

Summer 5-1-2014

# Senate Resolution CR-14SB-2776 Article IV Revisions, Refinement Within the Judicial Branch

Student Government Association  
*University of North Florida*

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1 *CR-14SB-2776: Refinement within the Judicial Branch*

2 Whereas: The Student Government of the University of North Florida was established to represent  
3 student concerns in all University wide matters, and;

4 Whereas: The Senate is the legislative body of the University of North Florida's Student Government  
5 given the responsibility of carrying out such legislative acts that are necessary and proper for the  
6 Student Body of the University of North Florida; and;

7 Whereas: Legislation dealing with necessary and proper statutory revisions to the system of statutes shall  
8 be considered by the Senate; and

9 Therefore: The following necessary and proper revision to the Student Government Constitution is being  
10 proposed with the intention to refine the Student Body Constitution so that the Judicial Branch  
11 can run more efficiently;

12 Therefore: The following revisions are being made to Article:

13 **Article IV: THE JUDICIARY**

14 Section 1: Judicial Powers

15 | The Judicial Power of Student Government shall be vested in the Supreme Court  
16 | ~~Judicial Council~~.

17 Section 2: Composition of the ~~Judicial Council~~ Supreme Court

18 | A. The ~~Supreme Court~~ ~~Judicial Council~~ shall be composed of seven (7) ~~nine (9)~~ total  
19 | Justices.

20 | B. A Chief Justice shall be elected annually from within the Council to serve as the  
21 | presiding officer and shall serve a one (1) year term.

22 | C. An ~~Associate~~ Deputy Chief Justice shall be appointed annually from within the  
23 | Judicial Council by the Chief Justice and shall assume the duties of the Chief Justice  
24 | in the event of his/her absence.

25 | D. Other officers that the Council deems necessary shall be chosen according to Judicial  
26 | Rules and Procedures.

27 Section 3: Terms and Qualifications of Justices



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2 | A. Terms: Upon installation, justices may serve a maximum of six (6) years as long as  
3 they remain qualified. Acting Justices may also resign their position at any time for  
4 any reason.

5 | B. Qualifications: Justices must be A & S fee paying students, enrolled in at least one (1)  
6 class during both the fall and spring semester, and maintain a 2.25 GPA or higher.

7 Section 4: Installation of Justices

8 | A. Procedure: When there is a vacancy on the Judicial Council, the President shall  
9 forward a Judicial Nominee to Senate for majority confirmation. Upon majority  
10 confirmation from Senate, the Judicial Nominee shall immediately be installed as an  
11 acting Justice.

12 | Section 5: Jurisdiction and Judicial Processes Review

13  
14 | A. Powers: The ~~Judicial Council~~ Supreme Court shall have the power of Judicial Review  
15 over all Executive and Legislative Acts. This power shall include and be limited as  
16 prescribed by law.

17 | 1. The ~~Supreme Court Judicial Council~~ must negate and remove existing  
18 Student Government Statute, Appropriation, Law, Joint Resolution,  
19 Executive Order, and/or Senatorial policy when in conflicts with any  
20 provisions of the Student Government Constitution.

21 | 2. The ~~Supreme Court Judicial Council~~ must negate and remove existing  
22 Student Government Statute, Appropriation, Law, Joint Resolution,  
23 Executive Order, and/or Senatorial policy when in conflicts with any Federal  
24 law, State law, Local law or ordinance. Prior to any judgment that negates or  
25 removes existing Student Government Statute, Appropriation, Law, Joint  
26 Resolution, Executive Order, and/or Senatorial policy that is being  
27 challenged on the grounds that it violates Federal law, State law, Local law or  
28 ordnance, or University regulation, the ~~Supreme Court Judicial Council~~ must  
29 may consult with the University of North Florida's General Counsel.

30 | 3. The ~~Supreme Court Judicial Council~~ may issue a temporary stay against the  
31 application of a Student Government Statute, Appropriation, Law, Joint  
32 Resolution, Executive Order, and/or Senatorial policy in time sensitive  
33 matters not to exceed ten (10) business days, in order to provide ample time



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2 | for a judicial hearing and decision. The Supreme Court ~~Judicial Council~~ shall  
3 | not issue more than two (2) stays for any one complaint or issue.

4 |  
5 | 4. The Supreme Court ~~Judicial Council~~ shall serve as the final deciding body for  
6 | all disputes between Student Government student employees, members,  
7 | and/or elected officials which involve Student Government law. Judicial  
8 | relief in such cases shall be prescribed by law but must always be comparable  
9 | to the Judicial power exercised by courts in the United States Federal Court  
10 | System.

11 | B. General Restrictions: The aforementioned power of Judicial Review outlined in  
12 | Section 5 of this Article cannot be enacted unless an A & S fee paying student files a  
13 | written complaint. Furthermore, the complainant cannot be a member of the  
14 | Judicial Council and any judgment rendered must be within the purview of the  
15 | complaint.

16 | C. Constitutional Restriction: Supreme Court ~~The Judicial Council~~ may not change,  
17 | amend, negate, or remove any provision of the Student Government Constitution at  
18 | any time for any reason.

19 Section 6: Administration: Practice and Procedure

20 | A. Quorum for a Student Government Supreme Court ~~Judicial Council~~ hearing shall be  
21 | set at fifty percent (50%) plus one (1) of the current membership.

22 | B. The Chief Justice of the Supreme Court ~~Judicial Council~~ shall serve as the chief  
23 | administrative officer of the judiciary and shall be vested with, and shall exercise, in  
24 | accordance with rules adopted by the court, the authority to:

- 25 | 1. Assign duties among the Justices of the ~~Council~~ Court.
- 26 | 2. Conduct and preside over Court ~~Council~~ proceedings.
- 27 | 3. Rule on procedural questions that arise during the course of the judicial  
28 | proceedings.
- 29 | 4. Report in writing to the Respondent of any complaint filed with Supreme  
30 | Court ~~the Judicial Council~~.



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2 5. Be responsible for administering the "Oath of Office" to all Student  
3 Government officers.

4 6. Periodically inform the Senate of the condition of the Judiciary.

5 7. Report to the Senate such defects in the laws as may have been brought to  
6 the attention of the ~~Council~~ Court and suggest such amendments or  
7 additional legislation which is deemed necessary.

8  
9 C. The Supreme Court ~~Judicial Council~~ shall establish its own meeting times, rules, and  
10 procedures. Rules and procedures of the Supreme Court ~~Judicial Council~~ may be  
11 negated and removed through a bill requiring a two-thirds vote of Senate and  
12 Presidential signature approval. If the President does not approve, the Senate may  
13 override his veto by three-fourths (3/4) vote.

14  
15 D. The Supreme Court ~~Judicial Council~~ shall conduct open Hearings for all cases.

16  
17 **Furthermore: Let it be enacted, by the University of North Florida Student Government**  
18 **that the proposed revisions to the Constitution be forwarded to the Student Body during the**  
19 **Fall 2014 General elections for evaluation to be made effective upon validation of the**  
20 **election.**

21 **Legislative Action**

Respectfully Submitted: Shomari Gloster

Introduced by: Abigail Hartsfield

Senate Action: Unanimously Approved by 13 Voting Members

Date: 7/25/2014

Signed **Kaitlin D. Ramirez**

*Kaitlin D. Ramirez, Student Senate President*