

Bylaws of the Student Court

I. Procedures

A. The Student Court shall determine matters outlined in Article III of the Student Association Constitution according to the following guidelines:

1. Any complaint to the Student Court must be submitted to the Chief Judge of the Student Court. The Chief Judge shall be responsible for serving copies of the complaint to all the parties named in the complaint, and shall post copies on the Student Association website. At the discretion of the Chief Judge, copies may also be served to the President of the Student Association, the Executive Vice President of the Student Association, the President Pro Tempore of the Senate.
2. If mediation of the complaint occurs, it is required within five (5) class days of the date the complaint was filed. The Chief Judge will decide if mediation is necessary.
3. The Student Court's written opinions on a case, both majority and minority, shall be forwarded to all parties to the case, the President of the Student Association, the Executive Vice President of the Student Association, the President Pro Tempore of the Senate, and shall post copies on the Student Associate website.
4. Both parties shall have the right to have an advisor present at any Student Court hearing. The advisor shall be permitted to represent a party before the Student Court or present arguments before the Student Court with the Chief Judge's approval.
5. All parties involved in a dispute must be given a minimum of one (1) days notice of when the Student Court will be meeting to hear any arguments concerning their case. This requirement may be waived if a majority of the Judges involved in the case concurs.
6. On all issues raised under Article III of the Student Association Constitution, all cases shall be decided by a majority vote.
7. In any case where a tie vote occurs, the Court must continue to deliberate until it comes to a decision. The court may ask for additional materials to review.
8. The Student Court must not make a decision or ruling if less than three (3) of the Judges are physically present at hearings/trials/deliberations.
9. Any individual Court Judge shall excuse himself from any case where he was a party to the initial facts of the case or where a conflict of interest, as defined by the Code of Judicial Conduct, may occur. If a Judge refuses to excuse himself for the above reasons, this provision of this section may be enforced only by a unanimous decision of the Court's members excluding the Judge in question.
10. If the Student Court is in need of eligibility verification of a Senator, they must ask

the Senate Chairperson to check the Senator's records and have the Senate Chairperson provide the needed information to the Student Court.

11. If the Student Court is in need of eligibility verification of a Vice President, they must ask the President to check the Vice President's records and have the President provide the needed information to the Student Court.

II. Open Hearings

A. All hearings of the Student Court shall be open to the public, except where a majority of the Court who will be participating in the hearing agree to hold a closed hearing.

B. The Student Court shall redact from public records of the court all information that it deems, by a majority vote of Judges present at a case, to be private information.

III. Expedited Review

A. A party submitting a complaint to the Student Court may request the Court to grant expedited review by attaching a written explanation to the complaint detailing why time is of the essence. The Court may grant expedited review by a majority vote of the Court, with the exception of any recused judge. Granting of expedited review suspends the time requirements listed both in Article I (C) of the bylaws and the Procedures of the Court.

B. In the case of a nolo contendere pleas or similar lack of response by a party, expedited review may be granted by a majority vote of the judges. An opinion may be written without a hearing in the case of such a plea with a unanimous vote of the judges.

IV. Restraining Orders and Injunctions

A. The Chief Judge of the Student Court shall have the discretionary power to grant a one (1) week temporary injunction upon a motion, submitted in writing, by a party before the Court. This injunction may be terminated prior to the exhaustion of the one (1) week either at the Chief Judge's discretion or upon the majority vote of the entire Court.

B. The Student Court, by a majority vote of those Judges involved in a case, may issue either a preliminary or permanent injunction, upon either a proper motion, submitted in writing by a party.

C. A party before the Court may submit a single motion requesting both a temporary injunction from the Chief Judge and a preliminary injunction from the full Court.

V. Election of the Chief Judge

A. Within five (5) class days of the transition ceremony of the Student Association legislative and executive branches, the Court must elect and confirm a Chief Judge by majority vote.

B. Only those Judges who shall be returning to the Court at the commencement of the following semester shall be eligible to vote for the Chief Judge.

VI. Responsibilities of the Chief Judge

A. After confirmation as delineated by Student Court Bylaw V (B), the Chief Judge will determine religious holidays on which the court shall not meet for that school year.

B. In the case of recusal/removal, the court will elect a temporary Chief Judge from within the court. This person will become the permanent Chief Judge after the transition ceremonies of the legislative and executive branches.

VII. Swearing-In of Student Court Judges:

The following oath shall be used to swear in a Student Judge:

"I, (name), do solemnly swear (or affirm) that I will do equal right to all members of the University student community, and that I will faithfully and impartially discharge all the duties incumbent upon me as Student Judge under the Charter and Constitution of The George Washington University Student Association."

VIII. Judicial Clerks

A. A Judge may appoint a clerk or clerks to assist him/her with his/her work. No clerk shall be appointed without the unanimous consent of all Student Court Judges.

IX. Amendments to These Bylaws

A. The Student Court may amend these bylaws with a majority vote of the Court.

B. No vote on any amendments shall take place unless all seated judges are informed and given the opportunity to vote.

X. Adoption and Operation of These Bylaws

A. All bylaws of the Student Court of The George Washington University Student Association previous to the time of the adoption of these bylaws are hereby repealed, and are for all intents and purposes, null and void.

B. These bylaws shall take effect upon ratification by a majority of the Student Court membership.

C. The provisions of these bylaws may be supplemented and/or exceeded by the Student Association Constitution. In the event that any provision within these bylaws conflicts with the Student Association Charter or Constitution, the provisions of the latter two

documents shall govern.

Renewal

1. These Bylaws of The Student Court should be reviewed once per academic year and agreed upon by a majority vote of the Student Court.
2. Once agreed upon, the Chief Judge must submit the Bylaws of The Student Court to the acting Student Association President.