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## Judiciary and Ethics Committee Standard Operating Procedures (07-03-13)

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# STANDARD OPERATING PROCEDURES 2013-2014

UNIVERSITY OF SOUTH FLORIDA  
STUDENT GOVERNMENT

*Judiciary  
and Ethics  
Committee*



## **1 Constitutional Conformity and Authority**

- 1.1 The Standard Operating Procedure of the Judiciary and Ethics Committee shall not conflict with the Student Government Constitution.
- 1.2 The Standard Operating Procedure of the Judiciary and Ethics Committee shall not conflict with the Student Government Statutes. It may, however, further define any section of statutes that deals with the operation of the Judiciary and Ethics Committee.
- 1.3 The Authority of this document shall be vested within the governing documents of Student Government and the Judiciary and Ethics Committee.
  - 1.3.1 These procedures must be ratified by the Judiciary and Ethics Committee, by a majority vote, prior to its implementation.
  - 1.3.2 In accordance with the Senate Rules of Procedure, this document must be ratified by a subsequent majority vote of the Senate Executive Committee.

## **2 Meeting of the Judiciary and Ethics Committee**

- 2.1 The Judiciary and Ethics Committee Chair shall determine the time, day, place, and frequency of the regular Committee meeting.
- 2.2 The Committee Chair may call a special meeting of the Committee, if necessary, provided that all Senators are given a minimum of twenty-four (24) hours notice of the special meeting.
- 2.3 Quorum
  - 2.3.1 Quorum will be defined as more than half (50% + 1) of all active Committee members for regularly called meetings of the Committee.
  - 2.3.2 Quorum for general/regular meetings of the Committee shall not count excused absences into their count for quorum.
- 2.4 Meetings of Judiciary and Ethics shall be governed by Robert's Rules of Order with the level of adherence to be determined by the Chair.
- 2.5 At any time during the meeting, Standard Operating Procedure may be suspended via a supermajority (2/3rds) vote of the present committee members.

## **3 Attendance**

- 3.1 Committee members are expected to attend all meetings of the Judiciary and Ethics Committee.

3.2 Senators will be assessed points for failure to attend the required meetings in accordance with Senate Rules of Procedure.

3.2.1 Any Senator with a class conflict shall be excused until fifteen (15) minutes before and after the class.

3.2.2 Senators may be excused from a committee meeting by the committee chair with reasonable notice in a written format. The committee chair has the discretion to accept or deny any request to be excused from a committee meeting.

#### **4 Agenda**

4.1 The Committee Chair shall determine the agenda for each regular Committee meeting no later than twenty-four (24) hours before the Committee meeting.

4.1.1 Agendas for regular Committee Meetings may be amended on the floor.

#### **5 Judiciary and Ethics Committee Duties**

5.1 For Judiciary and Ethics Committee duties refer to the Senate Rules of Procedure.

5.2 Committee members shall perform the duties and assignments delegated to them by the Committee Chair.

5.3 Committee members shall provide a short report of their progress on assigned duties each week either during the committee meetings or in print to the Judiciary and Ethics Committee Vice-Chair.

#### **6 Judiciary and Ethics Committee Chair**

6.1 The duties of the Judiciary and Ethics Committee Chair shall include but not be limited to the following:

6.1.1 Chairmanship of all Committee meetings as well as all associated hearings.

6.1.2 To oversee all Committee paperwork.

6.1.3 To represent the Committee before Senate.

6.1.4 To submit all reports in writing required by Statutes or ROP to the appropriate individuals.

6.1.5 Delegate duties, projects, and liaison assignments to committee members as necessary.

#### **7 Judiciary and Ethics Committee Vice-Chair**

- 7.1 The duties of the Judiciary and Ethics Committee Vice-Chair shall include but not be limited to the following:
  - 7.1.1 Chairmanship of Judiciary and Ethics Committee meetings in the absence of the Chair.
  - 7.1.2 To assist the Committee Chair in the completion of her/his duties.
  - 7.1.3 Any other committee related tasks delegated by the committee chair.
  - 7.1.4 Oversee the submission and review process of the committee members' weekly reports.

## **8 Senate Committee Minutes**

- 8.1 The Senate Clerk or Secretary shall be present to transcribe verbatim minutes of the entire meeting, beginning with the Call to Order and ending with Adjournment.
  - 8.1.1 In the event that the Senate Clerk or Secretary is not present at the meeting, then a digital audio recording shall be taken and provided to the Senate Clerk or Secretary for transcription.
  - 8.1.2 Committee Minutes must be voted upon and accepted at a committee meeting in order to be officiated. Upon their acceptance, the minutes may then be delivered to the designated person to be posted on the committee page.

## **9 Pre-Investigational Procedure**

- 9.1 Before Investigational Procedure can be followed, the following conditions must be met:
  - 9.1.1 A grievance form must be filled out indicating the time and the date of the grievance.
  - 9.1.2 Aforementioned form must be signed by both a Senate Secretary for record keeping, as well as the Senate President for validity.
  - 9.1.3 A time stamp indicating the date received
  - 9.1.4 A hard copy must be produced and used as a master copy to ensure that no changes can be made to the original after the above has been completed.

## **10 Investigational Procedure**

- 10.1 The Judiciary and Ethics Committee will adhere to a standard investigational procedure that follows the following rules:
  - 10.1.1 During an investigational meeting, a neutral mediator, such as the Student Government Advisor, shall be present.

10.1.2 Minutes are to be taken by a neutral party, such as the Senate Clerk, or Secretary.

10.1.2.1 Minutes shall be recorded and distributed to the Senate President and Senate President Pro Tempore according to the policies of the Student Government and the State of Florida. Minutes shall be recorded by audio device and transcribed.

10.1.3 Official statements obtained from person(s) involved must be reviewed by the committee.

10.2 The Timeline of the Investigation should be as follows:

10.2.1 Those called forth to testify before the Committee will be notified in writing.

10.1.2.1 A notification in writing shall include, but not be limited to:

- a A formal letter issued by the Committee Chair
- b An E-Mail issued by the Committee Chair

10.2.2 Notifications will go out seventy-two (72) hours in advance of the Committee Meeting.

10.1.2.1 Should the Individuals in question not respond to the initial request their superiors will be asked to re-notify and enforce compliance.

10.1.2.1 Should the Individuals in question fail to comply with their Superiors; a full Subpoena will be issued.

10.3 All those under investigation shall first submit their statement in writing.

10.3.1 These statements should reach the committee no less than 24 hours before the individual comes before the committee.

10.4 The Committee will hear testimony on both sides of the issue from a variety of sources.

10.4.1 After all sides have been heard the Committee will discuss the findings.

10.4.2 After the discussion the Committee will deliberate to determine the outcome of the situation.

10.5 Failure to comply with the Committee's Procedures at any level in the process will be taken into account when making the final decision.

## **11 Confirmation Procedure**

11.1 Confirmations for Executive and Judicial nominees shall follow the subsequent procedure:

11.1.1 The nominee will be given five minutes speaking time for a presentation.

Senate Committee on Judiciary and Ethics  
Standard Operating Procedures

- 11.1.2 Committee members shall ask the nominee questions during the designated question and answer period.
- 11.1.3 After the question and answer period, the committee will move into discussion. Before discussion begins, the nominee, any non-Senate members, and non-committee members will be asked to leave the room.
- 11.1.4 Once discussion has concluded, the Chair will entertain a motion to vote on the nominee.