

Student Court of the University of Wisconsin-Eau Claire Bylaws

I. Title

a. The title of this body shall be the Student Court of the University of Wisconsin-Eau Claire.

II. Duties

a. The charge of the Student Court is to perform the duties delegated to it by the Student Body Constitution in Article IV and those duties delegated to it by the Student Senate in these bylaws, ratified by the Student Senate.

III. Membership

a. Composition and term lengths of the Justices on the Student Court will be consistent with Article IV of the Student Senate Constitution. Should a vacancy arise during the term of a Student Court Justice, the next appointee by the Student Body President who is confirmed by the Student Senate shall sit for a full term of three consecutive academic years.

b. The Chief Justice shall be appointed by the Student Body President and confirmed by the Student Senate. The President may select an existing Associate Justice to serve as Chief Justice, in which case the appointee shall be considered to be serving a new term of three years.

IV. Procedure

a. Meetings

Meetings of the Student Court will be conducted when necessary, to handle all business before the Court. Notice of all meetings will be posted in compliance with Wisconsin Open Meetings Law. It will be the duty of the Chief Justice to prepare and distribute notice and/or meeting materials to Associate Justices. Any topic which is requested to appear before the Court in a regular meeting must be submitted to the Chief Justice, in writing, one business week before a meeting. Meeting Minutes will be taken by the Justices in a rotating order. Minutes will be posted and distributed so necessary corrections can be made in time for approval at the next meeting of the Student Court.

b. Consideration

All appeals to the Student Court shall be forwarded to all members of the Court by the Chief Justice. Should an appeal be considered worthy of a hearing by two or more justices, it is said to be granted certiorari and the Chief Justice shall schedule its consideration at a meeting of the Student Court. Appeals failing to receive two justices considering it worthy of being heard shall be notified by the Chief Justice of the denial of appeal.

c. Orders

Should the Student Court believe the enactment of a decision under review may cause substantive harm to a person or organization, they may issue a temporary restraining order from the enactment of that decision to be effective until the Court may decide on the matter. The Court is empowered within its decisions to enjoin actions from being taken place or issue writs of mandamus to direct entities under review to change behavior within the scope of appeals.

d. Finance Commission Appeals

The Student Court shall hear appeals by individuals or groups regarding funding decisions made by the Finance Commission where it is alleged that either a viewpoint neutrality or procedural violation exists, after the Student Senate appeal process has been exhausted. It shall be the duty of the Chief Justice to gather and distribute all necessary information to Associate Justices one business week before the Court is to hear the appeal.

e. Constitutional Discrepancies

If an issue or dispute arises under the Student Body Constitution, it may be brought to the Student Court for resolution. It is the duty of the Student Body President, or a representative thereof, to act as the Solicitor General in all Constitutional discrepancies where the Student Senate is a party. If the Student Body President is having action brought upon him or her by the Senate, the Senate shall appoint by majority vote its representative. The Finance Commission Director or a representative thereof will also be present for any disputes regarding segregated fees.

f. Court Proceedings

Involved parties must present a brief including all points of their argument to the Student Court one business week prior to Oral Arguments. No new information may be presented in Oral Arguments that was not included in the Party's Brief. Each party involved will be allowed two (2) representatives to participate in Oral Arguments. Parties will be given fifteen (15) minutes of Oral Argument and a five (5) minute rebuttal. Student Court Justices will then be allotted fifteen (15) minutes of questioning. All proceedings will be recorded digitally (by a voice recorder) for the recollection of Justices during deliberations.

g. Deliberations

The conversation and subject matter of all Student Court deliberations is to remain confidential. The vote of each justice shall be a matter of public record. The vote total and judgment released by the Student Court is to be the official opinion released at the time a final ruling is delivered.

h. Record Keeping

All documents pertaining to Student Court proceedings will be kept on file. These records will be secured in the Student Senate office and/or digitally.

V. Student Senate Elections

a. Pursuant to the Article IV, Section D of the Student Body Constitution, the Student Court shall, in concert with the Elections Committee of the Student Senate, oversee the annual Student Senate elections. No justice is permitted to campaign for or against any candidate, ticket, or referendum question. Campaigning in a Student Senate election campaign by a sitting Justice is grounds for impeachment by the Student Senate.

VI. Impartial Review

a. The Student Court expresses a willingness to work with Student Affairs office, Residence Life staff and others to render impartial decisions on matters that include student conduct, disciplinary actions or policies which hold implications for the larger student body.

VII. Bylaw Amendments

a. Amendments to the Student Court bylaws may be placed on the agenda, and heard at any regular meeting of the Court. All proposed amendments must be submitted in writing to the Chief Justice one business week prior to the meeting date to ensure that copies of the proposed bylaws are distributed to all Justices and placed on the agenda. In order for bylaws proposal to be adopted, they must be approved by two thirds of the Student Court. Pursuant to the Article IV, §G of the Student Body Constitution, the Student Senate has the authority to write and edit the Student Court bylaws, to be approved by a two-thirds affirmative vote. Proposals to edit the Student Court Bylaws that are adopted by the Student Court shall be submitted to the Parliamentarian of the Student Senate for consideration and approval of the Student Senate. Any bylaw revisions approved by the Student Court will not take effect until approved by the Student Senate.