



SGA

STUDENT GOVERNMENT ASSOCIATION
of UW-STEVENS POINT

Bylaws
of the
Special Judicial
Committee of
the
Student Government Association
of the
University of Wisconsin-Stevens Point

I. Definitions

- a. Head Justice
 - i. The Impartial unbiased chair of the Special Judicial Committee.
 - ii. The sole arbitrator of all Student Government Association governing document inquiries.
- b. Justice
 - i. Impartial unbiased voting members of the Special Judicial Committee.
- c. Court
 - i. The Special Judicial Committee may be referred to as the Court when hearing cases.

II. Membership

- a. Head Justice
 - i. The Head Justice shall serve as the Chair for all meetings and functions of the Special Judicial Committee.
 - ii. The Head Justice shall be a voting member of the Special Judicial Committee only in case of a tie.
 - iii. The Head Justice shall be responsible for writing the official decisions of assigning to another justice the writing of official decisions for any cases brought forward to the court.
 - iv. The Head Justice shall be the spokesperson of the Judicial Branch.
 - v. The Head Justice shall be responsible for correspondence and notification for all actions of the Judicial Branch.
 - vi. The Head Justice shall work with the Dean of Students or their designee to organize and schedule all training necessary for effective functioning of the Judicial Branch.
 - vii. The Head Justice shall sit on the Students Government Association Constitutional Review Committee.
 - viii. At least once a month the Head Justice shall attend a Student Government Association Senate meeting to report on the actions of the Judicial Branch.
 - ix. The Head Justice shall be a committee member on Hearing Committees held by the Dean of Students Office
 - x. The Head Justice will serve as the Clerk of Courts for all cases.
 - 1. The Clerk of the Court shall serve as the record keeper for the Judicial Branch
 - 2. The Clerk of the Court shall be responsible for working with the Student Government Association Executive Director to keep the judicial Branch Website updated
 - 3. The Clerk of the Court shall keep minutes of all meetings and proceedings.
 - 4. The Administrative Assistant shall be brought on to help the Clerk of the Court at the discretion of the Head Justice.

- b. Committee Justice(s)
 - i. The Justices shall be voting members of the Judicial Branch
 - ii. The Justices shall attend all Justice meetings and be subject to the Student Government Association Attendance rules and point system.
 - iii. The Justice shall be a committee member on Hearing Committees held by the Dean of Students Office
 - iv. In the absence of the Head Justice, the committee will select an interim chair who will serve as the chair for the special judicial meeting and functions of the Judicial Branch.
 - v. If the Head Justice is unable to attend the Constitutional Review Committee, the committee will select a proxy.
 - vi. The President and Speaker of the Senate shall each appoint half of the voting members of the committee. All appointees must be approved by the Senate.

III. Meetings

- a. The Judicial Branch shall hold a general open meeting at least once a semester. Meetings shall be held at the discretion of the Head Justice.
- b. The Judicial Branch shall be subject to Wisconsin Open Meetings Law.
- c. The Judicial Branch shall conduct meetings according to Robert's Rules of Order Newly Revised, except as outlines in these bylaws.

IV. Elections Committee

- a. Membership
 - i. The Judicial Elections Committee shall be made up of all Justices and chaired by the Student Government Association Head Justice.
 - ii. The Student Government Association Executive Director, President, and Speaker of the Senate may serve as ex-officio members.
 - iii. The Student Government Association Communications and Public Relations Director shall work with the committee in their official capacity to promote election materials deemed necessary by the committee.
 - iv. Only the Justices shall vote on the Committee.
 - v. If a committee member is planning to seek an elected office of the Student Government Association or develops a conflict of interest, they shall recuse themselves from the elections committee.
 - 1. Failure to discharge the duties necessary of the committee may result in removal from the Elections Committee with two-thirds vote of the Committee and approval by the senate.
- b. Meetings
 - i. The elections committee shall meet to determine proportional representation for the Senate, edit and approve the application forms and set the elections calendar no later than the end of the fall semester.
 - 1. The Communications and Public Relation Director, the Speaker of the Senate, and the Head Justice will be responsible for publicizing the elections calendar once it has been finalized.

- a. A copy of the elections calendar shall be posted on the Student Government Association website no later than the first day of the spring semester.
 - ii. The elections committee will meet to approve all submitted applications for eligibility after the application close time.
 - iii. The elections committee will continue meetings throughout the general election period to plan and public debate, review policies with approved candidates and handle any election rules violations.
- c. Proportional representation
 - i. The Committee will obtain the enrollment numbers and calculate proportional representation.
 - ii. Each college is guaranteed a minimum of four seats.
- d. Issuing the applications
 - i. Notification of the availability of the applications for the President, Vice-President and Senator positions will be sent out to the student body on the first day of classes of the spring semester.
 - ii. Applications will be made available electronically on the Student Government Association website and paper copies will be available in the Student Government Association office.
 - iii. Applications will be available from the start of the spring semester until noon on the Friday of the fifth week before Spring Break.
- e. Campaign Finance and Reservations
 - i. The Executive Director will be responsible for reserving space for the public debate between all approved Presidential and Vice- Presidential candidates.
 - ii. The Executive Director shall also reserve spaces for campaigning at the request of the approved candidates
 - iii. The approved candidate teams are allotted funds from Student Government Association for campaigning
 - 1. A two-hundred-dollar (\$200) reserve is available for the election and must be divided up among the candidate teams equally.
 - a. If a campaign team decides not to take funds provided by the Student Government Association the money shall not be allocated to other candidate teams.
 - 2. The purchase of campaign materials must be approved by the Student Government Association Executive Director in consultation with the Head Justice prior to the purchase being made.
 - 3. Requests for reimbursements for campaign materials without prior approval shall be denied.
 - iv. A maximum of \$250 may be spent by each individual running for a position on all campaign activities.
 - 1. Candidate teams for President and Vice President may spend a grand total of \$500.

2. All expenses must be reported to the Executive Director and Head Justice before the first day of voting.
- f. Processing Applications
- i. All applications for Senator, President, and Vice-President will be reviewed by the elections committee to ensure that all aspects of the application have been filled out properly.
 1. Each application will be reviewed for completion.
 2. Each applicant's GPA will be checked by the Student Government Association advisor to ensure candidate eligibility.
 3. Each application's signatures will be checked for accuracy and validity.
 - a. The committee will verify that no name or signature is written more than once on any individual application and that no signature appears on more than once application for a single office.
 - b. The committee will check that each individual endorsing the candidate is a current student of the University of Wisconsin Stevens Point.
 - c. Any candidate will be notified of any issues with required signatures on their application so the candidate may rectify the situation.
 4. The Head Justice shall notify all approved candidates by noon the Monday of the fourth week before Spring Break so that they may begin campaigning.
- g. Election codes of conduct
- i. All candidates must follow all policies of the University as well as all state laws when using posters and signage.
 - ii. Each team will be allowed to send one e-mail to the Student Organizations Presidents list with the supervision and approval of the Executive Director and Elections Chair before the elections voting begins.
 - iii. Each team will be allowed to submit one statement for inclusion in one Student Government Association Newsletter e-mail to the student body with the supervision and approval of the Communications and Public Relations Director and Elections Chair before the elections voting begins.
 - iv. Advertising should use the name of the Student Government Association to comply with campus posting policies.
 1. All campus policies relating to appropriate content must be followed.
 - v. President, Vice President, and Senator candidates campaigning with posters, signage, social media, or other online media, soliciting votes, and giving speeches may not begin until the candidacy of the applicants has been accepted.
 - vi. All campaigns may begin at noon on the Monday of the fourth week before Spring Break. No campaigning before this time

may occur. All campaigns must conclude active campaigning activities by 11:59pm on the day prior to the opening of the voting period.

1. Active campaigning shall consist of the distribution of campaign documents, materials, social media, events, and any other circumstances that the committee may determine.
 2. Any campaign materials previously posted may remain.
- vii. No Student Government Association officer may use their position or title to endorse any candidate.
 - viii. Candidates for President, Vice President, and Senator will be prohibited from directly solicit votes (even if done in a non-partisan manner) during the dates of the election or during a potential runoff election.
 - ix. No Student Government Association resources or spaces shall be used to benefit any candidate, except those resources or spaces explicitly provided for candidate use.
 - x. No individual or organization may personally or through an agent directly compel by force, intimidation, or authority, especially without regard for individual desire or violation, and elector to vote for or against any candidate.
 - xi. No individual or organization may personally or through an agent knowingly disseminate false or deliberately damaging information to, or provide any compensation to, an elector with the purpose of compelling them to vote for or against any candidate.
- h. Violation of election rules
- i. The elections committee shall consider only formal, written complaints and shall address if any individual is in violation of the election codes of conduct.
 1. The Head Justice or their designee shall investigate the alleged violation.
 - ii. The committee shall inform the accused party immediately following the submission of a complaint.
 - iii. The accused party, as well as the complainant, shall be allowed to testify before the elections committee regarding the complaint.
 - iv. Both parties shall be informed of the ruling of the elections committee immediately following their decision.
 - v. An appeal of the Elections committee decision shall first be submitted to and reviewed by the elections committee within one business day.
 - vi. A second appeal may be taken to the Senate for a decision by a majority vote within five academic days of the first appeal decision of the Elections Committee.
 - vii. Available sanctions include but are not limited to limiting of campaign funds, time, locations, and Student Government Association resources, revocation of candidacy eligibility, referral to Dean of Students for code of conduct violations.
 - viii. The Elections Committee will utilize a three-strike system.

1. Minor infraction constitutes one strike against the accused, major infraction may constitute two to three strikes.
 2. If a candidate accumulates three strikes during the duration of the election cycle their eligibility for candidacy will be revoked.
 3. Severity of infraction will be determined at the discretion of the Elections Committee.
- i. Issuing Ballots
 - i. The Elections Committee shall create the ballot.
 - ii. The Executive Director will send out the ballot for President and Vice President to the student body via email by noon on the first day of the election.
 - iii. The Executive Director will also send out the Senator Election Ballot to the students of the CLS, CPS, CNR, and COFAC via email by noon on the first day of the election.
 - iv. The Election voting period shall be open for three days beginning on the Monday before Spring Break.
 - j. Counting Ballots
 - i. Ballots will be electronic.
 - ii. The Elections Committee will verify the election results prior to the Senate meeting that evening.
 - iii. The senatorial candidates who receive the highest number of votes shall be elected to the position of Senator, up to the allotted number of seats for each College as determined by proportional representation.
 1. If more than one candidate receives the same number of votes for the last senator seat available for their respective College during the Senator Election a debate must be conducted to fill the prospective seat(s)
 2. The team that obtains the plurality of all votes cast shall be the official winner of the election.
 3. If there is a tie between teams, there will be a runoff election which will begin on the Monday following Spring Break and run until the following Wednesday. At that time, ballots will be electronically tallied and announced by the Head Justice at the following Student Government Association Senate meeting.
 - iv. The Elections Committee will only allow each candidate to be written in once per college per voter
 1. If a candidate is voted in more than once per college per voter, then the extra votes will be disregarded
 - k. Announcement of results
 - i. Election results shall be announced by Head Justice at the Student Government Association Senate meeting on the Thursday of the election week.
 - ii. The Official announcement of the President, Vice President, and

Senator Election results will be published to the student body via email by the Student Government Association within 24 hours after the verbal announcement at the Senate meeting.

- l. Recall Processes
 - i. The elections Committee shall review any petition for recall of any elected SGA officer.
 - ii. Petitions must include a description of any alleged offenses, misconduct, unethical or illegal acts.
 - iii. The Elections Committee shall investigate to the best of their ability the accusations.
 - iv. Assuming sufficient cause is found, each petition's signatures will be checked for accuracy and validity.
 1. The Committee will verify that no name or signature is written more than once on any individual petition.
 2. The Committee will check that everyone endorsing the petition is a current student at the University of Wisconsin Stevens Point.
 - v. Upon verification of the signatures and approval of the petition for recall, the Elections Committee will notify the elected official in question of the pending recall election.
 - vi. The Head Justice shall notify the elected official's constituents of the recall election.
 - vii. The Elections Committee will make a position application available to eligible students for the position being recalled.
 - viii. Candidates shall have seven days to submit the completed candidacy forms to the Elections Committee.
 - ix. Within seven days of the candidacy application deadline, a three-day recall election will be held according to standard election guidelines.
 - x. The Elections Committee shall review the results according to standard election guidelines except for the timeline.
 - xi. The Candidate who obtains the plurality of the vote will take office immediately upon complete review of the election.
- m. Dissolution Process
 - i. The Elections Committee and the Office of the Vice Chancellor for Student Affairs shall review any petition for dissolution of the Student Government Association
 - ii. Petitions must include a description of any alleged offenses, misconduct, unethical or illegal acts by the Student Government Association.
 - iii. Each petition's signatures will be checked for accuracy and validity
 1. The Committee will verify that no name or signature is written more than once on any individual petition.
 2. The Committee will check that each individual endorsing the petition is a current student at the University of Wisconsin Stevens Point.
 - iv. Upon verification of the signature and approval of the petition for

- dissolution, the Head Justice will notify each individual Student Government Association officer of the petition for their dissolution.
- v. The Head Justice and the Vice Chancellor for Student Affairs will notify the student body of the upcoming vote for the dissolution of the Student Government Association.
 - vi. The Remaining process of potential dissolution is handled by the Vice Chancellor for Student Affairs.

V. Cases

- a. Student Government Association Cases
 - i. The Student Government Association Advisor will serve as the advisor involving the Student Government Association cases.
 - ii. All hearings are subject to open meetings laws; however, the Court will enter closed sessions when personal and confidential information may be discussed.
 - iii. The decision of the Court shall be the final decision.
 - iv. Student Government Association Case Submission
 - 1. Any student, faculty, or staff member of the University may file a written complaint of an alleged violation by the Student Government Association of their own constitution, bylaws, statutes, policies, or regulations, or any University of Wisconsin-Stevens Point policies and regulations, with the Dean of Students or with the Student Involvement and Employment Office.
 - 2. All written complaints must be filed within two months of the alleged offense.
 - a. The Court may extend this deadline at the sole discretion of the Head Justice.
 - 3. Complaints must include the following information.
 - a. Detailed description of the alleged offense.
 - b. Date, time and place of the alleged offense if applicable
 - c. Any Documents related to the alleged offense available to the complainants.
 - d. Names and addresses of the complainants
 - v. Student Government Association Case Prehearing
 - 1. The Student Government Association has the right to due process and to have the charges against them judged by their peers.
 - 2. The Head Justice will appoint a justice to investigate the alleged offense.
 - 3. Within two full weeks of the filing of the complaint, the Head Justice will schedule the hearing that must be held within thirty days of receipt of the complaint.
 - 4. In situations when a semester break may disrupt the Proceedings, the hearing will move forward to a time when the Court and parties associated with the case are available, including the potential following semester.

- a. Upon the graduation or removal of the Head Justice, the committee shall elect an Interim Head Justice until a permanent Head Justice is appointed.
 - 5. When the hearing is scheduled, the Student Government Association (President, Speaker of the Senate, Executive Director, and Advisor) and complainant shall receive the following information:
 - a. Written notification of the time and place of the hearing
 - b. A statement of the charges against the student organization
 - c. Information of the procedures for the Student Government Association Case hearings.
 - d. The Head Justice will ensure that all parties involved understand the hearing and potential post decision processes to the best of their ability.
 - b. Student Government Association Case Hearing Agenda Format
 - i. All hearings shall be recorded.
 - ii. All parties involved shall have the right to due process.
 - iii. Quorum for hearings will be at a minimum three justices who can vote on the case
 - iv. The Head Justice shall serve as the presiding Chair of the hearing.
 - v. The Head Justice shall notify all parties involved in the case about the Court's ruling in a timely manner.
 - vi. Decision of the Court shall be publicly posted within fifteen business days after the day of the hearing.

VI. Student Government Association Case Hearing

- a. Call to order
 - i. The Head Justice shall call the meeting to order.
- b. Roll call
 - i. The Head Justice shall call the roll.
- c. Procedural Announcements
 - i. The Head Justice shall answer any questions specifically related to procedures only.
- d. Open Forum/Audience
 - i. The Head Justice shall recognize members of the audience to address the issues at hand.
- e. Reading of the Complaint.
 - i. The Head Justice shall read the complaint.
- f. Opening Statements.
 - i. The Complainant may make an opening statement.
 - ii. The defendant may make an opening statement.
- g. Questions from the Court
 - i. Complainant
 - 1. The Complainant may present a witnesses' evidence and testimony on their own behalf.
 - 2. The Complainant may cross-examine any witnesses

- presented by the defendant.
- ii. Defendant
 - 1. The Defendant may present any witnesses, evidence, and testimony on their own behalf.
 - 2. The Defendant may cross-examine any witnesses presented by the complainant.
 - h. Closing Statements.
 - i. Complainant will be permitted to make closing remarks
 - ii. Defendant will be permitted to make closing remarks
 - i. Closed Session Deliberations
 - j. Adjourn
 - k. Decisions
 - i. If the Judicial Branch finds insufficient evidence that the Students Government Association is in violation of the claim, the case will be dismissed.
 - ii. If the Students Government Association is found to be in violation of the existing statute, its own bylaws, constitution, UW-Stevens Point policy, UW System policy, UW Board of Regents policy, or State or Federal law, the Judicial Branch will draft a decision verbally and in writing instructing the Student Senate and Executive branch to remedy the situation within thirty days.
 - 1. The decision made by the Court will be sent to the Vice-Chancellor of Student Affairs office and the SGA advisor.
 - iii. Thirty days after the Student Government Association is notified of the initial decision or upon notification that the situation has been remedied, the judicial Branch will review the remedy to determine if the violation has been corrected.
 - 1. The Court may declare that case closed if the remedy brings the Student Government Association back into compliance.
 - 2. The Court may refer the case back to the Senate and Executive Branch for further action if the remedy does not bring the Student Government Association into compliance.
 - a. The Senate and Executive Branches will have twenty-one days from the notification of failure to remedy the violation to correct the situation.
 - b. Twenty-one days after the Student Government Association is notified of the failure to remedy the violation or upon notification that the situation has been remedied, the Judicial Branch will again review the remedy to determine if the violation has been corrected.
 - iv. If the Student Government Association fails to come into compliance, the Judicial Branch will publish the decision in the Student Newspaper and notify the Chancellor's Office of the non-compliance of the Student Government Association.
 - v. In the instance of a new statute or resolution being found to violate any higher (State or Federal) governing documents, the Court may

strike any or all portions of the statute or resolution to bring it into compliance.

1. The Court should exercise discretion and strike as little as possible, attempting to retain the spirit of the legislation.
- vi. The Court will notify the complainant upon completion of the case.

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