ASCSU Impeachment Procedures

I. Impeachment Petition

A motion to impeach a member must be brought forth during a Senate meeting to the Speaker of the Senate. This motion must follow the regulations set forth by the Constitution, based on the position of the member to be impeached. If three (3) individuals bring an impeachment forward, only those three (3) individuals may present it. Under this circumstance, the plaintiffs shall consist of the three individuals who presented the impeachment motion. A petition or other motion for impeachment may include no more than one (1) initiator or author. The initiator or author must designate on the petition two (2) individuals who will be designated as plaintiffs. If a college council brings the impeachment forward, the plaintiffs shall be the College Council President and two (2) members of the respective College Council. The defendant shall be the individual whom the impeachment motion is pertaining to. Any motion for impeachment must include specific accusations of wrongdoing, and must be provided to the Speaker in written form at the time of the impeachment motion. Written documentation must also include the signatures of all members.

II. Committee Action

Senate shall choose a committee to investigate the allegations of wrongdoing at the time of the impeachment motion. No presenter, signatory, or initiator of the motion of impeachment may serve on the impeachment committee, nor may the Speaker of the Senate. The committee shall convene within one day following presentation of the motion of impeachment to determine the chair(s) of the committee. The ASCSU advisor shall also function as the advisor for the impeachment committee. One (1) member of the committee shall be designated as the committee liaison for both defendant and plaintiffs, working with all parties involved to ensure an adequate and shared understanding of procedures and constitutional interpretations. All communiqués from the committee liaison shall be presented to the committee, who shall retain authority to overrule the committee liaison's interpretations.

A. Notification

During the week following the presentation of the motion of impeachment, the committee chair (s) and the committee liaison shall notify the defendant by letter and make every reasonable effort to notify the defendant in person of the proceedings brought forward against them. If the defendant can be contacted in person, the committee liaison shall make every reasonable effort to communicate the accusations of wrongdoing as presented with the motion of impeachment.

B. Fact Finding

The committee shall meet within two weeks following the presentation of the motion of impeachment, but after the defendant has been notified, in order to determine a series of questions to be directed to both defendant and plaintiffs by the committee. Questions must be germane to the accusations of wrongdoing and or negligence as outlined on the impeachment motion.   The committee may choose to present these questions during the course of the hearings, or may deliver the questions to all parties prior to the hearings in order to receive written responses prior to the hearings.

C. Questions

Within three weeks following the presentation of the motion of impeachment, but after the formulation of questions, the committee shall convene in order to hear arguments from all parties. These hearings shall be closed: The committee members and the committee advisor may attend all hearings, parties may attend for their respective hearings only, and witnesses may attend for their respective presentations only. All plaintiffs shall be heard before the defendant's hearing. The plaintiffs may be heard as a group, in which case they shall have no more than thirty (30) minutes to present and as much time for the committee to question as is necessary and may call up to three (3) witnesses over the course of their presentation; or the plaintiffs may be heard separately, in which case they shall have no more than ten (10) minutes to present each and may call up to one (1) witness each over the course of their presentation. The defendant shall be allowed to give a presentation in the same manner as the plaintiff following the plaintiff's presentation.

D. Deliberation

The committee shall produce a detailed and comprehensive report that accurately represents the facts and testimonials of both the defendant and the plaintiff. The committee shall not vote as to whether the said official shall be removed from office. The committee must present its findings to the Senate no less than two weeks following the hearing.

E. Rise and Report

The committee shall rise and report to the senate no later than two weeks following the hearing. The impeachment committee shall inform both parties involved in the investigation of the date that the Senate hearing will take place. Both parties are encouraged to attend the meeting in the event that they may be questioned. Following the motion to rise and report, the Senate shall move into executive session and all nonvoting members excluding the speaker and the ASCSU advisor shall exit the senate chambers. The committee shall then give a presentation regarding their findings. The presentation shall not be limited in length. An unlimited question and answer period shall follow the presentation. The Senate may invite either party in to the Senate chambers to question them. Both parties shall not be in the chambers at coinciding times and the parties shall be exited from the room following the questions. The question and answer period shall end when a motion to move into deliberation is passed.

III. Senate Deliberation

Following the question and answer period the senate shall debate the motion to impeach the said official. A two-thirds vote is required for the removal of said official from office.

Passed by the Thirty-First Senate of the Associated Students of Colorado State University in Bill 3119 on April 24, 2002, by a vote of 22-0-0. Bill 3119 was signed by 2001-2002 ASCSU President Sean Mattox on April 26, 2002.