee, all Justices interested in serving on the committee shall inform the Chief Justice. The Chief Justice is responsible for scheduling and notifying the entire Council of the first meeting. A Chair shall be voted on at the first committee meeting.
2. After a committee has achieved its final goal, or the committee does not need to continue, the Chair may dissolve the committee. The Judicial Council may vote to overturn a decision made by the Chair by a two-thirds (2/3) vote or terminate the committee by a two-thirds (2/3) vote.
3. All Ad-Hoc Committees must follow all the rules that govern committees unless stated otherwise in this rule.
4. All Ad-Hoc Committees may be made permanent committees by a simple majority vote of the council after being proposed by the Internal Rules Committee.

### **Section 5: Judicial Council Training**

#### **Rule 5.01 Orientation**

1. The members of the Council shall be required to attend an orientation and training session within thirty (30) academic days of their confirmation.
  - A. The Chief Justice, the Internal Chief Justice or the External Chief Justice may grant an extension to fulfill this requirement.
2. The training session(s) and/or orientation shall be conducted by the Chief Justice, in cooperation with the Internal and External Chief Justice's.
3. The orientation and training session(s) shall include education of the following: (1) *Judicial Council Rules of Procedure*, (2) the *Constitution of the Student Body of the University of Central Florida*, (3) the *Student Body Statutes*, (4) *Robert's Rules of Order*, and other areas deemed important by the Council.

#### **Rule 5.02 Supplemental Training(s)**

1. Every Justice is required to attend and/or successfully complete, at a minimum, the following:
  - A. Diversity Training
  - B. Financial Training
  - C. Student Conduct Board Training
  - D. Integrity & Ethical Decision-Making Training
  - E. Impartial Advising Training
    - a. Title IX Training is not mandatory

### **Section 6: Pre-Hearing Actions**

#### **Rule 6.01 General Council Policies**

1. Any person may bring to the attention of the Council any case or controversy arising under the *Student Body Constitution*, *Student Body Statutes*, or University regulation in the form of a council brief.
  - A. Includes but is not limited to:
    - I. Election Violation Appeals
    - II. Election contestment
    - III. Impeachment

- IV. Caucus Vote of No Confidence appeal
- V. Judicial Review
- VI. RSO or Individual funding decisions made by the Legislative Branch
- VII. RSO or Individual probation decisions made by the Legislative Branch

2. A complainant submission must be submitted within ten (10) academic days of the act in question through the Judicial Branch's KnightConnect page.
3. While the arguments given in the submission should accurately reflect a party's position on the legal issues presented, oral arguments may expand upon or present new ideas, which may be used in deliberation.
4. Parties should be prepared to address questioning from the Council that may not relate to arguments presented in submissions.
5. The Council will provide both parties with all submissions, the witness list of both parties, all evidence/exhibits, and any scheduled pre-hearing motions four (4) academic days prior to the scheduled date of the hearing.
  - A. All evidence/exhibits used to support a party's submission must conform to the rules of evidence outlined in Section 7.

#### **Rule 6.02 Filing of Complaint & Response**

1. Upon receipt, The Chief Justice must accept or deny the submission, and must inform parties and the Council of their decision.
  - A. The Chief Justice may only deny the appeal if it does not meet Rule 6.01.3, or if they believe the appeal is without merit or standing.
  - B. The Chief Justice must complete all the steps outlined in Rule 6.02.2. within two (2) academic days.
2. The respondent/appellee will have five (5) academic days, beginning when the Chief Justice informs the party of their decision, to file a respondent/appellee submission with the Council or a motion to dismiss. Upon receipt of the respondent/appellee submission or motion, the Chief Justice must forward said submission to the Assistant Chief Justices, Associate Justices, and all other officers of the Council.
3. If the appeal has been accepted, the Council may grant a temporary injunction of any appealable outcome by a simple majority.

#### **Rule 6.03 Pre-Hearing Motions**

1. Pre-Hearing motions must be restricted to requests of the following:
  - A. Summary Judgement of Complaint/Appeal
  - B. Dismissal of Complaint/Appeal without prejudice
  - C. Withdrawal of Complaint/Appeal
  - D. Recusal of a Justice
  - E. Exclusion of physical evidence (or witness testimony)
  - F. Hearing reschedule
2. Pre-Hearing motions must be filed with an Assistant Chief Justice no later than five (5) academic days before the scheduled hearing date.
3. Motions to dismiss, summary judgement, or recusal of a Justice must be granted by a two-thirds (2/3) vote of the Council.
  1. Motions to reschedule the hearing date may be granted at the discretion of the Chief Justice.
4. Pre-Hearing motions shall be heard and must be ruled on once the hearing has been called to order, but prior to the start of the opening arguments/oral arguments.
5. Each party's right to be heard on each pre-hearing motion shall be restricted to two (2) minutes.
  - A. Additional time may be granted with a simple majority vote of the Council.

#### **Rule 6.04 Motion for Documents or Testimony Requests**

1. Motions to request documents or testimony must be submitted to the Chief Justice no later than five (5) academic days prior to the date of the scheduled hearing.
2. The Chief Justice will sign an order on behalf of the Council to the person or persons in which the request is being directed towards.
3. Any person that has been served with an order from the Council and fails to comply with the issued order is subject to sanctions issued by the Council pursuant to Rule 1.03.

### **Section 7: Evidence**

#### **Rule 7.01 Types of Evidence Permitted**

1. The Council may, at its discretion, expand or limit the amount and types of evidence to be allowed in a hearing. The Council may consider the *Florida Rules of Evidence* when determining the admissibility of evidence.

#### **Rule 7.02 Relevance**

1. Evidence is relevant if:
  - A. it has any tendency to make a fact more or less probable than it would be without the evidence.
2. The Council may exclude relevant evidence if its probative value is substantially outweighed by a danger of one or more of the following:
  - A. Unfair prejudice
  - B. Confusing the issues
  - C. Misleading nature
  - D. Wasting time
  - E. Needlessly presenting cumulative evidence

#### **Rule 7.03 Relevant Council Decisions**

1. A party may submit or cite prior relevant Precedent Committee standings, or Council decisions. All relevant decisions or opinions shall be considered persuasive by the Council.

#### **Rule 7.04 Hearsay**

1. The following definitions apply under this rule: “Statement” means a person’s oral assertion, written assertion, or nonverbal conduct, if the person intended it as an assertion.
2. “Declarant” means the person who made the statement.
3. “Hearsay” means a statement that:
  - A. The declarant does not make while testifying at the current hearing; and
  - B. A party offers in evidence to prove the truth of the matter asserted in the statement.

#### **Rule 7.05 Witness Testimony**

1. The testimony of a witness may be presented in person before the Council or in the form of a signed affidavit.
  - A. The affidavit must include the following statement: “ In accordance with Title V and the Judicial Rules of Procedure, I declare that I have read the foregoing affidavit and that the facts stated in it are true.”
2. Only witnesses who are identified in a party’s list of witnesses must be called before the Council to testify. Testimony from a witness not identified in the calling party’s brief must be expunged from the record.
3. Any party may request the Council to issue an order to compel a witness to appear before the Council. All requests shall be submitted to the Council in writing no later than five (5) academic days before the scheduled date of the hearing.

## **Section 8: Judicial Hearing Procedure**

### **Rule 8.01 General Provisions**

1. A Judicial Hearing will only be held when the Pre-Hearing Procedures outlined in Section 6 are adhered to, unless stated otherwise within this Section.
2. Quorum for all hearings must be a minimum of seven Justices (7) including the Chief Justice or designee
3. The Chief Justice or designee shall preside over all hearings.
1. All sitting Justices have an equal vote on each issue including the Chief Justice.
  - A. If the Chief Justice is presenting the case, they do not have voting power on the matter.
4. Each sitting Justice and party that appears before the Council must have a placard that states the corresponding first and last name and title.
5. The totality of the hearing may not exceed three (3) hours.
6. Additional time may be granted by a simple majority.
  - A. Equal time must be granted to both parties.

### **Rule 8.02 Order of the Hearing**

1. Call to Order
  - A. The hearing is called to order by the Chief Justice or Designee.
  - B. Roll call is taken by the Chief Justice or Designee.
  - C. Verification is done by the Chief Justice or Designee.
2. Affirmation
  - A. All persons will be advised of the following: "Please be advised that any false, or misleading information that you provide during this hearing is a violation of the *Golden Rule: Student Handbook*."
  - B. All university officials or Student Government Staff shall be advised the following: "It is an expectation of the Student Government and the University that the statements you provide in today's hearing are truthful and accurate."
  - C. Should any statements made by a person found contrary to the information presented may be subject to sanctions (pursuant to Rule 1.03.4)
3. Opening Statements
  - A. The order of the statements must be:
    - I. Complainant
    - II. Respondent
  - B. There will be a five (5) minute time limit for each party to present their opening statement to the Council.
4. Case in Chief
  - A. The order of the statements must be:
    - I. Complainant
    - II. Respondent
  - B. The statements include presentation of evidence and witnesses.
  - C. Each party will present their evidence, the opposing party will have an opportunity to question the evidence, and then the Council shall have an opportunity to question the evidence.
  - D. Each party will present their witnesses one by one, the opposing party will have an opportunity to question the witness, and then the Council shall have an opportunity to question the witness.
5. Final Questioning by the Council.
  - A. The Council shall be able to ask any further questions they feel are relevant.

6. Closing Arguments
  - A. The order of the statements shall be:
    - I. Complainant
    - II. Respondent
  - B. There will be a five (5) minute time limit for each party to present their closing statement to the Council.
7. Deliberation
  - A. Deliberation will take place at the conclusion of closing arguments.
  - B. The Justices must meet in an executive session to deliberate.
  - C. The final decision must be made by a simple majority of the Council.
    - I. Once the Council has reached a final decision, the executive session shall end and the Council must return to the main hearing room and announce the results.
8. Adjournment
  - A. The ruling of the Council becomes final and binding when announced
  - B. The majority opinion of the Council must be published by the Chief Justice or designee within seven (7) academic days from when the hearing adjourned.

### **Rule 8.03 Objections**

The opposing party has the ability to present a timely objection to a question asked to the witness on the following grounds:

- A. Hearsay
- B. Leading Question
- C. Question has been previously asked and answered
- D. Ambiguous question
- E. Question that calls for speculation
- F. Irrelevant questioning
- G. Prejudicial question
- H. Argumentative questioning
- I. Question beyond the scope of the examination
- J. Question asking if other witnesses are lying

### **Rule 8.04 Disruptive Behavior**

1. The Chief Justice or designee may remove any person from a hearing for disruptive behavior that hinders the progression of the hearing.

Any person who is removed from the hearing shall forfeit their rights to the hearing and the hearing will continue without them.

## **Section 9: Impartial Advising**

### **Rule 9.01 General Provisions**

1. Advising is the responsibility of all Justices but is not required to maintain the role.
2. The Chief Justice, or designee, shall appoint a Justice to an advising case.
3. An Appointed Justice must reach out to the advisee within 3 academic days.
4. Participation in Title IX Advising Cases shall occur solely on a voluntary basis.
  - A. Participation in Title IX Advising Cases can be opted in and opted out at any given time via monthly check-in with Judicial Leadership
5. All Justices who undertake Title IX Advising Cases shall be allowed to withdraw from the case at any time deemed necessary.

6. After each Title IX advising case, Justices shall have a mandatory check-in with Judicial Leadership or other alternative deemed appropriate by Judicial Leadership.

**Rule 9.02 Restrictions on Impartial Advising**

1. Any Title IX advising cases can be denied under the discretion of the Chief Justice and the Council.

**Rule 9.03 Impartial Advising Procedure**

1. An Impartial Advising Case shall be considered a personalized form of assistance from Justices provided to students participating in any University process under the purview of the Judicial Council.
2. Although the process may differ for each advisee and process, the following outline may be utilized.

1. Initial Meeting

- a. Introductions

- i. Justices shall aim to establish trust with the advisee prior to proceeding with questions.

- b. Disclosures

- i. Justices shall disclose the following to the student:

1. Justices cannot provide legal advice or serve as attorneys.

2. Anything discussed shall be kept confidential, so the advisee is encouraged to share any information that can help with their case.

- a. Information may be disclosed to Judicial Leadership, as determined by the Chief Justice

- b. Information may also be disclosed to relevant parties in the cases involving Rule 9.03, 3. Title IX Advising Procedure, Subclause A.

- c. Fact-Finding

- i. Justices may ask the advisee to walk them through the incident and note:

1. how the case originated

2. personnel involved in the incident

3. accurate timeline of the incident

4. any discrepancies in the story and clarification

5. if applicable, the questions that were asked by the police or administrators and how they were answered

- ii. Justices may consult the Impartial Advising Resources.

- d. Advising

- i. Justices shall provide general information regarding the process, including any preliminary hearings and next steps found in Judicial resources.

- ii. Justices shall address the following additional topics, if applicable:

1. FERPA Release Form to Allow Advisors to attend the Preliminary Hearing.

2. Additional Evidence that may help the advisee's case

3. All potential consequences an advisee may face

- a. Financial

- b. Academic Standing

3. Title IX Advising Procedure

- A. Title IX Advising Mandatory Reporter Justice Procedure

- I. If a Justice is designated as a mandatory reporter due to outside employment requirement the following procedure must be followed

- a. Disclosures must be made if an advisee wants a particular justice on the Title IX Advising Form

- b. A written disclosure should be made to the advisee in communication setting up an advising appointment
    - c. A verbal disclosure must be made to the advisee before advising begins
  - B. Regarding Preferences on a Specific Justice
    - I. Justices may give an acknowledgement to the Internal Assistant Chief Justice to allow certain kinds of information to be available. Information may include but is not limited to:
      - a. Age
      - b. Race
      - c. Sex
      - d. Gender
      - e. Sexual Orientation

## **Section 10: Judicial Review**

### **Rule 10.01 General Provisions**

- 1. A Judicial Review shall be considered a specialized type of general Judicial Hearing. A Judicial Review shall follow all the rules that govern Judicial Hearing Procedure, outlined in Section 8, unless specifically stated otherwise in this section.
- 2. Judicial Review shall focus on the administration of justice, the actions taken by any Student Government corporate entity or Agent established under the *Student Body Constitution* or *Student Body Statutes*.
- 3. Both parties shall have a total of thirty (30) minutes to present their case.
  - A. Any Justice may pose a question to the party that is presenting their case. Any response will count against said party's time limit.
- 4. The Appellant may reserve up to ten (10) minutes as a rebuttal.

### **Rule 10.02 Order of the Review**

- 1. Call to Order
- 2. Affirmation
- 3. Oral Arguments
  - A. The order of the statements shall be: 1.
    - I. Appellant
    - II. Appellee
    - III. Appellant's Rebuttal (if reserved)
- 4. Deliberation
- 5. Adjournment

## **Section 11: Parking Citation Appeal Procedure**

### **Rule 11.01 General Provisions**

- 1. A Parking Citation Appeal shall be considered a specialized type of a general Judicial Hearing. A Parking Citation Appeal shall follow all the rules that govern Judicial Hearing Procedure, outlined in Section 8, unless specifically stated otherwise in this section.
- 2. All hearings are closed to the public excluding the sitting Justices, the appellant, and authorized members.
- 3. The Chief Justice must vote to break a tie.
- 4. No council brief, witness testimony, or pre-hearing motions shall be submitted to the Council.

**Rule 11.02 Process for Submitting an Appeal**

1. The person filing the appeal must submit an appeal via the currently provided online form within ten (10) academic days of the decision of the University Parking Citation Appeals Committee.
2. The Chief Justice or designee must contact the appellant within three (3) academic days with the date and time of the hearing.

**Rule 11.03 Quorum**

1. Quorum shall be four (4) Associate Justices.
2. The Chief Justice, or an Assistant Chief Justice, must be a part of the Quorum.

**Rule 11.04 Order of the Hearing**

1. Verification of Quorum
2. The following steps are followed and repeated for each appeal filed with the Council.
  - A. Introduction of sitting Justices
  - B. Advisement pursuant to Rule 8.02.2.1.
  - C. The appellant will make an opening statement to the Council
  - D. Questions from the Council
  - E. The appellant will make a closing statement to the Council
  - F. Deliberations
  - G. Announcement of the Council's decision
3. Adjournment

**Rule 11.05 University Parking Regulations**

1. All the decisions of the Council must conform to all the provisions outlined in the regulation UCF-6.007.

**Section 12: Fiscal Appeals****Rule 12.01 General Provisions**

1. Fiscal Appeals shall focus on an appeal filed by a Registered Student Organization (RSO) or an individual in response to a fiscal sanction or decision issued by the Legislative Branch.

A Fiscal Appeal Hearing shall be considered a specialized type of general Judicial Hearing following Pre-Hearing Actions, as outlined in Section 6.

- A. All hearings are open to the public.
- B. During deliberations and voting, the Judicial Council must meet in an executive session.
- C. The Chief Justice or their designee shall chair the hearing.

**Rule 12.02 Process for Submitting an Appeal**

1. The appellant filing shall submit an appeal via the provided online form at any time while the fiscal decision remains in effect.
2. The Chief Justice or their designee must contact the appellant within three (3) business days to schedule a hearing.
3. The Judicial Council must schedule the hearing within ten (10) business days upon receiving notification of the appeal.

**Rule 12.03 Quorum**

1. Quorum shall be set at fifty percent (50%) plus one (1) of the current membership.
  - A. The Chief Justice, or an Assistant Chief Justice, must be a part of the Quorum.

### **Rule 12.04 Hearing Procedures**

1. A Fiscal Appeal hearing shall follow all the rules governing Judicial Hearing Procedures, outlined in Section 8 unless specifically stated otherwise.
2. The Judicial Council may issue a summary judgement by a two-thirds (2/3) vote of its quorum if the appellant and legislative authorities reach an agreement after an appeal has been filed.
  - A. If the RSO/individual has resolved all outstanding financial obligations, the Judicial Council may render a decision through summary judgement to remove the sanction.
3. The Chief Justice must submit the reasons for the Judicial Council's decision in memorandum form to the head of the authority in question within three (3) business days.

## **Section 13: Judicial Council Records**

### **Rule 13.01 Recording of a Hearing**

1. All parts of a hearing must be recorded, except for executive sessions. All such recordings shall be the property of the Council.
2. The Internal Assistant Chief Justice or designee must record the minutes of all parts of the hearing, with the exception of the deliberations of the Council.
3. Any audio/visual recording of Council proceedings shall be released upon a public records request in accordance with Florida Sunshine law.

## **Section 14: Disciplinary Actions**

### **Rule 14.01 Disciplinary Statutes**

1. Any minor concerns or disputes between Justices shall first warrant a conversation directly between the two parties unless there is grave concern of safety.
2. If the dispute cannot be resolved through a meeting, the Judicial Leadership and the Judicial Advisor shall be notified of the behavior.
  - A. In the case that the dispute involves Judicial Leadership, a meeting with both parties shall be scheduled through a neutral third-party, preferably the Judicial Advisor.
3. The notification will be in a memorandum brought to the Chief Justice who will then present it to the council.
4. Upon presentation of the memorandum, one member of the Judicial Council will be voted by a simple majority as the council designee to oversee proceedings.
5. Every Justice shall be afforded at least 1 disciplinary warning prior to any suspension-level punitive action unless overridden by a majority of the Council.
6. Every Justice shall be notified of the meeting at least 5 business days prior to the meeting to ensure that the grand majority of the council can attend.
7. The burden of proof shall fall on the complainant.
8. The Chief Justice, in agreement with the Assistant Chief Justices and the Judicial Advisor, may impose temporary sanctions until the Judicial Council can conduct a disciplinary hearing.
  - 8.1. The Chief Justice will notify the Judicial Council of temporary sanctions via memorandum.

## Rule 14.02 Meeting Procedure

1. Deliberation shall not have both parties in the room.
2. Anonymous voting and collection of votes by neutral third party, preferably Judicial Advisor
3. Order of the Hearing:
  - I. Call to Order
    - a. The hearing is called to order by the Council Designee (neutral party).
    - b. Roll call is taken by the Council Designee.
    - c. Verification is done by the Council Designee.
  - II. Affirmation
    - a. All persons will be advised of the following: "Please be advised that any false, or misleading information that you provide during this hearing is a violation of the *Golden Rule: Student Handbook*."
    - b. All university officials or Student Government Staff shall be advised the following: "It is an expectation of the Student Government and the University that the statements you provide in today's hearing are truthful and accurate."
    - c. Should any statements made by a person found contrary to the information presented may be subject to sanctions (pursuant to Rule 1.03.4)
  - III. Opening Statements
    - a. The order of the statements must be:
      - i. Complainant
      - ii. Respondent
    - b. There will be a five (5) minute time limit for each party to present their opening statement to the Council.
  - IV. Case in Chief
    - a. The order of the statements must be:
      - i. Complainant
      - ii. Respondent
    - b. The statements include presentation of evidence and witnesses.
    - c. Each party will present their evidence, the opposing party will have an opportunity to question the evidence, and then the Council shall have an opportunity to question the evidence.
    - d. Each party will present their witnesses one by one, the opposing party will have an opportunity to question the witness, and then the Council shall have an opportunity to question the witness.
  - V. Final Questioning by the Council.
    - a. The Council shall be able to ask any further questions they feel are relevant.
  - VI. Closing Arguments
    - a. The order of the statements shall be:
      - i. Complainant
      - ii. Respondent
    - b. There will be a five (5) minute time limit for each party to present their closing statement to the Council.
  - VII. Deliberation

- a. Deliberation will take place at the conclusion of closing arguments.
  - b. The Justices must meet in an executive session to deliberate.
  - c. The final decision must be made by a simple majority of the Council.
    - i. Once the Council has reached a final decision, the executive session shall end.
    - ii. Executive sessions may be temporarily placed on hold for no more than 2 business days to meet for another executive session.
      - 1. This may be done by a simple majority vote of the Council.
      - 2. The Council shall not discuss anything related to the case outside of the executive session.
    - iii. Both parties shall be notified of the Council's decision within 5 business days.
- VIII. Adjournment
- a. The ruling of the Council becomes final and binding when announced.

### **Rule 14.03 Timeline for the Hearing**

- 1. Defining what constitutes as evidence:
  - A. Witnesses
    - i. Witnesses may have a written statement/testimony that a third party, preferably the Judicial Advisor has it signed by the individual anonymously
    - ii. Witnesses may come in for questioning by the Council
  - B. Witness interviewer asks questions, and asks both parties to sign
    - iii. Witness has to be able to mediate arguments
    - iv. keep witness identities closed
    - v. get important questions answered
  - C. Timeline for Obtaining Witness Testimonial
    - vi. Judicial Council has to request for questions to be answered by the witnesses within 3 business days
    - vii. 14 days over 2 meetings
    - viii. First meeting is where the issue is brought up and ask council to review documents and to come up with merits of the discussion
      - 1. If there is a threat to safety, it needs to be directed to Student Conduct.
    - ix. Second meeting is where sanctions are decided on: educational and/or punitive sanctions
- 2. New evidence may be accepted after the meeting has started based on the simple majority vote of the council.

### **Rule 14.04 Types of Discipline**

- 1. Punitive Sanctions:
  - a. Written warning from a neutral third-party within the Branch
  - b. Volunteering for 10 hours at an SG tabling event
  - c. Voting Privileges revoked for a specified number of meetings
- 2. Educational Sanctions:
  - a. Powerpoint presentation on the correct form of a behavior
  - b. UCF professionalism workshop events
  - c. A written apology to involved parties

3. Sanctions created by the council with a simple majority opinion, including those listed under Rule 1.03.

## **Section 15: Oath of Office**

### **Rule 15.01 General Provisions**

1. Any oath (or affirmation) of office administered by any Justice must be administered orally.

### **Rule 15.02 Oath of Office**

1. The Oath of Office is as listed:

I \_\_\_\_\_(name)\_\_\_\_\_ / swear that I will / faithfully and to the best of my abilities/ Fulfill the duties and responsibilities / of the office of \_\_\_\_\_(position)\_\_\_\_\_/In accordance with / the Constitution and Statutes / of the Student Government / of the University of Central Florida / and the Constitution and the Laws / of the State of Florida / and the United States of America.