

Passed 24-0-2  
October 26, 2009

UNIVERSITY OF WISCONSIN-EAU CLAIRE

STUDENT SENATE

CLASSIFICATION IN SUPPORT OF A REFERENDUM TO ADD A STUDENT COURT

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NUMBER 53-B-7 DATE October 12, 2009

INTRODUCED BY ADAM SORELLE, TREASURER AND CHIEF OF STAFF, AND  
ACADEMIC AFFAIRS COMMISSION DIRECTOR

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WHEREAS, constitutional amendments require a university-wide student referendum; and

WHEREAS, the proposed constitutional amendment to add a Student Court is shown in Attachment "A"; and

WHEREAS, the responsibilities of the new Student Court would include, but not be limited to:

- a. Provide an independent review for Student Senate so it can efficiently and fairly offer rulings;
- b. Conduct an annual review of Student Senate election procedures and serve as an independent adjudicator for any election grievances filed;
- c. Handle of any internal disputes of student organizations;
- d. Offer mediation services for students referred by the Dean of Students Office;
- e. Handle final appeals from Organized Activities after the completion of the Finance Commission deliberation and appeals process;

**BE IT THEREFORE RESOLVED** that the Student Senate authorizes an online referendum to take place on Tuesday, December 1<sup>st</sup> through Wednesday December 2<sup>nd</sup> ; and

**BE IT FURTHER RESOLVED** that upon passage, the Internal Affairs Committee will work on the Student Court bylaws and present them to the Student Senate in a timely matter; and

**BE IT FURTHER RESOLVED** that upon passage, the Finance and Organizations Commission propose changes to adjust their governing rules for the Student Court; and

**BE IT FURTHER RESOLVED** that the Student Court bylaws will not officially be implemented until receiving final Student Senate approval in bill form; and

**BE IT FURTHER RESOLVED** that the referendum question will be:

**Do you, a student of the University of Wisconsin-Eau Claire, authorize the Student Court amendment?**

**The responsibilities of the new Student Court would include, but not be limited to:**

- a. Provide an independent review for Student Senate so it can efficiently and fairly offer rulings;**
- b. Conduct an annual review of Student Senate election procedures and serve as an independent adjudicator for any election grievances filed;**
- c. Handle of any internal disputes of student organizations;**
- d. Offer mediation services for students referred by the Dean of Students Office;**
- e. Handle final appeals from Organized Activities after the completion of the Finance Commission deliberation and appeals process;**

**Yes \_\_\_\_\_**

**No \_\_\_\_\_**

**BE IT FINALLY RESOLVED** that upon passage, President Umhoefer

**transmit a copy of this bill to Dr. Brian Levin-Stankevich, Chancellor; Dr. Patricia Kleine, Provost/Vice Chancellor; Dr. Beth Hellwig, Vice Chancellor, Student Affairs; Dr. Susan Harrison, Chair, University Senate; Dave Gessner, Assistant Chancellor, Budget & Finance; Jodi Thesing-Ritter, Associate Dean of Students, Dean of Students Office; and Kirby Harless, Sutherland Hall Director.**

## ATTACHMENT "A"

### ARTICLE IV: Student Court

#### Section 1.

- A. The judicial power shall be vested in a Student Court, which shall have five justices, one of which will serve as Chief Justice.
  - a. No current student senator or Student Senate Executive Board member may be a justice of the Student Court, including the Chief Justice.
  - b. The Chief Justice will be a member of the Executive Board but cannot hold any other Executive Board position or be a current senator.
  
- B. Student Court Justices shall have terms extending for no more than three consecutive academic years in which they are students at the University of Wisconsin-Eau Claire. A student who is studying at another campus for a fall or spring semester must resign, including study abroad programs.
  
- C. The Student Court has jurisdiction over any issues or disputes arising under this constitution.
  
- D. The Student Court will be responsible for overseeing the annual Student Senate elections. The Court is to ensure that all elections are conducted truthfully and fairly, and abiding by the elections and campaign procedures.
  - a. The Student Court shall, at the beginning of every semester, do an election and campaign procedure review. Any subsequent rules that are recommended (by a simple majority of justices) shall be taken to the Student Senate for a 2/3 majority approval.
  
- E. The Student Court has the ability to request information, data, or solicit testimony on any issue before the Court.
  
- F. The Chief Justice of the Student Court is required to present an operating budget each fiscal year and submit that budget to the Student Body President and Treasurer for inclusion in the Student Senate budget.
  
- G. The Student Senate shall have the authorization to write and edit the bylaws for the student court with a 2/3 majority approval. The court will check to make sure any revisions are not in violation of this constitution.

- H. Justices of the student court shall be appointed in the following way:**
- a. A judicial appointments committee shall be convened in the case of any absences or removals on the court.**
  - b. The committee shall consist of the following persons:**
    - i. One student senator**
    - ii. One student senate executive board member**
    - iii. One Housing representative**
    - iv. Two students at large**
  - c. Once the interview process has been completed, the committee shall submit a recommendation with the top three candidates to the student body president. He or she will then select a candidate and present the candidate and justification to the student senate for approval in the form of a bill.**
  - d. Upon approval by the student senate, the candidate will immediately take the seat. If the candidate is rejected, the student body president shall appoint another candidate.**
- I. Removal of the justices of the student court shall take place in the following way:**
- a. A removal process should be initiated by the student senate by a motion. The author shall be given ten minutes to speak on his or her objection to the justice. A speakers list shall be opened to debate the issue. A 2/3 majority is required to remove the justice.**
  - b. If the motion is carried, the issue will be taken to the student court justices for approval. The motion must carry with a majority of justices voting in favor.**
  - c. If a justice has accumulated four (4) unexcused absences, the student body president shall remove him or her upon consent of the senate.**