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Judiciary and Ethics Committee Meeting Minutes 9/08/2011

University of South Florida. Student Government Senate

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University of South Florida
Student Government Fifty-Second Student Senate

SUMMER SESSION
September 8th 2011

Meeting called to order by Chairwoman Samantha Toro at 2:00PM.

Toro- Roll call. I am here. Saunders is excused. Christy Brinkworth?

Brinkworth- Present.

Toro- Jacri Stubbs?

Stubbs- Present.

Toro- Jean Cocco?

Cocco- Hi.

Toro- Jennifer Belmont?

Belmont- Present.

Toro- Karim Hussein?

Hussein- Present.

Toro- Ruby Thomas? Not here. Shelly Marc not here. Shyam Patel?

Patel- Present.

Toro- Wilnelly Ortiz?

Ortiz- Here.

Toro- Okay, thank you for being on time. Okay, next additions/deletions to the agenda. There is a tentative vote here for Nick Flammia for Bulls Radio Sports Director.

Motion to accept the agenda by Senator Belmont.

Toro- No objections? All tentative items are added. I will explain to you why and how and all that good stuff. Is there a motion to accept the orders of the day?

Motion to accept the orders of the day by Senator Belmont.

Toro- Any objections?

Open forum

Belmont- If anyone is interested in playing IM student government football, we have a team Wednesday at 7 so if you can play or want to cheer us on its going to be great.

Ortiz- Today is the Bulls Business Fair. It's in the ballroom exposing all of the college of business orgs and fraternities. There's going to be great food. It's 5 to 8 in the MSC. And that's it.

Toro- Any other people wishing to speak. Okay, I have a quick announcement. Please make sure to fill out the doodle for the one on ones. Seeing as the committee is so large, these meetings should be within the next 2 weeks.

Ortiz- I filled it out but was it just a survey?

Toro- The times got a little messed up so I am not available the times I thought I'd be. So, you can redo that.

Ortiz- So once you fill out a time...

Toro- Yes. Any other questions? Okay, now we have Taylor Lockwood.

Goff- I didn't realize I was presenting. Mr. Lockwood was interviewed over the summer. Taylor is involved with IFC and Greek Life. His interview, he knocked it out of the park. We interviewed over 20 justices there were over 70 applicants. His initial application really got our attention. I'll let him introduce himself.

Lockwood- like Mr. Goff said, the reason I applied for associate justice. I applied initially 9 positions, and I served for the judicial board of Sigma Chi. My biased towards a Greek member has gone against my own brothers. That will not be a problem. In the past there's been a lot of problems with the bylaws and identified future problems.

Toro- Okay, now we're going to have a question and answer period.

Belmont- Who do you know what works in student government?

Lockwood- I know Matt Diaz, and Mr. Goff.

Belmont- Personally?

Lockwood-None.

Brinkworth- You're a business major, correct? What made you apply for this position?

Lockwood- I wanted to get involved with this school.

Brinkworth- What would you like to gain from this experience?

Lockwood- More is what I can put into it with my abilities.

Belmont- I was hearing chatter as possibly the court ruling what is outside of their jurisdiction such as our court. As a Greek member do you think they should be involved or not?

Lockwood- To an extent. I think on a university wide scale, I would see no problem in the court handling it.

Cocco- What is your view on viewpoint neutrality.

Lockwood- I don't count myself as Greek, a republican, a male. I'm neutral.

Brinkworth- So, you mentioned you are on the judicial court for IFC. What does that entail?

Lockwood- If a brother does something bad, he gets voted on punishment. They can be abusing substances; it's your brothers but you have to hold them to a higher standard.

Brinkworth- So, can you explain what experience you have in writing legal documents.

Lockwood- The president and I wrote 25 pages of bylaws and I worked on a legal opinion.

Ortiz- How many cases have you seen on your judicial board?

Lockwood- I sat in on 7 and I have 17 more in the next two weeks.

Hussein- How familiar are you with the SG?

Lockwood- I keep a copy with me.

Cocco- What quality do you possess that qualifies you?

Lockwood- My integrity.

Brinkworth- On your application who is your other employer? What kind of availability do you have?

Lockwood- I promote from 10-12AM.

Belmont- If you were placed in a situation on the court, in regards to a conflict of interest and there was a perceived biased, would you step down?

Lockwood- I would to protect the court.

Brinkworth- You may be aware, but in your application, what was your opinion because there was a typo, how the date was too early, is it the right time, the last minute, and rocky the bull gets stuck in the elevator, does that make sense?

Lockwood- The letter of the law is an extreme condition. He was going up 3 flights of stairs and I would let him turn in his application.

Toro- I don't think the question was clear.

Brinkworth- In the opinion, the scenario is in the last few minutes, that's when the student was trying to come up, it was the last minute...

Toro- To clarify, he was in the elevator before time, its due at 5PM, but he doesn't get out of the elevator until 5:05PM.

Lockwood- I would have to say no, because he waited till the last minute. He made that decision to wait.

Toro- I have a question. Are you a strict or loose constructionist.

Lockwood- I would say strict.

Coco- Do you think the court should be more proactive or reactive.

Lockwood- Being proactive is identifying problems before they occur.

Toro- Is there a follow-up.

Belmont moves to discuss.

Toro- Are there any objections?

Lockwood- Would you like me to leave to discuss.

Toro- Yes, please. We'll have roughly 5 minutes.

Belmont- I think he's great.

Hussein- He responded well to the questions.

Brinkworth- Adam Saunders thinks his legal was irrelevant. I had similar reservations with Adam. I didn't see the judicial committee. I was thinking he had no experience. After listening, I'm in support.

Toro- Is there a motion to vote?

Motion to vote by Senator Ortiz.

Toro- Any objections. Say yes or no.

Brinkworth- Yes.

Stubbs- Yes.

Cocco- Yes.

Belmont- Yes.

Hussein- Yes.

Gula- Yes.

Patel- Yes.

Ortiz- Yes.

Toro- And I abstain as chair. 8 to 0 to 1.

Hassouneh- Want me to bring him back in for you?

Toro- Yes.

Applause.

Toro- You are now a justice. Okay, moving onto the next order of business. Our last meeting we just had quorum. We needed 7 and had 7. We had the first 2 confirmations and I was like no you can't leave. So I was like make it to class and then we have 6 members so we didn't have 7 necessary even though she was excused. We had 13 and needed 7. We had 12 so we still needed 50%. So, when she left we no longer had quorum. You cannot make motions or decisions. When we suspended SOP's that was invalid. So, we need to revote on this candidate. With the exception of Gula, Stubbs and Belmont. The candidate passed 6 to 0 to 1.

Goff- I can try to give him an intro.

Toro- The members that weren't there, do they have the option to abstain. It doesn't say there has to be a conflict of interest.

Manka- If they have enough info to vote even though they're new to the process, they should still vote. If they don't have enough info, they don't have to vote. Even if you have a friend that's up for something, unless there's a conflict of interest, even you should vote. Does that make sense?

Toro- So, at this time, I have a couple of things. Mr. Goff go right ahead.

Goff- So, Mr. Flammia has been involved with Bulls Radio for three years. He has helped if you ever listen to any sports broadcasts, he is really passionate, and he has a lot of involvement with Bulls Radio. All around great guy.

Toro- At this time we can do one of two things. I'll either take a motion to vote or I'll take a motion for a 4 minute recess to review his application packet. So...

Motion for a four minute recess by Senator Gula.

Toro- Any objections? We're in a minute recess.

Toro- We're back at 2:26. So, at this time is there a motion to vote for Nick Flammia.

Brinkworth so moved.

All say yes.

Toro- And I abstain as chair. 8 to 0 to 1. Nick Flammia is hired again. Next, oh my gosh it's the vice chair election. As you know, I didn't elect one over the summer. I want people to have ample opportunity for everyone to get their feet wet and if they wanted to run for vice chair, they could do so. The way this is going to go, we're going to have nominations and we're going to have speaking time and any questions get to be addressed to any candidates. So, at this time are there any nominations for vice chair? And you can nominate yourselves.

Stubbs- I'd like to nominate Ms. Ortiz.

Toro- Do you accept?

Ortiz- I respectfully decline.

Toro- I will wait until there is a nomination.

Brinkworth- I nominate Mr. Coco.

Cocco- I respectfully decline.

Hassouneh- All of you in this room have been active in the past. Pick it up and get involved. Ms. Toro is not a bad Chairwoman. So, I assume that at least one of you care enough to step up. Leadership is stepping up when needed.

Ortiz- I don't know what the responsibilities entail.

Toro- I plan on doing the same grievance workshop. I want to do a fundraising seminar. I send out an agenda and that's it. When it comes...to personal initiatives like workshops, fundraising seminars, any initiatives like that...Maybe an hour and a half outside of JEC each week and someone to bounce ideas out. Someone to talk things out with me.

Manka- Please realize that you have good senate leadership and good advisors, so you're not alone.

Gula- I was going to nominate myself.

Snap.

Toro- And you obviously accept.

Motion to vote by Senator Belmont.

Toro- Are there any objections? Seeing none. Okay, is there a...we are now in voting. Please raise your hand. You vote for yourself. With a vote of 8 to 0 to 1. Congratulations, Mr. Gula. Now I have someone to help me do thing. Okay, next step is SOP's. Oh, it's on the P-Drive. I made a flow chart and I want to show you guys. Here we go; check I tout. Okay, I made this because a lot of people are confused and there are so many rules and you are probably breaking 5 rules and not realizing it. Rules are coming from everywhere and the hierchy of rules. I just want to put the SOP's in context so you guys know where it is and where it stands. At the top is the US constitutions. FL state statutes say Florida state statutes need to be distributed and exists. Below we have University Policy. Any rules the university may have. Below that is the student body constitution, then statues. Just so you know, if there is some sort of conflict, university policy trumps that. Like this. So, we have SG statutes. Below, we are split up into different statutes, so they're going to be even more amazing. Those are the court ROP's. Then there is the exec. Code. Which deals with the more specific things. Below senate, there are committee SOP's. Those are the rules that govern the committee themselves. JEC were passed and I have some changes and we're going to go over those now. Are there any questions? Okay. Okay, everything is the same. Okay, what I changed is the preinvestigational procedure. It is reiterated and made more specific in SOP's. When I made the investigation workshop, they conflicted a bit. I put forward an amendment here in these SOP's. Pretty much, when someone has a grievance, it has to be time stamped and signed by the president of SGATO. So, it has to be those two people. Once it is signed and time stamped it is sent to me. Before it was the senate clerk and I just wanted to make it much more simple. Are there any questions regarding these changes?

Hassouneh- Why was the director brought into the grievance?

Toro- It trumps the SOP's.

Hassouneh- Does it say they have to sign it?

Toro- Yes.

Belmont- I guess the intent was to have the intent of the grievance to be filed. Why are we getting rid of that? It says when it is tumestamped not when the action occurred.

Toro- It says date, time and location.

Belmont- So, if they leave it blank, it doesn't matter?

Toro- I don't understand? Okay, so what you're trying to tell me is when you write when and where the grievance was should be mandatory?

Belmont- We can fix it later.

Toro- Are there any other questions regarding these clauses?

Gula- Is there a grammatical error?

Toro- It doesn't require any motion. Okay, I'll give you a couple minutes to read those.

Belmont- Is that it?

Toro- That's it the whole thing right there.

Toro- At this time I'll take a motion to vote.

Gula motions to vote.

Objection by Senator Brinkworth.

Gula resends his motion.

Brinkworth- It doesn't require the time it was received?

Toro- The intent is when it is received it has to have a timestamp.

Brinkworth- The grievance?

Toro- The way Ms. Belmont is interpreting it is when the action occurred. On the form itself, it says time, date and location and grievance. It asks for the specifics on the grievance form. Okay, so there's currently a bill in rules.

Ortiz- On 9.1 should it say standard investigational procedure? Or is it singular?

Toro- This was primarily grammatical. The new sentence procedure meaning series of steps.

Motion to vote by Senator Brinkworth.

Toro- Objections? How would you like to vote?

Brinkworth- Straw poll.

Toro- I abstain. 8 to 0 to 1. These SOP's pass. Yay. Okay, right now we're in announcements.

Announcements

Toro-The office tour will be after we adjourn. So, any final announcements. My final announcement, please fill out the Doodle. Is there a motion to adjourn?

Belmont motions to adjourn.

Adjournment called by Chairwoman Samantha Toro at 2:42PM.

Transcribed by Senate Secretary, Theresa Rivera.