University of Arkansas
Associated Student Government Judiciary
Standing Rules for the 2024-2025 Academic Year
Last Revised: August 2024

SECTION 1: GENERAL

A. Chief Judicial Authority shall be vested into this Associated Student Government Judiciary (further abbreviated ASGJ).
B. The Judicial Branch shall ultimately ensure the executive and legislative branches are operating within the framework of the constitution for the University of Arkansas Associated Student Government and its applicable governing by-laws for these branches.
C. In the event of a crisis that disrupts or alters normal University operations, including but not limited to the closure of campus, the Associated Student Government Judiciary reserves the right to make adjustments as necessary to the locations, schedules, deadlines, or timelines of any event, election, meeting, or hearing. Information regarding any changes will be communicated by the Chief Justice.

SECTION 2: JURISDICTION

A. The ASGJ shall convene official meetings for four reasons, as explicitly defined in Article IV, Section 6, Subsection B of the ASG Constitution:
    a. In the case of ASGJ membership issues.
    b. After being summoned for interpretation of this Constitution or the ASG Code;
    c. To conduct Senate Seat and Executive Officer Elections; or
    d. To hear an allegation filed with the Chief Justice as specified in Article IV, Section 10 of this Constitution.

SECTION 3: GOVERNING MEASURES

A. The Chief Justice shall make meetings and set procedures as deemed necessary for the just and efficient administration of ASGJ.
B. Any alteration of this document must be done with the approval of at least 2/3 of justices present at a meeting (may be official or unofficial meeting).

SECTION 4: THE PROCEDURE OF THE JUDICIAL BOARD

Operational Procedures and Duties

A. The ASG Advisor shall serve as the Sergeant-at-Arms for meetings of the ASG Judiciary.
B. Deliberations by the ASGJ on a case will be closed meetings.
C. All regularly scheduled meetings of the ASGJ shall be held on Thursdays at 5:30 PM.

D. Should deliberations last longer than thirty (30) minutes, the parties shall be allowed to leave and will be notified of the decision of the ASGJ within twenty-four (24) hours of a decision being rendered.
E. Decisions shall be made by a majority vote of Justices.
F. Following a decision, the Chief Justice shall appoint Justices to author opinions of the Court:
    a. The Chief Justice shall appoint from among the majority an author for the Majority Opinion of the Court.
    b. The Chief shall appoint from among the minority an author for the Dissenting Opinion of the Court.
    c. Should multiple Justices dissent for different reasons, each shall be allowed to author a Dissenting Opinion.
    d. Should a Justice support the decision of the court for different reasons than those in the majority opinion, the Justice shall be allowed to author a Concurring Opinion.
    e. All opinions must be submitted to the Chief Justice within a time deemed reasonable by the Chief Justice.
G. If any new evidence surfaces after a decision has been rendered for a case, the Elections Commissioner will determine if such evidence is significant. If the evidence is found to be significant, the defendant may file for a rehearing.
    a. A 2/3 majority of justices present at the original hearing is necessary to move forward with a rehearing.
    b. The procedure for filing a rehearing shall be identical to the procedure for filing the original case, except that the request for rehearing shall explicitly state the new evidence and its importance to the case.
    c. The decision reached at the end of the rehearing shall supersede the decision of the original trial.
H. The Standing Rules of the ASGJ may be suspended by a two-thirds (2/3) vote of Justices present at a hearing.
I. Both parties shall be allowed to have an advisor present during the hearing. This advisor is not allowed to address the court during the hearing.
J. Both parties must submit a witness list to the Chief Justice two (2) business days in advance of the hearing, excluding any rebuttal witnesses. The Chief Justice shall be allowed to disallow any evidence that has been obtained unethically or is otherwise inappropriate.
K. Each witness, including the complainant and defendant, shall be sworn in prior to speaking to the Judiciary.
L. The ASGJ shall operate under the latest edition of Roberts' Rules of Order for all issues not delineated in these standing rules.

M. The ASGJ has the sole authority and discretion to approve and/or reject debate questions when debate must occur for the purposes of an election.

Interpretation Hearings

A. A request for interpretation of the ASG Code or Constitution may be made by submitting a written plea to the Chief Justice. Any member of the ASG may request judicial interpretation of the Code or Constitution.
B. Any ASG agent may submit in writing an alternate interpretation to the Chief Justice for consideration at least five (5) business days in advance of the hearing at which the initial request is to be considered.
C. Following the presentations of interpretations requested, the Judiciary shall sequester itself to deliberate the case.
D. After a decision has been reached, the Chief Justice shall report the decision to the parties involved, the ASG Executives, ASG Senate, and ASG Webmaster. The Chief Justice or appointed justice will then give a report to be read during the normal Senate meeting.
E. ASGJ interpretations shall be posted on the ASG Website within ten (10) business days of a decision being reached.

Ethics Complaints

A. An Ethics Complaint may be brought against an agent of ASG by any University student by submitting a written plea to the Chief Justice.
B. The ASGJ shall convene upon receiving a complaint to decide if the ASGJ shall continue hearing the complaint, however must give five (5) business days notice before meeting.
C. Upon deciding to hear a complaint, the Judiciary shall form an Investigations Committee to investigate the allegations. The Committee shall be composed of personnel as described in the ASG Constitution.
D. The Investigations Committee member(s) shall report to the ASGJ within a reasonable time limit when the investigation is finished.
E. At the meeting, the ASGJ shall review the reports of the Investigations Committee, and the Justices shall decide whether to proceed with a formal hearing. A majority vote of Justices present is necessary to proceed with a formal hearing.
F. The Chief Justice, after reviewing the reports of the Investigations Committee and the evidence involved in the case, shall set a meeting date allowing at least five (5) business days for which the complainant and defendant shall be allowed to gather information for arguments.
G. The complainant must notify upon written request the defendant of all incriminating evidence within a timely manner if requested.
The formal hearing shall be conducted on the premise that the defendant is innocent unless

H. proven otherwise.
The meeting shall follow the procedure for Ethics Complaints detailed in ASG Code Title III, Section 12.

Election Complaints

A. The ASGJ shall hear all election complaints filed through the OSA.
B. The ASGJ shall be convened by the Elections Committee after receipt of the complaint.
C. In the event of a crisis that disrupts or alters normal University operations, including but not limited to the closure of campus, complaints may be submitted online via the OSA HogSync.
D. The complaint will be heard by ASGJ within 72 hours of reaching quorum.
E. For a sanction to be rendered, there must be clear and convincing evidence (as judged by ASGJ in its deliberations and opinion) that a candidate has committed an elections violation.

Model Order of Business for an Official Hearing

A. For official hearings, the dress code for ASGJ shall be robe attire or business professional (jacket not required). In the event of a crisis which alters normal University operations, business professional attire shall be substituted for robe attire.
B. The Chief Justice shall call the ASGJ to order.
C. The Clerk shall verify that a quorum of the ASGJ is present. If quorum is not present, both parties may agree to waive the quorum requirement and proceed with the hearing.
D. All persons present shall introduce themselves in the following order:
    a. The Chief Justice of the ASGJ
    b. Associate Justices of the ASGJ
    c. The ASG Advisor
    d. The ASGJ Clerk
    e. The complainant or appellant
    f. The defendant
    g. Any witnesses called to speak before the Judiciary.
    h. If witnesses are present, they shall be announced in the order of which they shall be questioned: complainant witnesses followed by defense witnesses.
E. Following introductions, the parties shall be notified that the hearings are to proceed in an orderly fashion, and any parties instigating deviation from the order may be judged in contempt by the Chief Justice.
F. The basis for the hearing shall be announced.
    a. If an Elections Complaint, the grounds for the complaint shall be filed through the OSA and presented by the Elections Commissioner.

    b. If an interpretation request, the requested interpretation shall be presented by the Chief Justice.
    c. For all other hearings, the complaint shall be presented by the Chief Justice.

G. Witnesses are excused and asked to wait outside (the official meeting, either in person or virtually). Witnesses will wait in isolation before making a statement to the Judiciary.
H. The defendant or Elections representative shall be allowed to challenge the impartiality of any member of the ASGJ, and all parties shall come to an agreement about solutions to suggested impartialities.
I. The complainant or appellant shall be allowed to challenge the impartiality of any member of the ASGJ, and all parties shall come to an agreement about solutions to suggested impartialities.
J. The complainant, appellant, or interpretation requester shall have the opportunity to present an opening statement.
K. The defendant or Elections Representative shall have the opportunity to present an opening statement.
L. The Justices shall question the complainant, appellant, or requestor.
M. The Justices shall question the witnesses, if any, brought by the complainant, appellant, or requestor.
N. The Justices shall question the defendant or Elections Representative.
O. The Justices shall question the witnesses, if any, brought by the defendant or Elections Representative.
P. The parties shall be allowed to present the Judiciary with a list of questions to ask the other party.
    a. The defendant or Elections Representative shall have questions asked, at the discretion of the Judiciary.
    b. The appellant, complainant, or requestor shall have questions asked, at the discretion of the Judiciary.
Q. The Justices shall be allowed a final chance to question both parties and their witnesses. The defendant or Elections Representative shall present closing statements.
R. The complainant, appellant, or requestor shall present closing statements.
S. The ASGJ shall recuse itself and deliberate the issue. No records shall be kept during deliberations.
T. The ASGJ shall announce its decision to both parties.
U. The Chief Justice shall appoint an author for the majority opinion, and other Justices shall be allowed the chance to write dissenting or concurring opinions to be presented to the Chief Justice within time deemed reasonable by the Chief Justice.
V. All parties shall present to the Judiciary within time deemed reasonable by the Chief Justice with equal opportunity for all parties.
W. The Chief Justice shall adjourn the hearing.

Appointment of the ASGJ Elections Commissioner

A. To be eligible for the position of ASGJ Elections Commissioner, a candidate must have served in the Associate Justice or Judicial Proxy capacity in a previous academic year.
B. The Elections Commissioner shall be appointed by a two-thirds (2/3) vote of the Associate Justices on role.
C. The Elections Commissioner shall be responsible for facilitating the Elections Complaint Process as outlined in Title VI, Section 9 of the ASG Code.
D. The Elections Commissioner shall lead the Election Promotions Committee.
E. The Elections Commissioner will serve a term lasting from the first Judicial meeting following confirmation by the Justices until dead day of the Spring Semester.

SECTION 5: THE RIGHTS OF PERSONS CALLED BEFORE ASGJ

A. Persons called by ASGJ, such as the defendant of an ethics violation or election complaint, shall have the right to:
    a. A written notice of the charges against him or her;
    b. A written notice of the date, time, and location (physical or virtual) of any ASGJ hearing in regards to the case;
    c. Speak in his or her defense;
    d. Submit evidence in his or her defense;
    e. Call and question witnesses;
    f. Attend his or her pre-hearing interview and/or hearing;
B. The persons identified in Section 5, part A of this document shall also have the responsibility to:
    a. Ensure any witness whose testimony is necessary for the case be present at the hearing.

SECTION 6: THE RIGHTS OF COMPLAINANTS/PLAINTIFFS

A. The complainant/plaintiff (in the case of ethics violations this would be an investigative committee chair) shall have the right to:
    a. Speak at the ASGJ hearing;
    b. Submit evidence to support the complaint;
    c. Call and question witnesses;
    d. Attend the hearing;
B. The complainant/plaintiff also has the responsibility to:
    a. Ensure any witness whose testimony is necessary for the case be present at the hearing;

SECTION 7: CONFIDENTIALITY

A. Justices are required to maintain confidentiality regarding information divulged to them or to others with respect to any matter specifically delineated in Title III, Section 6 of the ASG Code.
B. Failure to maintain this adherence to confidentiality is grounds for removal from office, as stated in Title III, Section 6 of the ASG Code.

SECTION 8: CHIEF JUSTICE ELECTION

A. The Chief Justice Election shall take place after the conclusion of the General Election.
B. Chief Justice candidates must have served in the role of Associate Justice in the year that they are contesting for the Chief Justice position.
C. Candidates must be nominated by another member of ASGJ.
D. Campaigning is **strictly** prohibited.
    a. Campaigning, in this case, is defined as any attempt to appeal to one or multiple ASGJ members to unduly influence their vote.
    b. Any ASGJ member found to be campaigning shall be reprimanded or removed from consideration at the sole authority/discretion of the outgoing Chief Justice.
E. Procedure
    a. All nominators shall give a speech in support of the nominee, with the nominee not present.
    b. Following the nominator speech, all nominees shall give a candidacy speech.
    c. Voting will occur via secret ballot, with votes to be counted privately by the ASG Advisor and outgoing Chief Justice.
    d. Upon announcement of the incoming Chief Justice, the outgoing Chief Justice shall provide a transition document and schedule a subsequent transition meeting.