



The Graduate Student Organization Judiciary Committee Bylaws

The GSO Judiciary Committee Bylaws shall supplement the GSO Constitution on the governing of the GSO Judiciary Committee.

Article I. Purpose

The Judiciary Committee shall act in an advisory capacity in matters concerning the consequences to an Officer, Appointee, Senator, or GSO member, including removal, and shall adjudicate grievances against the GSO senators, committees or representatives brought by any member of the GSO.

Article II. Membership

1. The Judiciary Committee must consist of five Senators: one chair and four other Senators.
2. GSO members that have been found guilty by the Senate on at least one count of ruling by the Judiciary Committee are not eligible to be Judiciary Committee members.
3. No more than two students from the same department can participate in the committee.
4. The Senate shall be apprised of the membership of the Judiciary committee for review upon request of any party involved in a grievance.
5. If the Judiciary Committee has been assigned alternate voting members and a regular voting member is absent from a Judiciary Committee hearing, one alternate voting member who is present shall gain the right to vote at that meeting. The order in which alternate voting members gain the right to vote shall be determined by the chair.

Article III. Rules and Procedure

Section III.01 Request for Hearing

1. Grievances must be submitted to the chair of the Judiciary Committee in writing and must contain:
 - a. The name of the accused party or parties;
 - b. A list of charges alleged to be made by the accused party or parties;

- c. A description of and copy of factual evidence available for each charge, per accused party.
2. Upon receiving a written grievance, the Judiciary Committee chair shall convene a meeting of the full committee within two weeks. All Judiciary Committee members shall have equal access to all documents and information.
3. Each charge must be interpreted separately by the Judiciary committee; multiple charges may not be adjudicated as a single charge.
4. The Judiciary Committee may entertain multiple grievances simultaneously.
5. The Judiciary Committee may decide to dismiss a grievance if a majority of members believe that the grievance lacks sufficient evidence, or is based on speculation and hearsay. This decision must be made public to the Senate. The Senate has the ability to overrule this decision with a majority vote and compel the Judiciary Committee to further pursue this grievance.
6. The Judiciary Committee must inform all concerned parties of the nature and source of the dispute and must provide all interested parties the opportunity to present their case.
7. The Judiciary Committee may not hear a grievance more than once. Grievance may be resubmitted on the grounds that new and pertinent evidence will be presented. Inability to provide new evidence will lead to immediate dismissal of the grievance.
8. The Judiciary Committee meetings and hearings may be closed sessions with only members and invited parties present at any time.
9. If the grievance pertains to a conflict of interest, as considered in the Robert's Rules of Order (Article 45 Chapter XII), a written request should be supported via signature by 25% of active senators or 8 active Senators, whichever is greater, and submitted to the chair of the Judiciary Committee.

Section III.02 Hearing Procedure

1. The Judiciary Committee may solicit a written response, with factual evidence, from the accused party prior to a hearing. The committee may decide to rule on the grievance without a hearing meeting if a majority of the committee believes that sufficient evidence has been presented by all parties to make a ruling. This decision must be made public to the Senate. The Senate has the ability to overrule this decision with a majority vote and compel the Judiciary Committee to hold a hearing for additional evidence.
2. The Judiciary Committee may conduct a hearing with all parties involved in the grievance. Parties involved can request witnesses to attend the hearing. All parties (including any witnesses) shall be notified of procedures to take place and shall have at least ten business days to submit a written statement.
3. Statements presented by any party that are deemed to lack sufficient evidence, or be based on speculation or hearsay, may be stricken from evidence by the committee and not used in the determination of a ruling.
4. The Judiciary Committee chair shall disseminate all materials relevant to the hearing via hard or electronic copies to all committee members. The accused party shall have the right to see any written statements submitted in the process before the hearing takes place.
5. The Judiciary Committee reserves the right not to accept additional evidence submitted within two business days of a scheduled hearing.

6. Before the hearing is to begin, the Judiciary Committee shall designate a member, other than the chair, to record the proceedings of that hearing. Use of recording devices is reserved for the Judiciary Committee membership only. No outside recording devices are allowed. The committee is responsible for proper transcription and organization of the proceedings for presentation to the Senate.
7. Witnesses may be asked to remain outside the hearing room until called at the discretion of the Judiciary Committee. Witnesses need not be called to testify before the committee if the committee does not request their testimony.
8. The accuser shall have at least fifteen minutes to present their case without interruptions from other parties. The accuser may use the presentation time to invite any witnesses in attendance to support his/her statement. The accused party shall have the right to present the defense in equal manner and allotted time.
9. Any Judiciary Committee member may ask questions that are relevant to the case to both parties and any witnesses present.
10. Personal attacks, discrimination, and dissemination of private health or disability related information without permission shall be strictly prohibited. The chair shall be responsible to warn and ask any continually disruptive party to leave the hearing, and prevent further involvement in the hearing.
11. Following testimony from each party, all non-committee members must leave the hearing during a deliberation period. The committee may recall any party for additional questions. If no additional questions are necessary, the waiting parties should be notified that they may leave.
12. Deliberation should continue until all Judiciary Committee members agree to a vote. The chair shall be responsible for conducting and recording the outcome of the vote. Committee members may not abstain from voting.
13. The Judiciary Committee may decide to hold additional hearings for the same grievance.
14. Parties alleged to be violating Judiciary Committee procedure for the purpose of influencing Senate or GSO membership opinion of any other party before a fair and impartial presentation of grievance materials may be investigated by Judiciary Committee. Parties found guilty by the Senate may have their original grievance or testimony dismissed and face additional consequences.

Section III.03 Dissemination of Materials

1. The Judiciary Committee shall make a recommendation no later than ten business days after the last hearing.
2. The Judiciary Committee shall disseminate to all Senators via hard or electronic copy all parties' statements, evidence, meeting/hearing minutes, the Judiciary Committee findings and the final majority recommendation at least three business days before the next regular senate meeting that the ruling is to be acted upon.
3. Hard or electronic copies of all materials shall be available through the GSO office during the same time.
4. No party shall prematurely disseminate grievance materials to the Senate or GSO membership. Parties believing that the Judiciary Committee is delinquent in its responsibilities shall make a request to the Senate to compel the Judiciary Committee to fulfill its duties.

5. Should the recommendation not be unanimous, the members of the committee shall have a right to publish a minority recommendation in addition to the required majority recommendation.

Section III.03 Senate Meeting Presentation

1. During the Senate meeting that is to act upon the grievance, equal time, and at least ten minutes, will be given for the Judiciary Committee findings and the accused party defense presentations. The Senate may ask questions to any party.
2. After the questioning, the accused party shall leave the room and the meeting will be elevated to an 'executive session' meeting. No person can enter the room during this executive session. If a member leaves the room, re-admittance shall not be granted. The executive session ends after the Senate has reached a decision on any action to be taken and the accused party shall be informed of it.

Adopted on October 26, 2023