

# **BYLAWS FOR THE UNIVERSITY OF GEORGIA JUDICIARY**

Amended & Approved February 26, 2014

Hereafter, "University" shall refer to the University of Georgia, Athens, GA.

Hereafter, "Code" shall refer to the University Code of Conduct.

## **Article I - Name**

The name of this organization shall be *University Judiciary*.

## **Article II - Mission Statement**

We, the University of Georgia Judiciary, seek to foster respect within the University community through adherence to the Code of Conduct, and by utilizing proactive education and a fundamentally fair conduct process.

## **Article III - Purpose**

The purpose of this organization shall be to assist in fulfilling the overall objectives of the Office of Student Conduct (OSC) at the University. This purpose includes, but is not limited to:

1. Administer formal hearings for alleged violations of the University's Conduct Regulations as set forth in the Code.
  - A. Provide members who are capable of advising students and/or student organizations that have allegedly violated the Code.
  - B. Provide members who are capable of advocating for the University's interests in a hearing.
  - C. Provide members who are capable of conducting a formal hearing, establishing the facts of a case, determining whether or not a violation of University Conduct Regulations occurred, and assigning sanctions when appropriate.
2. Educate the University community concerning the Code, proper compliance with the University Conduct Regulations, and University procedures for resolving alleged violations.
3. Review appeals of on-campus parking citations.

## **Article IV – Membership**

### **Section 1: Qualifications for Membership**

Membership and all privileges, including voting and Council positions, will in no circumstances be based upon a person's age, ethnicity, gender, disability, color, national origin, race, religion, sexual orientation, veteran status, gender identity and/or gender expression.

Each member of University Judiciary must:

1. Be a student at the University (as defined in the Code).
2. Adhere to the Canons of University Judiciary. The Canons are a code of ethics adopted and set forth by University Judiciary as a guide for all members and as an indication of what the campus community should expect from members of this organization. Failure to abide by these Canons may result in probation or expulsion from University Judiciary at the discretion of Council.

#### General Canons:

- A. Abide by the Code. A member's behavior should be beyond reproach and free from impropriety.
- B. Uphold the Pillars of the Arch (Code, Section I).
- C. Perform all duties in the spirit of service to the University community as a whole.

#### Specific Canons for Student Justices:

- A. No justice shall listen to, discuss, or hear opinions about the merits of any case or pending case except when participating as a member of the panel in that hearing.
- B. No justice shall be swayed by partisan demands, public clamor, or consideration of personal popularity or notoriety, nor be apprehensive of unjust criticism, in deciding any case.
- C. When considering a question of "in violation" or "not in violation" for a particular University Conduct Regulation, a justice shall not consider the validity of that regulation.
- D. A justice shall consider all relevant factors in determining appropriate sanctions.
- E. A justice shall not appear before any hearing panel as an advocate, but may appear as an advisor if requested by the student or student organization.

Specific Canons for Advisor/Advocates (A/A):

- A. An A/A shall not assert his or her personal belief in his or her role during any case.
  - B. An A/A is only permitted to discuss the merits of any pending case with a fellow A/A or OSC conduct officer assigned to the case.
  - C. The conduct of an A/A before a hearing panel shall be characterized by candor and fairness.
3. Abide by the Standards of Membership.

Standards of Membership for General Members:

Each member of University Judiciary is responsible for adhering to the Bylaws of University Judiciary and the Code. In addition, each member must:

- A. Attend all meetings unless excused as per Article VI, Section III of the Bylaws.
- B. Sign-in at the University Judiciary office twice per week: once every Monday-Wednesday and once every Wednesday-Friday during every active semester (Wednesday may count only once). Members are permitted to miss four individual sign-ins per semester.
- C. Rule on all assigned parking appeals within a period as determined by the Director of Operations. Members are permitted to have one set of late appeals over the allotted time frame per semester.
- D. Serve in hearings as needed; the number of required hearings will be determined by the Directors of Case Administration.
- E. Assist in two outreach or educational programs for the University community per semester or a number determined by the Director of Public Affairs. Outreach programs will include educational presentations, participation in the Fall or Winter Activities Fairs, service on University-wide committees, and any other programs as approved by Council.
- F. Assist in at least one Recruitment and Development event each semester or a number determined by the Directors of Recruitment and Development, which will be announced at the beginning of each semester. This may include participation in mock hearings and interview weekend.
- G. Not solicit for the retention of their judicial services.
- H. Attend University Judiciary Retreat, unless excused as per Article VI, Section III of the Bylaws.

- I. Disqualify himself or herself from cases where he or she may be biased.
- J. Be objective and honest if called to provide information during a hearing.
- K. Participate in re-education at the discretion of the Directors of Case Administration at the beginning of the semester. If a member has not been an active participant in a hearing for a semester, he or she must participate in re-education before actively participating in a hearing.

Any circumstance differing from these standards will be at the discretion of Council.

Standards of Membership for Graduate Students:

All graduate students must abide by all standards of membership for general members except for the following distinctions:

- A. Any member who is enrolled as a graduate student of the University must maintain a hearing-ready understanding of all current judicial policies and procedures to continue to serve as an active member of University Judiciary.
- B. Graduate students who are accepted into the organization must sign-in at the office at least once a week and attend General Body Meetings. These members do not have to review parking appeals.
- C. Members who were active for at least two semesters and who completed an undergraduate degree in good standing with the organization can become graduate student members upon a re-declaration of membership to the Executive Director.

Any circumstance differing from these standards will be at the discretion of Council.

Standards of Membership for Provisional Members

Upon selection, all provisional members must abide by the standards of membership as outlined below:

- A. Sign-in at the office at least once a week upon the beginning of training.
  - B. Attend the University Judiciary Retreat, unless excused as per Article VI, Section III of the Bylaws.
  - C. Refrain from discussing the merits of any pending, observed, or deliberated case except with the Directors of Recruitment and Development.
4. Successfully complete a training program approved by Council.

- A. Upon selection for training, a student shall be considered a provisional member, until inducted as a general member.
- B. To successfully complete training, the provisional member must meet all requirements deemed necessary by the Directors of Recruitment and Development. These requirements shall include, but are not limited to:
  - i. Satisfactory completion of all quizzes, exams, and mock hearings covering the following:
    - a. The Code
    - b. The Bylaws of University Judiciary
    - c. The relationship between University Judiciary and OSC as well as other relevant offices and departments
    - d. Any other material deemed appropriate by the Directors of Recruitment and Development
  - ii. Attendance at all training sessions, unless excused by the Directors of Recruitment and Development.
  - iii. Observe hearings as required. Provisional members who have been recruited as justices must observe deliberations in addition to the hearing. The number of required hearings will be determined by the Directors of Recruitment and Development.
  - iv. A score of at least 90% on the final exam.

Should a provisional member not meet all the requirements, he or she will be individually assessed and re-evaluated for admission by Council. Admission can only be granted by a blind and unanimous vote of Council.

- 5. Commit at least two full academic terms of service after successful completion of an approved training program. The entire period of time from the conclusion of spring term until the beginning of fall term is classified as one full term. Summer term expectations include participation in hearings as dictated by the Director(s) of Case Administration or the Office of Student Conduct, which may include the review of parking appeals and one sign-in per week at the Judiciary office. A comparable investment of time and effort as are devoted during the Spring or Fall semesters is expected in order for the summer to count as a “semester.”
- 6. Maintain an overall cumulative grade point average (GPA) of 3.00 (on a 4.00 scale). Those members with an overall cumulative GPA that drops below 3.00 and/or term GPA that drops below 2.80 will be subject to disciplinary action at the discretion of Council. Under no circumstances shall a member who fails to meet these criteria for two consecutive terms be permitted to remain an active member of the organization.

- A. Provisional members must maintain a 3.00 overall cumulative grade point average prior to selection for training, and an overall cumulative GPA of at least a 3.00 in order to be inducted.
- 7. Have the absence of any finding of "in violation" of any University Conduct Regulation (as detailed in the Code), including informal or formal disciplinary action and violations of the Academic Honesty Policy. Parking violations are excluded and will not prohibit membership.
- 8. Be approved for membership by Council and the General Body.

## **Section 2: Classification of Membership**

- 1. Any student who satisfies the qualifications established in Section 1 shall be classified as an active member of University Judiciary.
- 2. Any active member is then eligible, at the discretion of Council, for one of the following classifications of membership:
  - A. **Student Justice** - A Student Justice is any member qualified to serve as a panelist during hearings and to review parking appeals.
  - B. **Advisor/Advocate (A/A)** - An A/A is any member qualified to advocate for the University or advise a student or student organization in a hearing. An A/A is qualified to review parking appeals.
- 3. Members who wish to temporarily suspend their activity with University Judiciary may petition Council for inactive status by putting their request and supporting reasons in writing by the second general membership meeting of the semester. An inactive member is excused from any responsibilities that an active member would normally be required to complete. Members may petition for one or more inactive semesters if they plan to work, live or study abroad (beyond Athens, GA); however, members may only petition for one inactive semester while they are enrolled on campus as a University of Georgia student. Inactive status shall be reviewed and determined on a semester-by-semester basis. All members with an inactive status must participate in re-education before actively participating in a hearing. All petitions are subject to approval by Council.
- 4. Any student actively participating in the training program administered by University Judiciary will be designated a provisional member. During this period, the provisional member will be given a provisional membership to the organization with privileges being afforded at the discretion of Council. The provisional member will not be a full member of the organization until completing the training program and receiving Council and General Body approval.

## **Section 3: Membership Selection**

University Judiciary will conduct a selection process for new members at least once every academic year. The Directors of Recruitment and Development will develop this process. Council and the Advisor to University Judiciary will implement the procedure for selection upon approval. The selection procedure must contain a written application and interview. The interview component will include both an individual and a group interview.

A committee consisting of at least eight members will conduct the interview portion of the selection process. The interview committee must include the Directors of Recruitment and Development, two OSC representatives, and at least four members of University Judiciary. The four or more members of University Judiciary must be approved by the General Body.

The interview committee will have two subgroups. Each subgroup must include one Director of Recruitment and Development, one OSC representative, and at least two members of University Judiciary. One subgroup will conduct all group interviews and the other subgroup will conduct all individual interviews. After all interviews are completed, all University Judiciary members participating in the interview process will meet to decide upon the new training class for University Judiciary. The new training class must be approved by the General Body.

#### **Section 4: Oath**

The Executive Director or the designee shall administer the following Oath to each newly appointed member:

"I do affirm that I will work to the best of my ability as a member in the University of Georgia Judiciary, that I will observe the Canons, and that I will always be mindful of the interest of the students and University community."

#### **Section 5: Duration of Membership**

1. Members shall be eligible to remain active in University Judiciary for the remainder of their academic career at the University after induction into University Judiciary. Exceptions to this condition are inactive members and members who have been placed on probation by Council, expelled from the organization, or members who have formally resigned.
2. Members may choose to resign from the organization. A formal letter of resignation must be delivered to the Executive Director and the Advisor to University Judiciary. Upon acceptance by Council, the member will have his or her membership within the organization terminated, but the member will retain any honors bestowed so long as he or she has fulfilled the required minimum of two semesters of service.

#### **Section 6: Evaluation and Discipline**

1. Members shall be subject to periodic evaluation as deemed appropriate by Council.

2. Based on these evaluations or other circumstances requiring disciplinary action, including failure to comply with the Canons or Standards of Membership, Council may choose to exercise one of the following options:
  - A. Expulsion from University Judiciary – The member loses all privileges and honors of membership.
  - B. Probation – During the probationary period, a member may continue to serve in hearings and is expected to satisfy all Standards of Membership. Their participation and conduct will be closely monitored by Council until they are fully reinstated. At their discretion, Council may also prohibit a member from serving in hearings. The status of membership shall be re-evaluated by Council at the end of the probationary period. Any probationary member who does not meet the standards will be disqualified from membership.
  - C. Reprimand – Oral and written reprimand will be noted.
  - D. Other Sanctioning – In special cases, Council and the Advisor to University Judiciary may opt for imposing other educational sanctions.

## **Article V - Leadership Structure**

### **Section 1: Council**

The University of Georgia Judiciary Council will be composed of seven positions. These positions include the Executive Director, Directors of Case Administration, Directors of Recruitment and Development, Director of Public Affairs, and Director of Operations.

### **Section 2: Duties of all Council Members**

1. Responsible for promoting appropriate behavior in the General Body.
  - A. Discuss reports of unacceptable behavior and determine proper response.
  - B. Individual Council members may first respond to problems with members working under their supervision and then refer to Council if their individual efforts are unsuccessful.
2. Responsible for satisfactory work of all committees under their direction.
  - A. A standing committee may be established under each of the seven Council positions.
  - B. In the case where too many people wish to sit on one committee, the committee chair shall decide the matter.

- C. These committees will meet at the call of the Council member or members chairing the committee.
  - D. If needed, special committees may be created by Council to address any issue that may fall outside of the scope of the standing committees.
3. Approve training and selection process for provisional members.
  4. Determine when provisional members are ready to be admitted to full membership in University Judiciary.
  5. Play an active role in the selection, training, and development of members and provisional members.
  6. Attend all Council and General Body meetings with exceptions approved by remaining members of Council.
  7. Each Council member may appoint assistants upon approval from Council.
  8. Develop social and other appropriate activities for the General Body.

### **Section 3: Duties of the Executive Director**

1. Schedule all meetings, including reserving the facility and informing the appropriate attendees.
2. Set agenda for each meeting with input from Council members.
3. Formulate and adhere to the budget for University Judiciary as approved by Student Affairs.
4. Attend Office of Student Conduct staff meetings as needed or designate a Council member to attend.
5. Act as a spokesperson for University Judiciary.
6. Plan and lead a University Judiciary Retreat at least annually for the membership.
7. Plan and lead a Council Retreat at least biannually.

### **Section 4: Duties of the Directors of Case Administration**

One Director of Case Administration shall be for Advisor/Advocates, and one shall be for Justices.

1. Assign cases to members for active participation in hearings. The number of hearings required for General Body participation will be determined at the discretion of the Directors of Case Administration. This number will be announced at the first General Body meeting of each semester. If the current semester's caseload dictates an increase or decrease in required participation, the Directors of Case Administration will adjust the number accordingly and inform the General Body.
  - A. The Directors of Case Administration will monitor the participation level of each member.
2. Supervise the work of the hearing coordinators who are responsible for preparing the hearing room, making all preparations for hearings, attending hearings, attending deliberations, and evaluating the work of all members involved with the hearings.
3. Review proposals to revise or modify procedures and report to Council.
4. Monitor sign-ins and meeting attendance records of the General Body.
5. Develop continuing education programs for the General Body.
6. Establish a committee to review the Bylaws of University Judiciary at least once annually.
7. Distribute and collect the General Body's Semester Personnel Records.
8. Continually review General Body participation each semester, assuring that all members of University Judiciary are fulfilling all of the standards of membership specifically hearing participation and sign-ins. All members will be informed of a change in their status.
9. At the beginning of each semester, provide re-education for members (including graduate students) who have not been active participants in a hearing for at least one semester.

#### **Section 5: Duties of the Directors of Recruitment and Development**

1. Direct the recruitment of students for University Judiciary.
2. Develop and direct the selection and training processes for all prospective members as outlined in Article IV, Section 1 and Article IV, Section 3.
3. Lead all training sessions.
4. Involve General Body members in the training and selection program.
5. Provide a program to assist provisional members' transition from training to active participation, such as a mentor/mentee program.

6. Determine proper response to unsatisfactory behavior or progress of provisional members with input from Council.

### **Section 6: Duties of the Director of Public Affairs**

1. Oversee University Judiciary's educational programs, for the education of students, faculty, and staff about the standards of proper behavior, the judicial process at the University, or any other educational topic.
2. Prepare press releases and other promotional materials upon approval of Council or the Executive Director.
3. Act as a liaison with campus and community organizations in regards to educational outreach.
4. Organize materials and personnel for the fall and spring semester activities fairs.
5. Work with the Graduate Assistant to organize at least one service project per semester.
6. Continually review General Body participation each semester, assuring that all members of University Judiciary are fulfilling the standards of membership, specifically participation in public affairs events.

### **Section 7: Duties of the Director of Operations**

1. Distribute and monitor the performance and timely execution of all parking appeals assigned, ensuring that members are performing parking appeal review responsibilities.
2. Work with Parking Services in order to keep the membership knowledgeable and accurately ruling on parking appeals in accordance with Parking Services' policies.
3. Maintain mailboxes for all members.
4. Develop and distribute a contact list/directory of all members.
5. Develop a computerized listserv to distribute information to all members, including any inactive members.
6. Maintain minutes of General Body and Council meetings.
7. Maintain and develop alumni relations.

### **Section 8: Council Selection**

1. Council selection and the assignment of positions on Council will be done by a committee of seven individuals which shall include the following:
  - A. Three Office of Student Conduct staff members.
  - B. Two current Council members that are not reapplying for Council. One of these members must be graduating, and the other must be returning. If no returning Council member is available, two graduating Council members may be appointed.
  - C. Two General Body members. One of these members must be graduating, the other must be returning. The graduating General Body member will act as the committee chair. If no returning member is available, two graduating members may be appointed. If both members are graduating, the selection committee will determine who will serve as committee chair.
2. Each individual member of the committee must be approved by a majority vote within the group they represent. The current Council will select the two current Council representatives to the committee. General Body, not including council members, will select the two General Body representatives to the committee. The entire committee must be approved by the General Body by a majority vote. If an approved member can no longer fill his or her committee position, the method of selecting an alternate member shall be left to the discretion of the current Council.
2. The Council selection process must include an application and an interview. For an interview to proceed, at least one Office of Student Conduct staff member, one current Council member, and one General Body member must be present. If individual committee members are unable to be present for an interview, a current member in the same category of membership as the absent committee member may act as a substitute. This member will participate in committee discussions regarding the interview with which they assisted but will not vote.
  - A. Council Application will be made by the Executive Director and approved by a majority vote of Council.
  - B. A council applicant will only be considered for the position(s) he/she has explicitly stated on his/her application at the time the document is due.
4. The new Council will be selected during the Spring term of each academic year.
5. Upon the committee's selection of a slate for the new Council, the total membership must approve each individual member of the new Council by a majority vote.
6. If a position is not filled, the new approved Council and the Advisor to University Judiciary shall select a General Body member to fulfill responsibilities until a permanent member can be found, by a committee similar to the one outlined above, and approved by the General Body.

## **Section 9: Vacancies**

If a vacancy arises in a Council position, a committee similar in composition to the committee outlined in Article V, Section 8:1 will be convened to select and assign a replacement. This committee composition will have to be approved by the General Body.

## **Section 10: Removal of Council Members**

1. A Council member may voluntarily choose to resign. A letter of resignation must be submitted to the Advisor to University Judiciary and the Executive Director. Upon approval by a majority of the remaining Council members, the resignation will be accepted. At this point, the former Council member will be deemed a general member (Justice or Advisor/Advocate) at the discretion of Council. If the Executive Director wishes to resign, he or she should send a letter of resignation to the Advisor to University Judiciary.
2. A Council member may be removed through one of the following procedures:
  - A. Council shall discuss any written or verbal motions presented before or during a Council meeting to remove a Council member from their position. The Council member under consideration shall be excused from any such discussion. At the conclusion of the discussion, a vote shall be taken from each of the remaining Council members. A unanimous vote by all remaining Council members for removal will result in removal of the Council member. If Council's vote does not result in removal, then the removal shall be voted upon by the General Body at a date and time set by Council, excluding the Council member in question. A majority of the General Body must vote for removal of the Council member. Voting is to be conducted by secret ballot and is to be supervised by the Advisor to University Judiciary.

## **Section 11: Optional Leadership Positions**

Optional Leadership Positions may be created by Council as deemed necessary to serve for one academic year. These positions will report to Council or the designee deemed appropriate by Council.

## **Article VI - Meetings**

### **Section 1: Council**

1. Council shall meet at the call of the Executive Director, or a majority of Council, after appropriate notice is given. Appropriate notice shall be one week unless special circumstances require an emergency meeting.

2. In the absence of the Executive Director, the Director of Operations will preside over the meeting.

## **Section 2: General Body**

1. The General membership shall meet at the call of the Executive Director or a majority of Council.
2. In the absence of the Executive Director, then the Executive Director or a majority of Council will designate someone to preside.

## **Section 3: Absence from Meetings**

1. If a member is unable to attend a mandatory meeting, that member must either appear before Council or submit a written excuse in the form of a letter or email twenty-four hours prior to the scheduled meeting to the appropriate Director of Case Administration. If circumstances do not permit such a petition, the member must provide a formal written excuse at the first opportunity subsequent to the missed meeting.
2. The Director of Case Administration or the designee will review the explanation and then determine whether the absence will be excused. The Director may require supporting documentation of the explanation. Excused absences will be granted for, but not limited to, the following reasons:
  - A. Personal illness
  - B. Illness or death in the family
  - C. Class and/or test scheduled at the time of the meeting
  - D. Religious obligation

## **Section 4: Voting**

1. For all issues for which voting methods are not elsewhere established, whoever is presiding will choose an appropriate polling method. The presiding member will be responsible for counting the vote, and will only vote in case of a tie.
2. Quorum for any official business at Council meetings shall be two-thirds of Council members. Council members who abstain will be considered as non-voting members.
3. Quorum for any official business at General Body meetings shall be two-thirds of active members, not including provisional members. Active members who abstain will be considered as non-voting members.

## Article VII – Bylaws

The Bylaws will be amended through the following procedure:

1. At least once per academic year, Council shall establish a committee to review the Bylaws. The Bylaws committee shall consist of five members and must be co-chaired by the Directors of Case Administration. The other three members shall include at least one graduating and one returning member of University Judiciary. The three members of University Judiciary must be approved by the General Body by a majority vote.
  - A. The method of voting on Bylaws amendments shall be secret paper ballot. The presiding member shall count the votes. The Director of Operations shall keep a record of the vote tallies and make it available upon the request of any General Body Member.
2. Any member of University Judiciary may propose amendments to the Bylaws committee. The Bylaws committee shall vote on all proposed amendments. The proposed amendments passed by a 3/5 majority of the Bylaws committee shall be forwarded to the General Body, not including provisional members, for further consideration.
3. Upon approval by 2/3 of the active and inactive members present at a General Body meeting, the amendments shall take effect immediately.