

ASCSU Internal Complaint Form

The Supreme Court of the Associated Students of Colorado State University decrees the following Internal ASCSU Rules of Procedure.

PLANTIFFS:

Any member of the Associated Students of Colorado State University holds the right to file an ASCSU Internal Complaint with reference to constitutional questions or concerns (to include but not limited to amendments and legislation,) motions of constitutional interpretations, and disputes of inter-branch conflicts. The ASCSU Internal Complaint is to be filed with the Supreme Court Chief Justice.

DEFENDANTS:

Upon the filing of an ASCSU Internal Complaint, the ASCSU Supreme Court Chief Justice shall inform the Defendant(s), in writing, of the internal complaint in no more than seven (7) business days. Upon notification, the Defendant(s) has no more than ten (10) business days to respond by either acceptance or dispute of the filed complaint. Within the time limit set, if the Defendant(s) chooses to dispute the complaint they are to schedule a hearing with the Chief Justice. Failure to respond or schedule a hearing will result in a default judgment in favor of the Plaintiff(s).

The Defendant(s) may file a petition for an extension of time, in writing, to the Chief Justice no later than the seventh (7th) day of the ten (10) business day allowance. The request will be considered and granted at the discretion of the ASCSU Supreme Court.

FILING FORMAT: (For Electronic Version see any member of the Supreme Court)

1. Date of Incident: ____/____/____
2. Complainant's name(s) and phone number(s): (Please also include you position at CSU or in ASCSU)
3. A complete statement about the nature of the incident from each complainant (**Details are necessary; a lack of information may result in the denial of a hearing.**)
4. All detailed facts pertaining to the case **including** the steps that have already been taken to remedy the situation, if any. In addition, please include copies of all documents related to the case.
5. Name of all witnesses and phone numbers.
6. The dated signatures of all complainants

For office use only:

Date received: ____/____/____

By: _____

ASCSU Supreme Court Case No. _____ (Assigned by the Court)

PREHEARING:

The Supreme Court reserves the right to waive a hearing and render a decision upon review of the ASCSU Internal Complaint Form and the Defendant(s) response for acceptance. The decision must be unanimous, however, if the Plaintiff(s) or Defendant(s) disagrees with the Court's decision, they can file a written appeal to the Chief Justice within seven (7) businesses days after notification of the decision.

APPEALS:

An appeal shall be limited to review on one or more of the following three (3) reasons:

- 1.) Due Process Violation-Was the decision conducted fairly and in light of the complaint and information presented, and in conformity with the prescribed procedures giving both the complainant and accused parties the opportunity to prepare and present relevant information to be considered in the determination of the appropriate outcome? Minor deviations from the designated procedures will not be a basis for sustaining an appeal unless there is an adverse effect on the outcome of the hearing.
- 2.) Inappropriate Sanctions-Were the sanctions imposed inappropriate for the violation(s) committed?
- 3.) New Information-An appeal on the basis of new evidence would include a consideration of new information, sufficient to alter the decision, or other relevant facts not brought out in the original hearing, because the appealing party at the original hearing did not know such information and/or facts.

The appeal should be a written letter providing substantial support and documentation for reason in request of the appeal. After proper review, the Supreme Court Chief Justice will decide to grant a hearing or hold to the original decision.

HEARING:

A quorum shall consist of four (4) Associate Justices with the majority decision prevailing. The hearing will be conducted in the following manner:

- I. Introductory Remarks: The court will have the right to reserve twenty (20) minutes before calling the hearing to order for review of the case.
- II. Call to Order
- III. Defense Perspective: The Defendant(s) will have exactly fifteen (15) minutes to present their case to the Supreme Court. This time should be used to argue the merits of the case based on existing procedures, the ASCSU Constitution, and the scope of ASCSU.
- IV. Defense Witnesses: The Defendant(s) are given the right to a total of three (3) individuals to speak on their behalf. Each individual will be given five (5) minutes.
- V. Plaintiff Perspective: The Plaintiff(s) will have exactly fifteen (15) minutes to present their case to the Supreme Court. This time should be used to argue the merits of the case based on existing procedures, the ASCSU Constitution, and the scope of ASCSU.

- VI. Plaintiff Witnesses: The Plaintiff(s) is given the right to a total of three (3) individuals to speak on their behalf. Each individual will be given five (5) minutes.
- VII. Deliberation Period: The Supreme Court will render a decision, in writing, as soon as it has been reached. Majority opinions will be presented, with the option of Minority opinions at the discretion of the court.

All decisions of the ASCSU Supreme Court are final and binding on all parties within jurisdiction of ASCSU.

Jake McMahon, Chief Justice

Shannon Endres, Associate Justice

Ruthie Hubka, Associate Justice

Banks Bender, Associate Justice

Cheyenne Moore, Associate Justice

Nick Yoswa, Associate Justice

Rachel Shrader, Associate Justice