

**JUDICIAL BOARD POLICIES AND PROCEDURES
OF THE ASSOCIATED STUDENTS OF THE UNIVERSITY OF CALIFORNIA, IRVINE**

Chapter 1. Purpose and Authority

Pursuant to Art. VIII of the ASUCI Constitution, this Title shall govern the operations of the Judicial Board and all rules of civil procedure under its purview, providing those provisions and regulations necessary to substantiate its vestment with all judicial powers, authorities, and obligations of the Associated Students.

Chapter 2. The Judicial Board

Section 100. Composition

101. The Judicial Board shall consist of seven (7) undergraduate students, nominated by the Executive Cabinet and confirmed by a $\frac{2}{3}$ vote of the Senate.
102. The Judicial Board shall elect from among its membership by a majority vote a Chief Justice and a Vice Chief Justice, who shall be officers of the Judicial Board.

Section 110. Associate Justices of the Judicial Board

111. The powers and authorities of Associate Justices of the Judicial Board shall include:
 - a. To attend all meetings of the Judicial Board, whether regular or in hearings;
 - b. To exercise one (1) vote on all matters before the Judicial Board; and
 - c. To draft opinions, rulings, decisions, or other public communications of the Judicial Board, when applicable.

Section 120. The Chief Justice

121. The Chief Justice shall be a member of the Judicial Board, elected from among the membership of the Judicial Board by a majority vote of its members, and shall serve in the position of Chief Justice for one (1) academic year unless the Chief Justice steps down, resigns, is vacated, is recalled, or otherwise fails to meet the requirements for membership on the Judicial Board.
122. The position of Chief Justice may be vacated by a two-thirds ($\frac{2}{3}$) vote of Justices present.
123. The powers and authorities of the Chief Justice of the Judicial Board shall include:
 - a. To organize and set the agenda of all weekly meetings of the Judicial Board;
 - b. To chair all meetings of the Judicial Board, whether regular or in hearings;
 - c. To exercise all responsibilities of Associate Justices of the Judicial Board;
 - d. To submit, in writing or electronically via email, all decisions and rulings of the Judicial Board to the Executive Cabinet, the Senate, the SGSM Executive Director, and any other relevant parties, as determined at the direction of the Chief Justice or upon request of the Board;

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- e. To maintain, alongside the Vice Chief Justice, a record of attendance for each Justice of the Judicial Board;
- f. To remove those Justices who have accumulated three (3) or more unexcused absences from official and previously scheduled meetings of the Judicial Board; and
 - i. An individual removed from the Judicial Board subject to this clause may appeal their removal to the Senate, which may reinstate the individual by a two-thirds ($\frac{2}{3}$) vote.
 - ii. The Chief Justice shall inform any individual who has lost their seat on the Judicial Board in this manner of their right to appeal their removal to the Senate.
 - iii. The Chief Justice, upon removing an individual in this manner, shall inform the Executive Cabinet, the Senate, and the SGSM Executive Director of such a removal, further providing a form of acceptable documentation demonstrating the removed individual's record of absenteeism.
- g. To principally oversee and manage all staff hired and retained under the Judicial Board.
 - i. The Chief Justice shall, in all dealings with staff under the Judicial Board, maintain compliance with the ASUCI Operational Policies and Procedures.
 - ii. The Chief Justice may terminate staff under the Judicial Board by means not inconsistent with the ASUCI Operational Policies and Procedures, provided the Judicial Board is given the opportunity to overrule the decision of the Chief Justice at its next regular meeting.
 - iii. In all times of pending or active litigation before the Judicial Board in which the services of the Public Counselor are requested or utilized, the Chief Justice shall engage in no managerial or supervisory contact with the Public Counselor.

Section 130. The Vice Chief Justice

- 131. The Vice Chief Justice shall be a member of the Judicial Board, elected from among the membership of the Judicial Board by a majority vote of its members, and shall serve in the position of Chief Justice for one (1) academic year unless the Chief Justice steps down, resigns, is vacated, or otherwise fails to meet the requirements for membership on the Judicial Board.
- 132. The position of Vice Chief Justice may be vacated by a two-thirds ($\frac{2}{3}$) vote of Justices present.
- 133. The powers and authorities of the Vice Chief Justice of the Judicial Board shall include:

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- a. To chair the Judicial Board on an interim basis should the Chief Justice be absent, incapacitated, recalled, or become otherwise unable to perform their duties;
- b. To exercise all responsibilities of Associate Justices of the Judicial Board;
- c. To maintain, alongside the Chief Justice, a record of attendance for each Justice of the Judicial Board;
- d. To assist the Chief Justice in the oversight and management of all staff hired and retained under the Judicial Board; and
- e. To perform those roles assigned by the Chief Justice and to which the Vice Chief Justice consents.

Section 200. Judicial Board Staff

- 201. The Judicial Board shall hire a Clerk and a Public Counselor no later than Week 5 of the fall quarter of an academic year, to hold these offices for a term of one (1) academic year.
- 202. The Judicial Board may, at its discretion and with appropriate funds afforded by the Senate, hire other staff to assist in vital functions of the Judicial Board.

Section 210. The Judicial Board Clerk

- 211. The responsibilities of the Judicial Board Clerk shall include:
 - a. To assist the Chief Justice in the preparation of agendas for regular meetings of the Judicial Board;
 - b. To record detailed minutes of all Judicial Board meetings;
 - c. To post all such minutes in an applicable location on the ASUCI website;
 - d. To post all opinions, rulings, decisions, and public communications of the Judicial Board in an applicable location on the ASUCI website;
 - e. To maintain an updated and accurate record of business before the Judicial Board in the Judicial Board Docket;
 - f. To assist Justices in researching and drafting opinions, rulings, and other work of the Judicial Board;
 - g. To coordinate scheduling for hearings before the Judicial Board;
 - h. To, in the course of hearings before the Judicial Board, explain hearing processes to parties before the Judicial Board when appropriate;
 - i. To administer an oath or affirmation to witnesses before the Judicial Board before they deliver sworn testimony; and
 - j. To execute all other reasonable tasks as assigned by the Chief Justice or the Judicial Board at-large.
- 212. The Judicial Board Clerk shall, alongside the Chief Justice, be primarily responsible for the execution of the Judicial Board's records obligations.
- 213. In the absence of the Clerk, their responsibilities shall fall to the Chief Justice, who may delegate these tasks to other Justices of the Judicial Board.

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Section 220. The Public Counselor

221. The responsibilities of the Public Counselor shall include:
- a. To represent private students, to include ASUCI officials acting in their private capacity, in suits before the Judicial Board, provided they desire to be represented by the Public Counselor;
 - b. To represent ASUCI entities in cases for which they are a defendant or respondent before the Judicial Board;
 - c. To, in the absence of a pending or active suit before the Judicial Board for which their services are requested, perform duties as assigned by the Senate, which include but are not limited to:
 - i. To prepare, keep, maintain, and, from time to time, review and revise explanatory materials that detail Judicial Board procedures and associated administrative, adjudicative, or appellate processes of the Association, to be reviewed and approved by the Chief Justice or the Judicial Board at large;
 - ii. To collaborate with the Judicial Board Clerk and the Chief Justice and assist the Standing Records Officer in the development and execution of procedures by which judicial records of the Association are retained;
 - iii. To advise students representing themselves in cases before the Judicial Board should they request such advice without requesting representation by the Public Counselor, provided the representation of Public Counselor is not pending or actively in use by another party to that case;
 - iv. To assist the Standing Legal Officer or another appropriate entity in responding to questions by private students regarding the internal legal procedures of the Associated Students; and
 - v. Any other incidental duties as assigned by the Chief Justice or the Judicial Board at large.
222. No duties of the Public Counselor, either as described in this Code or as assigned from time to time, may conflict or be reasonably expected to conflict with their primary responsibilities under §221(a-b) of this Chapter.
223. The services of the Public Counselor shall, in cases for which multiple parties to the same case request their services, be allocated to parties in the following order:
- a. Private students with no formal affiliation with ASUCI;
 - b. Private students who have been terminated from ASUCI;
 - c. Private students with no formal affiliation but who seek elected or appointed office in ASUCI who are parties to a suit before the Judicial Board as a defendant or respondent;
 - d. Private students with formal affiliation with ASUCI who are parties to a suit before the Judicial Board as a defendant or respondent;

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- e. Private students with no formal affiliation but who seek elected or appointed office in ASUCI who are parties to a suit before the Judicial Board as a plaintiff or petitioner;
 - f. Private students with formal affiliation with ASUCI who are parties to a suit before the Judicial Board as a plaintiff or petitioner; and
 - g. ASUCI entities who are parties to a suit before the Judicial Board as a defendant or respondent.
224. Individuals, in bringing cases before or being called before the Judicial Board, shall be informed of their right to utilize the services of the Public Counselor pursuant to this Section.
- a. Failure to inform parties to a case of their right to representation by the Public Counselor shall be grounds to vacate the result of a case and proceed to an immediate retrial or rehearing.
225. The Judicial Board shall make all reasonable efforts to appoint a Public Counselor no later than Week 2 of the fall quarter of each academic year.

Section 300. Qualifications, Terms of Office, and Other Purposes

301. Pursuant to Art. X § C(A)(3) of the ASUCI Constitution, individuals seeking appointment to or holding office as a Justice of the Judicial Board shall possess a GPA not less than 2.7 and shall have attained not less than one (1) year at an institution of higher education.
302. Pursuant to Art. X § C(A)(6) of the ASUCI Constitution, individuals seeking appointment to or holding office as the Judicial Board Clerk, the Public Counselor, or as any other appointed position nominated by the Judicial Board and confirmed by the Senate shall possess a GPA not less than 2.5 and shall be subject to all reasonable supplemental requirements placed at the discretion of the Judicial Board.
303. Justices of the Judicial Board shall hold their office for two (2) academic years, unless having resigned, been recalled, been impeached and removed, or otherwise no longer possessing the qualifications necessary to serve as a Justice.
304. All staff under the Judicial Board shall hold their office for a period of one (1) academic year, unless having resigned, been recalled, been impeached and removed, been terminated for cause, or otherwise no longer possessing the qualifications necessary to serve as a Justice.
305. No Justice or staff member under the Judicial Board shall seek or hold other elected or appointed office in ASUCI while serving in such capacity.
306. A Justice or staff member under the Judicial Board may resign by formally submitting their resignation to the Chief Justice or the Judicial Board at-large.
- a. The Chief Justice may resign by formally submitting their resignation to the Vice Chief Justice or the Judicial Board at large.
 - b. Should a Justice of the Judicial Board resign, the Chief Justice shall inform the Executive Cabinet, the Senate, and the SGSM Executive Director.

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Chapter 3. Regular Business

Section 100. Regular Meetings

101. The Judicial Board shall meet once per academic week to take care of its regular business and any further business that may be pending or active before it.

Section 110. Scheduling and Format

111. The Chief Justice shall coordinate with all Justices of the Judicial Board, the Judicial Board Clerk, and any other applicable staff to determine the time for such regular meetings.
112. The Chief Justice may, at their own discretion, call special meetings of the Judicial Board to discuss urgent business, and must call a special meeting of the Judicial Board upon the request of two (2) other Justices.
- a. Special meetings missed by a Justice of the Judicial Board shall not count toward their count of unexcused absences for the purposes of 2§123(g) of this Title.
113. A regular meeting of the Judicial Board may be canceled by a unanimous vote of the Judicial Board no less than one day before the scheduled start time of the meeting.
- a. No more than two regular meetings of the Judicial Board may be canceled per academic quarter.
114. Judicial Board meetings may be held in person, virtually, or in a hybrid capacity, and shall be, unless determined otherwise by the Chief Justice or the Judicial Board at large, closed to the public.

Section 120. Purpose, Agendas, and Minutes

121. At its regular meetings, the Judicial Board shall review for compliance with the ASUCI Constitution and this Code all bills and resolutions passed by the ASUCI Senate, and shall consider all other business pending or active before the Judicial Board deemed relevant at the discretion of the Chief Justice or the Judicial Board at large.
122. The Chief Justice shall prepare and disseminate to other Justices of the Judicial Board tentative agendas for all meetings of the Judicial Board no later than two (2) hours before the scheduled start time of each meeting.
- a. This requirement shall not be construed to limit the ability of the Chief Justice or of the Judicial Board at-large to, at their discretion, take up new business or alter business on the tentative agenda.
123. The Clerk shall, in conjunction with the Chief Justice, publish the tentative agenda of each meeting of the Judicial Board in an applicable location on the ASUCI website no later than two (2) hours before the scheduled start time of each meeting.
124. The Clerk shall, in conjunction with the Chief Justice, publish the minutes of each meeting of the Judicial Board in an applicable location on the ASUCI website no later than one (1) working day after the conclusion of each meeting.

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Section 200. Formal Interpretation

201. The Judicial Board shall keep, maintain, and make available in a conspicuous location, whether physical or electronic, a Petition for Formal Interpretation, by which individuals may request the Board formally decide on the meaning or application of a particular provision of the ASUCI Constitution or of this Code, a general question of the powers or responsibilities of an ASUCI entity, the form of a specific process mandated by the ASUCI Constitution or this Code, or any other relevant question in the absence of a formal case.
202. Such Petitions for Formal Interpretation may be submitted to request the Judicial Board formally decide on:
- a. The meaning or application of a particular provision of the ASUCI Constitution or this Code;
 - b. The powers or responsibilities of an ASUCI entity, generally or with reference to a particular question;
 - c. The form of a particular process mandated by the ASUCI Constitution or this Code; and
 - d. Other matters of the interpretation of the ASUCI Constitution or this Code requested in the absence of case or controversy.
203. Such Petitions for Formal Interpretation shall be formatted and made available by the Judicial Board, but shall include information, including but not limited to:
- a. The name of the petitioner;
 - b. The date of the petition's submission;
 - c. The relation of the petitioner to the Associated Students, including their office and position, if applicable;
 - d. The matter or question on which the petitioner requests the interpretation of the Judicial Board;
 - e. Any relevant materials, sections of the Constitution or this Code, and any persuasive authorities; and
 - f. A section in which to request urgent action by the Judicial Board on the Petition and justification for such urgency.
204. The Judicial Board may, at its discretion, respond or refuse to respond to a Petition for Formal Interpretation, but shall include, in all opinions released in response to a Petition for Formal Interpretation, a copy of the Petition as an appendix to the ruling.
205. Amicus Curiae may submit memos to the Judicial Board regarding a current Petition for Formal Interpretation, detailing their relation to and interest in the case before the Judicial Board, their desired outcome in the case, and any legal reasoning or justification for their position.
206. The Judicial Board shall have up to six (6) academic weeks, not including summer sessions, to respond to a valid and accepted Petition for Formal Interpretation.

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Section 400. The Judicial Board Docket

401. The Judicial Board shall keep and maintain a docket describing the present business of and before the Judicial Board.
402. The Judicial Board Docket shall include information on any legislation of the ASUCI Senate yet to be reviewed by the Judicial Board, any Petitions for Formal Interpretation under consideration by the Judicial Board, and any cases currently before the Judicial Board.
403. Petitions for Formal Interpretation on the Judicial Board Docket shall include the submitted and received Petition for Formal Interpretation in an accessible format, such as a linked PDF.
404. All cases before the Judicial Board on the Judicial Board Docket shall be detailed in releases which include the case's title, case number, a brief description of the facts of the case, and accessibility information should the hearing resulting from the case be held in public.

Chapter 4. Civil Procedure

Section 100. Jurisdiction

101. The Judicial Board, in considering applicable cases and controversies before it, may hear and decide on cases arising under original or appellate jurisdiction.
102. The Judicial Board shall generally consider under original jurisdiction those matters in which they are the first body to consider the case or controversy, including in cases of impeachment.
103. The Judicial Board shall generally consider under appellate jurisdiction those matters in which they review the administrative or adjudicative decision of a previous or lower body.

Section 200. Hearings

201. All hearings before the Judicial Board shall be initiated upon the receipt of a valid and accepted Petition for Hearing from a member of the Associated Students.
202. The contents of valid Petitions for Hearing shall include but are not limited to:
 - a. The name or identity of the plaintiff or petitioner;
 - b. The name or identity of the defendant or respondent;
 - c. The date of the petition's submission;
 - d. A list of all issues for which the petitioner seeks redress;
 - e. A list of authorities, including sections of the Constitution or this Code, legislation of the ASUCI Senate, precedents of the Judicial Board, and other relevant or persuasive authorities;
 - f. A summary of relevant facts;
 - g. A statement of the petitioner's arguments;

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- h. A request for a Preliminary Injunction, including an argument that irreparable harm will be suffered by the petitioning party should such an injunction be denied, if applicable;
 - i. A prayer for relief; and
 - j. An appendix, containing, *inter alia*, relevant evidence.
- 203. Upon receipt of a valid Petition for Hearing, the Judicial Board shall, in a joint communication issued in writing or electronically, notify the plaintiff or petitioner and the defendant or respondent of the initiation of the case and their obligations as parties to a suit before the Judicial Board.
- 204. The contents of this communication shall include but are not limited to:
 - a. A brief written explanation of the context behind the case for which the parties are called before the Judicial Board;
 - b. A description of the timelines by which the parties must abide in proceeding with their case before the Judicial Board;
 - c. A Hearing Briefing Memo and a brief description thereof, detailing the timelines by which the parties must abide, the tentative expected timeline of proceedings in the case, and all contents expected of parties in their briefs, to include a determination of the jurisdiction in which the Judicial Board is operating in that case;
 - d. Notification of the parties' ability to retain counsel, including by the Public Counselor pursuant to Chapter 4§220 of this governing documents, and requisite forms to document the retention of counsel should the parties wish to be represented;
 - e. A means by which the best mutual availability of all parties may be determined for scheduling purposes;
 - f. A copy of this governing document for reference by the parties;
 - g. The plaintiff or petitioner's Petition for Hearing; and
 - h. Any other materials deemed expedient or helpful by the Chief Justice or the Judicial Board at large.
- 205. The Judicial Board shall issue such communication no later than three (3) working days following the receipt of a valid Petition for Hearing.
- 206. Plaintiffs or petitioners and defendants or respondents may be represented by counsel by submitting a valid Representative Authorization Form signed by both the party to the case and their desired representative(s) no later than one (1) working day before the scheduled start time date of the hearing for which the party wishes to be represented.
- 207. All hearings, Preliminary or Formal, shall have a scheduled start time between the hours of 9:00 AM and 9:00 PM and shall last no more than three (3) hours.
 - a. The Judicial Board may extend the duration of a hearing before it over multiple days, but in so doing it must extend all sections of the hearing equally, inform the

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parties of such a decision no later than five (5) working days before the scheduled start time of the hearing, and shall not extend the total duration of the hearing over more than three (3) days.

208. The ability to act as a witness before the Judicial Board shall not be limited to members of the Associated Students, but shall be available to all persons except SGSM staff.

Section 210. Briefs

211. In all hearings before the Judicial Board, the Judicial Board shall solicit and parties to the case shall submit briefs which detail the content of the arguments advanced by the parties, among other purposes.
212. The Judicial Board shall not set a deadline for the receipt of briefs less than four (4) working days following the notification of parties under §200 of this Chapter.
213. The contents included in briefs shall include but are not limited to:
- a. The party's description of the facts of the case;
 - b. The party's arguments;
 - c. The party's desired relief;
 - d. The party's requested discovery;
 - e. In the case of hearings in original jurisdiction, unless determined otherwise by a majority vote of the Judicial Board, the party's list of desired witnesses;
 - f. In the case of hearings in original jurisdiction, unless determined otherwise by a majority vote of the Judicial Board, the evidence the party wishes to present before the Judicial Board.
214. Failure to submit valid and proper briefs as described under this Chapter by the plaintiff or petitioner shall, at the discretion of the Judicial Board, be grounds for the dismissal of the plaintiff or petitioner's case, while failure to submit valid and proper briefs as described under this Chapter by the defendant or respondent shall, at the discretion of the Judicial Board, be grounds for the issuance of a charge of Contempt of the Judicial Board.
215. Amicus Curiae may submit briefs to the Judicial Board, detailing their relation to and interest in the case before the Judicial Board, their desired outcome in the case, and any legal reasoning or justification for their position.

Section 220. Preliminary Hearings

221. Upon the receipt of a valid and accepted Petition for Hearing, the Chief Justice shall convene a Preliminary Hearing where the Judicial Board can hear arguments and vital evidence concerning its jurisdiction in the matter, upon which the Judicial Board shall decide upon proceeding to a Formal Hearing in the case.
- a. The Judicial Board may, if its jurisdiction in a case is well established under statute, constitutional provision, or precedent, elect to forgo a Preliminary

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Hearing, by a unanimous vote for hearings in primary jurisdiction and by a majority vote in appellate jurisdiction.

222. The format of Preliminary Hearings shall consist of:
- a. The plaintiff or petitioner, followed by the defendant or respondent, shall have two (2) minutes for opening statements;
 - b. The plaintiff or petitioner, followed by the defendant or respondent, shall have ten (10) minutes for main arguments;
 - c. The plaintiff or petitioner, followed by the defendant or respondent, shall have three (3) minutes for closing statements;
 - d. The Judicial Board may, at any time, interrupt plaintiffs, petitioners, defendants, or respondents to ask questions without penalty of time to the party asked, but shall retain the remaining time of the hearing for questioning the parties.
223. Witnesses shall not generally be permitted in Preliminary Hearings, but the Judicial Board, upon a motion by any party, may permit the inclusion of a witness should their testimony have a substantial likelihood of being preclusive in the determination of the Board's jurisdiction or the plaintiff or petitioner's standing.
224. If, upon the conclusion of a Preliminary Hearing, at least two-fifths ($\frac{2}{5}$) of voting Justices determine that the case is within the jurisdiction of the Judicial Board, the Chief Justice shall announce this decision within two (2) working days of the conclusion of the Preliminary Hearing, with scheduling of a date, time, and place for the Formal Hearing to be finalized no later than one (1) academic week following the conclusion of the Preliminary Hearing.
- a. If, upon the conclusion of a Preliminary Hearing in a case, the Judicial Board determines that a case should not continue to a Formal Hearing, they shall announce their decision with one (1) working day of the conclusion of the Preliminary Hearing and shall publish their complete ruling within one (1) academic week of the conclusion of the Preliminary Hearing.
225. Preliminary Hearings shall be closed to the public unless voted otherwise by the Judicial Board.

Section 230. Formal Hearings

231. Upon voting to proceed to a Formal Hearing, the Chief Justice shall convene a Formal Hearing where the Judicial Board can issue a binding ruling in the case before it.
232. The format of Formal Hearings in original jurisdiction shall consist of:
- a. The plaintiff, followed by the defendant, shall have two (2) minutes for opening statements;
 - b. The plaintiff, followed by the defendant, shall have eight (8) minutes for main arguments;

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- i. In the examination of witnesses during main arguments, a plaintiff or defendant shall be entitled ten (10) additional minutes of time for each witness examined.
 - ii. After each witness examined, the non-calling party shall be entitled to ten (10) additional minutes of time for the cross-examination of the witness.
 - c. The plaintiff, followed by the defendant, shall have five (5) minutes for rebuttals;
 - d. The plaintiff, followed by the defendant, shall have two (2) minutes for main arguments;
 - e. The Judicial Board may, at any time, interrupt plaintiffs and defendants to ask questions without penalty of time to the party asked, but shall retain the remaining time of the hearing for questioning the parties.
233. In Formal Hearings in original jurisdiction before the Judicial Board, plaintiffs and defendants shall have the right to call witnesses in their interest of their arguments.
234. The format of Formal Hearings in appellate jurisdiction shall consist of:
- a. The petitioner, followed by the respondent, shall have two (2) minutes for opening statements;
 - b. The petitioner, followed by the respondent, shall have ten (10) minutes for main arguments;
 - c. The petitioner, followed by the respondent, shall have three (3) minutes for closing statements;
 - d. The Judicial Board may, at any time, interrupt petitioners or respondents to ask questions without penalty of time to the party asked, but shall retain the remaining time of the hearing for questioning the parties.
235. Formal Hearings shall be open to the public unless voted otherwise by a two-thirds ($\frac{2}{3}$) vote of the Judicial Board.

Section 240. Witnesses and Testimony

241. The Judicial Board may, at its discretion and in consideration of time, impose a limit on the number of witnesses called by each party, provided this limit is applied equally to both parties, this limit is not set at less than two (2) witnesses per party, and this limit is assigned no later than one (1) day before the scheduled start time of the hearing.
242. Prior to presenting testimony before the Judicial Board, all witnesses shall be informed by the Clerk of their obligation to tell the truth, and shall be asked “As a witness before the Judicial Board, you are obligated to tell the truth in all testimony you provide. Are you aware of and do you acknowledge this obligation?”
- a. Failure to acknowledge this obligation shall be grounds for the exclusion of a witness’s testimony from the case record and from consideration in a determination of the case.

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243. All witnesses brought before the Judicial Board whose testimony is intended to further assert the truth of a matter of interest in the case before it may be cross-examined by the non-calling party.
244. Justices of the Judicial Board may question witnesses before the Judicial Board on issues of confusing or otherwise unclear testimony, to preserve the efficient progression of the hearing, or in any other manner that does not place a Justice in the position of a party or advocate thereof, but such questions shall not impose on the time allotted to each party in the examination of witnesses.

Section 250. Relief

251. In original and appellate jurisdiction, the Judicial Board may grant appropriate relief to all parties.
252. In original jurisdiction, the Judicial Board may issue relief in the form of:
- a. Declaratory judgement stating the rights of parties to the case;
 - b. Injunctive remedy, prescribing or proscribing a particular course of action upon either or both parties to a case; or
 - c. Other reasonable relief not inconsistent with the Judicial Board's operation in original jurisdiction or provisions of the ASUCI Constitution or this Code.
253. In appellate jurisdiction, the Judicial Board may issue relief in the form of:
- a. Upholding the decision of the lower body;
 - b. Reversing the decision of the lower body;
 - c. Upholding in part and reversing in part the decision of the lower body;
 - d. Remanding the case for further proceedings in the lower body not inconsistent with certain guidelines established by the Judicial Board;
 - i. The Judicial Board shall not remand for further proceedings in elections-related cases for which remand would result in a case extending beyond the statutory timeline for the conclusion of elections prescribed in the ASUCI Elections Code of this Code or would preclude the option of further appeal under the same timeline.
 - e. Declaratory judgement stating the rights of parties to the case;
 - f. Injunctive remedy, prescribing or proscribing a particular course of action upon either or both parties to a case; or
 - g. Other reasonable relief not inconsistent with the Judicial Board's operation in appellate jurisdiction or provisions of the ASUCI Constitution or this Code.
254. If, upon motion by a party or upon the request of a party as submitted in their Petition for Hearing, a party requests a temporary injunction, the Judicial Board shall vote to approve or reject the request.
- a. If approved, the Chief Justice shall issue the injunction to the parties to the case, to the Executive Cabinet, the Senate, the SGSM Executive Director, and any other

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relevant parties, as determined at the direction of the Chief Justice or upon request of the Board.

- b. All temporary injunctions shall be automatically rescinded within two (2) academic weeks, unless extended no more than one (1) academic week by a vote of the Judicial Board, or upon the conclusion of the case for which the temporary injunction was issued.
- c. Upon the rescission of a temporary injunction, the Judicial Board shall amend the temporary injunction to include the date and time of its rescission.
- d. All temporary injunctions issued by the Judicial Board shall be made public no later than two (2) working days following its issuance.

Section 260. Timeline of Decisions

- 261. In all cases unless otherwise stated in this governing document, the Judicial Board shall have no more than one (1) academic week following the conclusion of a hearing to release its complete ruling for the case for which the hearing was held.
- 262. The Chief Justice shall submit, in writing or electronically via email, all rulings of the Judicial Board to the parties and to the Executive Cabinet, the Senate, the SGSM Executive Director, and any other relevant parties, as determined at the direction of the Chief Justice or upon request of the Board.

Section 270. Elections-Related Cases

- 271. In all cases for which the decision of the Judicial Board may be preclusive or substantially influential in the conduct or outcome of an election, the timelines described in this Chapter may be reasonably condensed either at the discretion of the Judicial Board or by motion of a party to a case.
- 272. In all cases for which the decision of the Judicial Board may be preclusive or substantially influential in the conduct or outcome of an election and for which the timelines described in this Chapter would extend a case beyond the statutory timeline for the conclusion of elections prescribed in the ASUCI Elections Code, the timelines described in this Chapter shall be reasonably condensed in a manner not inconsistent with the Elections Code.
- 273. In all cases for which the decision of the Judicial Board may be preclusive or substantially influential in the conduct or outcome of an election, the Judicial Board shall announce its decision in writing to the parties no later than one (1) working day following the conclusion of the hearing, but shall have no more than one (1) academic week following the conclusion of the hearing to release its complete ruling.

Section 300. Contempt of the Judicial Board

- 301. The Chief Justice may, upon deeming it necessary, initiate a vote to determine whether a plaintiff, petitioner, defendant, or respondent who obstructs the Judicial

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Board's process of conducting a preliminary hearing or formal hearing shall be held in Contempt of the Judicial Board I.

302. Upon two-thirds ($\frac{2}{3}$) majority vote of voting Justices, the Chief Justice shall notify of this charge the individual held in Contempt I, the Standing Legal Officer, and the Chair of the Senate Standing Committee on Rules and Oversight.
303. Following the issuance of a charge of Contempt I and its notification by the Chief Justice, the Senate Standing Committee on Rules and Oversight shall convene within three (3) working days to decide whether to place appropriate sanctions on the individual held in Contempt.
- a. Such sanctions shall include, but are not limited to, the freezing of the plaintiff, petitioner, defendant, or respondent's stipend and the removal of their ability to access ASUCI and SGSM accounts and resources.
 - b. During this period, the Judicial Board nor any member thereof shall not initiate any contact with the Senate Standing Committee on Rules and Oversight nor any member thereof on any matter relating to the charge of Contempt I.
304. Should a plaintiff, petitioner, defendant, or respondent held in Contempt I fail to respond or otherwise cease their obstructive conduct within five (5) working days of the issuance of Contempt I, the Judicial Board may initiate, by a two-thirds ($\frac{2}{3}$) vote of voting Justices, a charge of Contempt of the Judicial Board II.
305. Upon two-thirds ($\frac{2}{3}$) majority vote of voting Justices, the Chief Justice shall notify of this charge the individual held in Contempt II, the Standing Legal Officer, and the Chair of the Senate Standing Committee on Rules and Oversight.
306. Should the Senate Standing Committee on Rules and Oversight fail to meet under the timeline established by §303 of this Chapter, the Judicial Board may, following consultation with the SGSM Executive Director and by a two-thirds ($\frac{2}{3}$) vote, independently place sanctions on the plaintiff, petitioner, defendant, or respondent.
- a. Such sanctions shall include, but are not limited to, the freezing of the defendant's or respondent's stipend and the removal of their ability to access ASUCI and SGSM accounts and resources.
 - b. The Judicial Board may not independently place sanctions on the defendant or respondent should the Senate Standing Committee on Rules and Oversight meet under the timeline established by §303 of this Chapter and decline to issue sanctions against the individual held in Contempt I.
307. Should a defendant or respondent held in Contempt II fail to respond or otherwise cease their obstructive conduct within two (2) working days of the issuance of Contempt II, the Judicial Board may initiate a charge of Contempt of the Judicial Board III, and proceed to an *in absentia* hearing without the attendance of the defendant or respondent.
308. Should a plaintiff or petitioner held in Contempt II fail to respond or otherwise cease their obstructive conduct within two (2) working days of the issuance of Contempt

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II, the Judicial Board may initiate a charge of Contempt of the Judicial Board III, and issue a summary judgement against the plaintiff or petitioner.

Section 400. Motions

401. Parties to a case before the Judicial Board may make motions to the Chief Justice and the Judicial Board at large requesting the Board issue an order and containing:
 - a. A specific statement of the grounds for which the order is sought; and
 - b. The relief sought.
402. The Chief Justice shall consider and rule on all written motions validly submitted and received, but the Judicial Board at large may overrule the Chief Justice by a two-thirds ($\frac{2}{3}$) vote.
403. Any Justice of the Judicial Board may challenge a ruling of the Chief Justice on a motion made orally during a hearing, where, should their challenge receive a second from another Justice, the Board shall proceed to closed session in order to discuss the challenge and may vote to overturn the Chief Justice's decision by a two-thirds ($\frac{2}{3}$) majority.
404. Motions made during hearings shall be made orally to the Chief Justice while pre-hearing motions shall be submitted in writing to the Chief Justice and the Judicial Board at large, whether physically or electronically.
405. All written motions, in order to be validly considered by the Chief Justice, shall be submitted to the Chief Justice and the Judicial Board at large no less than two (2) working days before the scheduled start time of the hearing for which the motion is submitted and shall, unless stated otherwise in this Chapter, be further submitted to the opposing party, which shall respond to the motion no later than one (1) working day following their receipt.

Section 410. Written Motions

411. Movants may submit motions for summary judgement, requesting the Judicial Board render a hearing moot by issuing a ruling in a case before a hearing on the basis of the movant's entitlement to a particular ruling as a matter of settled law in the absence of disputed facts.
 - a. It shall be the responsibility of the moving party to demonstrate that no genuine factual dispute exists between the parties and that they are entitled to the requested order on the basis of settled law.
412. Movants may submit motions for continuance, requesting the Judicial Board extend a stated timeline or deadline for the progression of a case before it not inconsistent with statutory provisions provided in this governing document.
 - a. The Chief Justice or the Judicial Board at-large shall evaluate such motions at their own discretion, taking into consideration any contention by the nonmovant party that the requested continuance would cause undue burden or hardship or would be incompatible with the administration of justice.

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413. Movants may submit motions to sever, motions to joinder, or motions to intervene, requesting the Judicial Board alter those who are called as parties to a case before the Judicial Board.
- a. Motions to sever shall, in the event of a case with co-plaintiffs, co-petitioners, co-defendants, or co-respondents, request the Judicial Board split the dual party and proceed in two or more hearings.
 - i. It shall be the responsibility of the moving party to make a substantial demonstration or showing of sufficient distinction of the alleged controversies that individuals or entities represented in the dual party would face an adverse outcome should the motion not be granted.
 - b. Motions to joinder shall request the Judicial Board join two parties with separate active suits before the Judicial Board, thus collapsing their respective cases into one suit.
 - i. It shall be the responsibility of the moving party to make a substantial demonstration or showing of similarity in controversy and aligned mutual interest between the movant and the party they wish to join in requesting such an order.
 - c. Motions to intervene shall request the Judicial Board add a party with no active suit before the Judicial Board as a co-plaintiff, co-petitioner, co-defendant, or co-respondent to an active suit before the Judicial Board.
 - i. It shall be the responsibility of the moving party to make a substantial demonstration or showing of relevant personal injury caused by the adverse party and similarity of aligned mutual interest between the movant and the party they wish to join in requesting such an order.
414. Movants may submit motions for a more definite statement, requesting the Judicial Board order the nonmovant party clarify a written statement on the official case record for the purposes of responding to a prior motion or other requirement.
- a. The Chief Justice or the Judicial Board at large shall evaluate such motions at their own discretion, taking into consideration any contention by the nonmovant party that the requested motion would cause undue burden or hardship or would be incompatible with the administration of justice.
415. Movants may submit motions to amend, requesting the Judicial Board permit the amendment of a document they previously submitted to the case record.
- a. Such motions must include a copy of the proposed amendment, both complete and redlined, and a justification for why the amendment was not made earlier, including a justification for why the amendment is expedient to the proper administration of relevant law in the case.
 - b. The Chief Justice or the Judicial Board at large shall evaluate such motions at their own discretion, taking into consideration any contention by the nonmovant

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party that the requested motion would cause undue burden or hardship or would be incompatible with the administration of justice.

416. The enumeration of particular motions in this Section shall not be construed to limit the extent of motions parties to a case before the Judicial Board may submit, but in all cases of motions offered which are not enumerated herein, the Chief Justice or the Judicial Board at large shall evaluate such motions at their own discretion, taking into consideration any contention by the nonmovant party that the requested motion would cause undue burden or hardship or would be incompatible with the administration of justice.

Section 420. Objections

421. Parties may make objections during any direct or cross-examination of witnesses.
422. Parties are barred from making objections during opening and closing statements, excepting formal objections raised to a violation of the rules of procedure, decorum, or a relevant point of privilege, where such objections shall be indicated by the objecting party raising a point of order or a point of privilege.
423. Objections made by parties in a hearing before the Judicial Board may include but shall not be limited to:
- a. Objection – argumentative, made on accusation that a question by the examining party is not seeking factual information from the witness but is instead presenting an argument or conclusion for the witness to confirm or deny;
 - b. Objection – hearsay, made on accusation that a witness refers to an out of court statement being used to support the truth of the matter asserted;
 - c. Objection – lack of foundation, made on accusation that a question by the examining party or that testimony offered by a witness lacks information necessary for understanding the new testimony attempting to be elicited;
 - d. Objection – leading, made on accusation that a question issued in direct examination prompts or encourages a desired answer from the witness;
 - e. Objection – relevance, made on accusation that evidence, testimony, or question offered in the course of examination does not affect the probability of a fact in the case;
 - f. Objection – speculation, made on accusation that a question or piece of testimony requires the witness to have knowledge of the mindset, intentions, feelings, or other internal condition of another individual to which they have no direct access; and
 - g. Objection – vague, made on accusation that a question is unclear, ambiguous, or lacks specificity, thereby making it difficult to understand the question's intent or the facts it is seeking to elicit.

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Chapter 5. Investigations

Section 100. General

101. The Judicial Board shall investigate all complaints initiated against members of the Office of the Student Advocate General.
102. In conducting such investigations, all Judicial Board members shall be subject to the same recusal requirements to which they are subject in all other official business of the Judicial Board as outlined in Article VIII of this document.
103. In conducting such investigations, the Judicial Board shall comply with all requirements for investigations that apply to the Office of the Student Advocate General as outlined in the ASUCI Office of the Student Advocate General Policies and Procedures.
104. In issuing finalized investigation reports, the Judicial Board shall not make recommendations on matters of law and may only issue conclusions on matters of fact and, if applicable, recommendations on matters of office policy.
105. In addition to all requirements outlined in the ASUCI Office of the Student Advocate General Policies and Procedures related to the submission of finalized investigation reports to complainants, the Judicial Board shall retain all finalized investigation reports in a secure physical and/or digital location for a period of no less than three (3) academic years.

Section 110. Review of Investigative Reports

111. The Judicial Board shall receive copies of all completed investigation reports completed by the Office of the Student Advocate General.
112. In receiving such complaints, the Judicial Board shall make no comment on the substance of the report or the conduct of the investigation.

Chapter 6. Conduct

Section 100. Ethical Conduct

101. All Justices of the Judicial Board shall abide by all applicable provisions of the ASUCI Operational Policies and Procedures.
102. Justices of and staff members under the Judicial Board shall not participate in campaigning or assist others in campaigning for elected ASUCI office.
103. Justices of and staff members under the Judicial Board, excepting the Public Counselor, shall maintain confidentiality in all matters before the Judicial Board.
 - a. The Public Counselor, when acting as counsel to a party with business before the Judicial Board, shall maintain confidentiality between themselves and their client.

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- b. The clause shall not preclude the Judicial Board or Justices or staff thereof from communicating with parties to a case or those individuals who may be otherwise involved in a case in furtherance of official responsibilities of the Judicial Board.

Section 110. Recusal

- 111. Justices of the Judicial Board shall disqualify themselves from particular cases or investigations by process of recusal as soon as they believe their impartiality in deciding a case may be compromised or reasonably questioned, including but not limited to a conflict of interest or a personal relationship outside of the Associated Students with an individual involved in a case.
- 112. Upon recusing themselves from a particular case, a Justice of the Justice Board shall be required:
 - a. To attend all matters related to the case for which they are recused in order to ensure the Justice is informed and accountable for their position.
 - b. To maintain silence on matters related to the case for which they are recused at all times during which the case is actively before the Judicial Board; and
 - c. To have their participation recorded and documented on all materials published by the Judicial Boards relating to the case for which they are recused, including minutes, injunctions, and opinions, and votes.
 - i. All such votes of recused Justices of the Judicial Board shall be recorded as abstentions.
- 113. Nothing in this section nor in any part of this governing documents shall be construed to limit, deny, or disparage the ability of a Justice of the Judicial Board to abstain from a vote.

As of June 5, 2025: R60-144