

**Und CARROLL COLLEGE STUDENT SENATE JUDICIARY COMMITTEE**  
**PROCEDURES AND GUIDELINES**

Revision #4 (03/17/02)

**I. The Judiciary Committee Structure**

The committee shall consist of five Senators elected from the Student Senate membership. The chair of the Judiciary Committee shall be elected from within the committee. The Judiciary Committee also has the option of electing a Speaker from within the committee, who has the sole responsibility of reporting committee news at full Student Senate meetings and serving as the primary contact person within the committee. The Vice-President of the Student Senate shall serve as an ex-officio member of the committee, and may only give counsel. However, if one of the other members is absent or under impeachment, the vice-president shall be a voting member in his/her place. (Article V, Section 5 of the Constitution).

**II. Responsibilities of A Student Senator**

A.) A Senator shall not arrive late to, leave early from, or miss a combination of three full Student Senate meetings or standing committee meetings per semester without being referred to the Judiciary Committee for review (Article II, Section 2 of the Constitution).

- 1.) A Senator shall not vote on a motion if he/she arrives after or leaves before a motion has been made. The Secretary shall record both the time a motion is made and the time Senators arrive or leave from each meeting.
- 2.) A Senator shall not be penalized if he/she leaves after the established adjournment time as set in the agenda

B.) A Senator may not be in Student Senate if his/her cumulative grade point average is less than 2.0 (Article II, Section 1 of the Constitution).

- 1.) Grade point average shall be monitored/enforced by the Student Senate Advisor. In addition, grade point average of a campaigning nominee shall be checked prior to any elections by the Elections Committee in order to establish eligibility.

**III. Judiciary Committee Hearing**

A.) On occurrence that any Senator is in violation of Section II of the Judiciary Committee Guidelines, the Secretary shall move for the Judiciary Committee to begin the impeachment proceedings.

B.) The Judiciary Committee shall schedule a hearing with the Senator in question. However, if he/she fails to respond to the invitation, the proceedings shall continue without him/her.

- C.) During the hearing the Senator in question shall state his/her case, without interruption, to the Judiciary Committee. After his/her case is stated and the dates/times accounted for, the hearing shall be subject to questioning by committee members
- D.) If a Senator has discovered contradictory information regarding a Senator's absence, regardless if information is hearsay or truthful, the Judiciary Committee must approach the Senator in question on this conflicting information before going to a closed hearing.
- E.) The Senator in question shall be dismissed after questioning is complete. The Judiciary Committee shall move to a closed hearing and continue further discussion, making a decision based only upon the information offered during the student's testimony before the committee. Once the committee enters a closed hearing, all discussion is strictly confidential. (See Section V)
- F.) The Judiciary Committee shall vote either to recommend impeachment or that no further action be taken using a secret ballot. The decision shall be met by majority rule by the five Judiciary Committee members.
- G.) The Judiciary Committee Chairperson shall count the ballots and report the decision first within the committee. The Chairperson shall secondly inform the Senator in question of the Decision. Lastly, the Chairperson (or Judiciary Speaker) shall inform the full Senate.
- H.) If no further action is decided by the Judiciary Committee, tardies and absences shall continue to accumulate throughout the semester and any further violations of the attendance policy shall result in the accused Senator having to meet with the Judiciary Committee again.
- I.) If there is a conflict within the Judiciary Committee that requires drastic action to resolve, the entire committee shall go before the Executive Board of the Student Senate, and present their case to the Executive Board. Executive Board will only offer counsel in this matter.

#### **IV. Formal Senate Impeachment**

- A.) The impeachment hearing shall occur on the full Student Senate Agenda under the heading of Judiciary Committee.
- B.) The Judiciary Committee Chairperson (or Judiciary Speaker) shall present a prepared statement and motion that includes only the facts of the accused Senator's tardies and/or absences. This report shall be created from the consensus of the full Judiciary Committee.

- C.) After the motion has been presented and seconded, the Student Senate President shall then allow the accused Senator to present his/her case to the entire Student Senate. The floor shall then be opened up for questioning of the accused Senator to the entire Student Senate.
- D.) A two-thirds ballot vote of senators present at a regular Student Senate meeting, which includes the Judiciary committee and the accused senator, is required to remove the accused Senator from Student Senate. The Senator shall be present for the vote and informed by the President of the results before old business on the Agenda.
- 1.) If a two-thirds majority rules in favor of impeachment, the accused Senator in question shall be asked to leave immediately and therefore shall lose all privileges as a Carroll College Student Senator and shall be relieved of oath.
  - 2.) If a two-thirds majority is not met in favor of impeachment, the Senator remains under oath. Tardies and absences shall continue to accumulate throughout the semester, and any further violations of the attendance policy shall result in an additional Judiciary Committee hearing with the Senator in violation.

#### **V. Breach of Confidentiality**

- A.) Once a breach of confidentiality has been discovered, the Judiciary Committee will meet in an emergency closed session. While in session, the Senator in question shall be stripped of voting privilege and the ex-officio officer (Vice President) shall become a voting member.
- B.) Proceedings for Breach of Confidentiality shall follow the same format as impeachment (attendance violation) hearings.

#### **VI. Rights of An Accused Senator**

- A.) Senator has the right to resign at anytime.
- B.) A Senator has the right to the details involving the accusations against him/her.
- C.) A Senator has the right to defend his/her actions.
- D.) A Senator has the right to be heard by both the full Judiciary Committee and the full Student Senate.
- E.) A Senator has the right to notification of any meetings involving his/her case.
- F.) A Senator has the right to timely meetings.