

Winter 12-31-2013

Senate Bill (S) 54-016 The Judicial Reform Act

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University of South Florida Student Government Senate

SB [S] 54-016
The Judicial Reform Act
54th Term
Spring 2014



The intent of this legislation is to update our statutes in line with the purpose, vision, and goals of the court.

A SENATE STATUTORY AMENDMENT

Be it enacted by the Senate of the University of South Florida Student Government assembled, that the following changes be made to the Student Government Statutes:

Chapter

501

Duties and Responsibilities of the Supreme Court

501.1 The Supreme Court shall have original jurisdiction over:

501.1.1 All cases and controversies involving Student Government.

501.1.2 All cases and controversies involving judicial review of Senate legislation.

501.1.3 All cases and controversies involving ~~a contest of elections~~ constitutional conformity reviews of referenda.

~~501.1.3~~ **501.1.4** All cases and controversies involving constitutional amendments.

~~501.1.4~~ **501.1.5** All cases of impeachment except for the impeachment of members of the Supreme Court.

501.2 The Supreme Court shall have appellate jurisdiction over:

501.2.1 All cases and controversies involving candidates, recall elections, and the Election Rules Commission.

501.2.2 All cases and controversies involving ASMB.

501.2.3 Final student appeals of USF Parking and Transportation Services violations.

501.3 The Supreme Court shall draw up its respective Rules of Procedure which may be amended by a supermajority vote, as defined in statutes, of the Supreme Court. The Rules of

Procedure shall ~~may~~ not conflict with Student Government Statutes ~~and or~~ the Student Body Constitution.

~~501.4~~ 501.4 All cases and controversies shall be handled according to guidelines outlined in the Supreme Court Rules of Procedure.

~~501.4~~ 501.5 A constitutional conformity review of a referendum shall consist of, but not be limited to, a review of the referendum by the Supreme Court to determine its constitutionality within governing documents.

~~501.5~~ 501.6 A majority vote of the Supreme Court may decide any case pending before the court.

~~501.6~~ 501.7 The Supreme Court shall have quorum in order for any official opinion pertaining to any issue brought forth to the court to be rendered. Quorum shall be as follows:

Justices Currently on Bench	Quorum
9	7
8	6
7 or less	5
6	4
5 or less	3

~~501.7~~ 501.8 Exceptions to quorum regarding final student appeals of Parking and Transportation Services violations shall be made in the Supreme Court Rules of Procedure.

~~501.9~~ 501.9 The court shall ~~may~~ have regular meetings for the purpose of discussing general administrative issues and future business, as they pertain to the court. These meetings shall require a simple majority of active justices present in order to satisfy the requirement for quorum.

~~501.8~~ 501.10 Attendance shall be monitored by the means of a point system which is further outlined within the Supreme Court Rules of Procedure.

~~501.9~~ 501.11 For a Supreme Court decision to be official and recognized, the majority opinion must be made public, in writing, within five (5) business days ~~one calendar week~~ of the verdict. The dissenting opinion shall appoint a Justice to write a brief which shall be made public with the majority opinion.

~~501.10~~ 501.12 Each opinion shall be signed by the justices that wrote or supported it.

Chapter

502

Duties and Responsibilities of ~~Members~~ Justices of the Supreme Court

502.1 The Supreme Court shall be composed of ~~seven~~ ~~nine~~ Justices appointed by the Student Body President, with the advice and consent of the Senate. The Supreme Court shall elect from its body the positions of Senior Justice, Ranking Justice and Committee Chairs as per Supreme Court Rules of Procedure. All Supreme Court Officers, excluding Committee Chairs, must be elected by a majority of the Supreme Court and there must be a minimum of 5 Justices appointed to the Supreme Court at the time of selection.

502.2 The Chief Justice

502.2.1 The duties of the Chief Justice shall include, but are not limited to:

502.2.1.1 To preside over all meetings and proceedings of the Judiciary.

502.2.1.2 To administer the Oath of Office to the President and Vice President of the Student Body, and all incoming Justices.

502.2.1.3 To run meetings and arrange dockets and agendas for said meetings.

~~502.2.1.3~~ 502.2.1.4 To have first speaking rights on issues.

~~502.2.1.4~~ 502.2.1.5 To assign opinions of majority and minority.

~~502.2.1.5~~ 502.2.1.6 To rule on objections during trials.

~~502.2.1.6~~ 502.2.1.7 To appoint committee members.

502.2.1.8 To receive and review all complaints and appeals first.

502.2.1.9 Initially review and provide copies of any case that may come before the court to all justices.

~~502.2.1.7~~ 502.2.1.10 Read all official Student Government documents and relevant case materials

~~502.2.1.8~~ 502.2.1.11 Shall be the accountable financial officer for the Supreme Court, and shall ultimately be responsible for all fiscal records.

502.2.1.12 Shall have the power to initiate and/or serve on ad-hoc committees, with the advice and consent of the other Supreme Court Officers.

~~502.2.1.9~~ 502.2.1.13 Shall have the power to recommend removal of a Justice to the Judicial Review Committee for violation of attendance policies outlined in the Rules of Procedure.

~~502.2.1.10~~ 502.2.1.14 Preside over the annual ERC ROP Revision ad-hoc committee, and present a report to the Supreme Court on the committee's findings.

502.2.1.15 Prepare and screen all press related materials before ~~and supervise the Supreme Court Public Relations Coordinator in~~ relaying such materials to the Public.

502.2.1.16 Prepare and present a weekly report of their activities.

~~502.2.1.11~~ 502.2.1.17 Maintain contact and organize regular meetings with the Office of Parking and Transportation Services (PATS).

~~502.2.1.12~~ 502.2.1.18 Any duties deemed necessary by a majority of the Supreme Court.

502.3 The Senior Justice

502.3.1 The duties of the Senior Justice shall include, but are not limited to:

- 502.3.1.1 Preside over all meetings in the absence of the Chief Justice.
- 502.3.1.2 Preside over at least one meeting per semester.
- 502.3.1.3 Have second speaking rights on all issues.
- 502.3.1.4 Oversee the activities of all committees under ~~their~~ his/her authority.
- 502.3.1.5 Prepare and present a ~~report~~ weekly report of ~~his/her activities~~ their activities.
- 502.3.1.6 Review all complaints and appeals with the Chief Justice.
- 502.3.1.7 Review all Justice absence excuse forms.
- 502.3.1.8 Any duties deemed necessary by a majority of the Supreme Court.

502.4 The Ranking Justice

502.4.1 The duties of the Ranking Justice shall include, but are not limited to:

- 502.4.1.1 Preside over all meetings, in the absence of both the Chief and Senior Justices.
- 502.4.1.2 Preside over at least one meeting per semester.
- 502.4.1.3 Any duties deemed necessary by a majority of the Supreme Court.

502.5 Associate Justices

502.5.1 The duties of the Associate Justice shall include, but not limited to:

- 502.5.1.1 Attend all general meetings and court meetings.
- 502.5.1.2 Read all official Student Government documents and relevant case materials.
- 502.5.1.3 Read all Parking and Transportation rules and regulations.
- 502.5.1.4 Serve on ad-hoc committees and contribute to the overall well-being of the Judicial Branch.
- 502.5.1.5 Perform any duties deemed necessary and proper to execute the mission of the Judicial Branch.

502.6 Clerk of the Court

502.6.1 The duties of the Clerk of the Court shall include, but not limited to:

- 502.6.1.1 Keep minutes of all public meetings and trials.
- 502.6.1.2 Maintain records of all copies of all rulings, petitions, documents, and evidence appearing before the Supreme Court and all actions of the Supreme Court.
- 502.6.1.3 Maintain the Judicial Branch section of the Student Government website.
- 502.6.1.4 Other duties deemed necessary by the Chief Justice or a majority of the Supreme Court.

~~502.4.0 —~~

~~502.4.1 The duties of the Ranking Justice shall include, but are not limited to:~~

- ~~502.4.1.1 Preside over all meetings, in the absence of both the Chief and Senior Justices.~~
- ~~502.4.1.2 Preside over at least one meeting per semester.~~

~~502.4.1.3 Have third speaking rights on all issues.~~

~~502.4.1.4 Any duties deemed necessary by a majority of the Supreme Court.~~

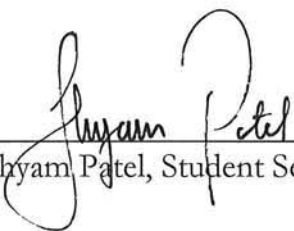
Chapter

504

Declaratory Judgment Panel

- 504.1 The purpose of the Declaratory Judgment Panel, hereafter referred to as the “Panel”, shall be to offer a conclusive and legally binding opinion, with regard to the clarification of Student Government Statutes, which may not take into account circumstances specific to the request, nor mandate any further action to be taken.
- 504.2 The Declaratory Judgment Panel shall be comprised of the following members:
- 504.2.1 The Chief Justice
 - 504.2.2 Two Justices elected by the Supreme Court to serve for the remainder of the Student Government term.
 - 504.2.2.1 Should a Justice no longer be able to serve on the aforementioned Panel, the Court shall elect another Justice to fill the position at the next scheduled meeting.
 - 504.2.2.2 Any Justice on the Panel, excluding the Chief Justice, may be brought up for a vote of confidence by a supermajority vote of the Supreme Court.
- 504.3 Should a Justice be removed from office or resign, the Supreme Court shall elect another Justice to fill the position as defined in the Supreme Court Rules of Procedure.
- 504.4 Only Officers of Student Government may make a request for Declaratory Judgment.
- 504.5 The Panel must meet within two (2) business days ~~48 hours~~ of a request being made, ~~excluding weekends and University holidays.~~
- 504.6 The opinion of the Panel may be appealed to the entire Court and must be heard within five (5) business days.
- 504.7 In the event that the Supreme Court should not meet the minimum required number of appointed Justices to satisfy the statutorily prescribed quorum, the Declaratory Judgment process may not be utilized.




Shyam Patel, Student Senate President

February 25th 2014
Date


William Warmke, Student Body President

2/27/14
Date

SB [S] 54-016

Author: Abdool Aziz, Committee on Judiciary and Ethics Chairman
Sponsor: Abdool Aziz, Committee on Judiciary and Ethics Chairman
Committee Action: (7-0-1)
First Reading: January 28th, 2014
Second Reading: February 11th, 2014
Final Vote Count: (34-0-1)