Introduction by: Connor Allen, Speaker of the Student Senate
Sponsored by: June Scheick, College of Liberal Arts Senator

ACTION TAKEN: PASSED

Certified By: Connor Allen
Speaker of the Student Senate

Judicial Board Act

"An act abolishing the Constitution and Elections Committee, judicial review, and giving the Judicial Board the administrative responsibility of proctoring elections"

WHEREAS(1):

Currently, the Student Government Association Constitution and Bylaws gives the Judicial Board the power to set precedents when interpreting the Constitution and Bylaws, by creating new text in the Bylaws following a hearing based on the results of that hearing. This effectively create new rules within the Student Government Association. The Justices of the Judicial Board are also chosen by the Chief Justice, and The Constitution and Bylaws also detail the Constitution and Elections Committee.

WHEREAS(2):

The Judicial Board’s power of judicial review should be revoked because the instructions in the bylaws are strange and create a confusion over how to interpret the constitution and bylaws. This aspect of the bylaws is not followed in Student Government, and our bylaws should reflect the actual processes.

WHEREAS(3):

The Chief Justice and the Associate Justices should be appointed by the President so that there will be a populist and democratic element to the selection of the Judicial Board.
Therefore
Let it be
Enacted (1):

That the text "All of these documents shall be added to their own chapter of the bylaws, Chapter 9 – Judicial Rulings, and shall have the same effect as the bylaws. Chapter 9 – Judicial Rulings of the bylaws may only be amended with the approval of the Judicial Board." Be removed from bylaws chapter 5.11.

Therefore
Let it be
Enacted (2):

That "Justices may not chair the Constitution Committee." Be removed from the bylaws chapter 5.02.

Therefore
Let it be
Further
Enacted (3):

That the line "additional justices may be appointed by the Chief Justice" be replaced to read "additional justices may be appointed by the president, following interviews with each student in consideration with the Chief Justice." in bylaws chapter 5.07.

Therefore
Let it be
Further
Enacted (4):

That Article 2 Section 3 of the Constitution, which covers the President’s roles and responsibilities, be amended to read:

ii. Appointing the succeeding Chief Justice of the Student Government Association Judicial Branch, following an interview which includes the outgoing President and Chief Justice. This appointment shall require the approval of a two-thirds vote by the Student Senate.
iii. Appointing up to four associate justices, as required. These appointments shall require the approval of a two-thirds vote by the Student Senate.

Therefore
Let it be
Further
Enacted (5):

That Article 5, section 4 of the Constitution, which covers the Chief Justices’ roles and responsibilities, remove the text:

iii. Jointly appointing the succeeding Chief Justice of the Student Government Association Judicial Branch, with the appointment being made by the incumbent President, the succeeding President, and the incumbent Chief Justice. The succeeding President, along with the newly appointed Chief Justice, shall jointly appoint four associate justices, as required. All appointments shall require the approval by a two-thirds vote by the Student Senate.

Therefore
Let it be
Further
Enacted (6):

That the words “Constitution and Elections Committee” be replaced with “Judicial Board” in bylaws chapter 8.01, 8.02, 8.04, and 8.12.

Therefore
Let it be
Further
Enacted (7):

That chapter 9.03 be removed from the bylaws, which currently reads:

9.03
The Constitution and Elections Committee is responsible for revision, review and interpretation of the constitution and bylaws. Any proposed constitutional amendments or amendments to the bylaws must be reviewed in this committee before being brought before the Student Senate. The Constitution and Elections Committee is also responsible for facilitating elections and enforcing the election code.

Therefore
Let it be
Further
Enacted (8):

That Article VII, Section 2 of the constitution be removed. It currently reads:
SECTION 2
The author of the amendment must meet with the Constitution and Elections Committee at least one time before the amendment will be voted on. The Committee will then endorse or discourage this amendment. The Constitution and Elections Committees discouragement of an amendment does not prevent it from being voted on by the Student Senate.

Therefore
Let it be
Further
Enacted (9):

That Article VII, Section 5 be amended to read:

SECTION 5
All legislation that amendments the constitution or bylaws, together with the parts affected within the constitution and bylaws, shall be forwarded to the Chief Justice by the Speaker of the Senate. The Chief Justice must ensure that the most recently updated Constitution and Bylaws are available to the Student Body at all times.