



Bill 90-23-R1:
BILL TO ADOPT AMENDMENTS TO THE JUDICIAL BOARD
OPERATING PRINCIPLES

1 FIRST READING: January 25th, 2023

2 PASS:

3 DATE:

4

5 Bill 90-23-R1: Bill to Adopt the Amendments to the Judicial Board Operating
6 Principles

7

8 PURPOSE: For the Student Senate of the Student Government Association of
9 Murray State University to adopt the amendments to the Judicial
10 Board Operating Principles

11

12 WHEREAS: It is the responsibility of our Student Government Association to
13 maintain up-to date governing documents that are consistent with
14 other documents for all branches of Student Government

15

16 THEREFORE: Be it resolved that the Student Senate of the Student Government
17 Association of Murray State University adopts the attached
18 amendments to the Judicial Board Operating Principles.

19

20 AUTHOR: Ellie McGowan, *SGA President*

20 SPONSOR: SGA Executive Council

Lexi Stone, Judicial Board Chief Justice-Elect

MURRAY STATE UNIVERSITY
STUDENT JUDICIAL BOARD OPERATING PRINCIPLES

ARTICLE I: NAME AND JURISDICTION

Section 1. The Judicial branch of the Student Government Association shall be known as the Murray State University Student Judicial Board.

Section 2. The Judicial Board shall have the power to hold hearings and to render final decisions and interpretations in cases brought to it by students, faculty, or administrators involving the Constitution of the Student Government Association, parking/traffic violation appeals, and shall serve on the university Judicial Board in cases involving the Code of Conduct.

ARTICLE II: BOARD REQUIREMENTS AND APPOINTMENTS

Section 1. The Judicial Board shall be the judicial branch of the Student Government Association and shall be composed of one (1) Chief Justice, one (1) associate chief justice, ~~and~~ five (5) Associate Justices, ~~and~~ three (3) Alternate Associate Justices.

Section 2. In order to be a member of the Judicial Board one shall have attained at least a Sophomore class standing, shall not be an officer or member of any other Student Government Association branch, and shall maintain at least a 2.5 on the 4.0 GPA scale. Sophomore applicants shall be considered for non-alternate positions if, and only if, there are not enough upperclassmen to fill Associate Justice positions.

Section 3. The Student Government Association shall solicit applications for the Judicial Board. The Executive Cabinet shall interview the applicants and the Student Government Association President shall select ten (10) nominees for the seven (7) Associate Justices, three (3) Alternate Associate Justices, and from the list of nominations recommending a Chief Justice and an Associate Chief Justice. The Student Senate shall confirm the nominees.

Section 4. Appointment to the Student Judicial Board shall be a lifetime appointment, meaning that once a student is selected to be on the board they shall be allowed to serve until their graduation from the university or upon their removal from the board. Justices will be reviewed and reconfirmed by the Student Senate every ~~year~~ ~~academic semester~~.

ARTICLE III: CHIEF JUSTICE DUTIES AND RESPONSIBILITIES

Section 1. The Chief Justice of the Student Judicial Board shall serve as Chairperson of the

Murray State University Student Judicial Board. The Chief Justice will preside over the Murray State University Student Judicial Board and be responsible for communicating concerns and issues to the SGA Executive Cabinet. The Chief Justice shall serve as a liaison between the Student Government Association, Public Safety, and various judicial offices of the university.

Section 2. The Chief Justice of the Student Judicial Board will be responsible for a report to the Student Senate each week or following each specially called Judicial Board hearing.

Section 3. The Chief Justice of the Student Judicial Board will be responsible for swearing in the President of the Student Government Association, the Executive Cabinet, the Student Senate, and the seven (7) Associate Justices of the Student Judicial Board.

ARTICLE IV: ASSOCIATE CHIEF JUSTICE DUTIES AND RESPONSIBILITIES

Section 1. The Associate Chief Justice of the Student Judicial Board shall serve as the Chairperson of the Murray State University Student Judicial Board in absentia of the Chief Justice.

Section 2. The Associate Chief Justice of the Student Judicial Board shall perform any further tasks, essential to the functioning of the board, deemed necessary by the Chief Justice of the Student Judicial Board

ARTICLE V: CONDITIONS AND TERMS OF OFFICE

Section 1. Student Judicial Board members shall be sworn in before/at the beginning of ~~the fall~~ each academic semester and shall serve ~~for a period of one (1) academic year~~ a lifetime appointment or until removal from the board. The Chief Justice of the Student Judicial Board shall be sworn in by the President of the Student Government Association and the seven (7) Associate Justices shall be sworn in by the Chief Justice.

Section 2. Persons appointed shall assume the full duties and responsibilities to their respective office at the first regular meeting following their appointment, passing of the parking regulations test, and training.

ARTICLE VI: CONDUCT OF A GENERAL HEARING

Section 1. The Student Judicial Board shall conduct a hearing on a case upon submittal of an online case form specifying the nature of the case. Application for cases shall be made available to students in the Center For Student Involvement.

Section 2. The Student Judicial Board, by simple majority of a quorum shall decide, based on if the

Revised January 23, 2023

Revised September 8, 2017

Section. 4. The appellant shall be notified of his/her appeal results electronically through e-mail; this shall include a fully typed statement explaining the approval or rejection of the appeal. All decisions of the Student Judicial Board are final and will not be reconsidered.

ARTICLE VIII: FACULTY/STAFF ADVISOR

Section 1. The Judicial Board shall be advised by one (1) Faculty/staff member. The advisor shall serve a minimum term of one (1) year.

ARTICLE IX: MEETINGS

Section 1. The Student Judicial Board shall have regularly scheduled meetings once monthly. A special meeting shall be called whenever two (2) or more associate justices request a meeting of the Chief Justice. Students may petition to have a hearing on issues other than parking violations by filing a request for ruling to the Chief Justice.

ARTICLE X: ATTENDANCE POLICY

Section 1. Failure to attend regularly scheduled meetings or perform weekly tasks may result in a review of board membership. Excessive excused absences may also result in a review of board membership.

Section 2. Excused absences will be allowed for illness, family matters, university excuses, and other events at the discretion of the Chief Justices and, if needed, the advisor. Excuses must be submitted to the Chief Justice forty-eight (48) hours before the meeting time, if possible.

ARTICLE XI: CENSURE

Section 1. The Student Judicial Board shall have the power to censure members of the Student Judicial Board, the Student Government Association Executive Cabinet, and the Student Senate. The power to censure shall serve as a formal reprimand to actions or opinions contrary to the mission and conduct of the Student Government Association and its members.

ARTICLE XII: REMOVAL OF STUDENT JUDICIAL BOARD MEMBERS

Section 1. Grounds for automatic removal from office shall be:

- Change of status from full-time to part-time students
- Failure to meet qualification requirements (as specified in the SGA Constitution) during their

case is appealable whether to hear a case. Should the Student Judicial Board decide to hear a case, it must be placed on the docket immediately and the case must be heard within 14 days of the said offense.

Section 3. The appellant shall have the right to a public hearing, to be informed of the nature and the cause of the violation against him/her, to confront opposing witnesses, and to have witnesses in his/her own behalf. Notification of hearing dates shall occur within five (5) days upon receipt of the case application, and shall be made by the Chief Justice of the Student Judicial Board. The appellant shall then have a minimum of seven (7) days in order to prepare his/her case. These dates are subject to change by the Chief Justice if there are extenuating circumstances.

Section 4. The Student Judicial Board shall reach a decision on all cases by a majority vote of a quorum on the hearing date, or may postpone a ruling until the following hearing if the Board deems necessary. A quorum shall consist of five (5) of the seven (7) justices. A quorum of the justices shall be required at a hearing in order for the hearing to occur.

Section 5. The appellant shall be notified of his/her case result electronically through e-mail; this shall include a fully typed statement explaining the approval or rejection of the case. In the instance of a two (2) party case, the second party shall also be notified. All decisions of the Student Judicial Board are final and will not be reconsidered.

ARTICLE VII: CONDUCT OF A PARKING/TRAFFIC HEARING

Section 1. The Student Judicial Board shall conduct a hearing on a parking violation upon submittal of an online appeal form specifying the nature of the appeal and whether they would like to be present at the appeal. Application for appeals shall be made available to students on their MyGate account.

Section 2. The appellant shall have the right to a public hearing, to be informed of the nature and the cause of the violation against him/her, to confront witnesses, and to have witnesses in his/her own behalf. Notification of hearing dates shall occur after receipt of the appeal form. The appellant has five (5) days to notify the Chief Justice of the Student Judicial Board of their attendance at the specified meeting. The appellant shall then have seven (7) days, after receipt of the hearing dates, to prepare his/her appeal. These dates are subject to change by the Chief Justice if there are extenuating circumstances.

Section 3. The Student Judicial Board shall reach a decision on all appeals by a majority vote of a quorum on the hearing dates, or may postpone a ruling until the following hearing if the Board deems necessary. A quorum shall consist of five (5) of the seven (7) justices. A quorum of the justices shall be required at a hearing in order for the hearing to occur.

Revised January 23, 2023

term of office

- Withdrawal from the University
- Violation of the University Code of Conduct

Revised September 8, 2017

Section 2. A review of board membership and a two thirds (2/3) vote by the Student Judicial Board shall be required in the case of removal due to absences.

ARTICLE XIII: FILLING VACANCIES OF OFFICE

Section 1. Vacant positions shall be filled by appointment by the Executive Cabinet of the Student Government Association and confirmation of the Student Senate from the alternate candidates.

Section 2. In the case that the remaining nominees do not qualify, ~~the~~ the Student Senate will solicit applications through publication of the vacancy for a minimum of one (1) academic week. The applications shall meet the qualification requirements as stated in the Student Government Association Constitution and the Murray State University Judicial Board Operating Principles. The President and Executive Cabinet of the Student Government Association will appoint a replacement and the Student Senate will confirm.

