ASUCI JUDICIAL BOARD

"The Judicial Board has final judicial authority for ASUCI, which extends to all cases arising under the governing documents of ASUCI, all official actions of ASUCI officials and staff, and any matters delegated to the Judicial Board by the Senate or Student Advocate General."

Decision to Forgo Preliminary Hearing in *Okoroama v. ASUCI Senate Rules Committee*

Dated January 21, 2025

BOLEK, C.; MALANI, A.; FARNWORTH, J.; KARATAS, Z.; MARIN, R.; RINGDAHL, N.; VISWANATH, G.; approve of what is written.

On January 16, 2025, the Judicial Board received a Petition for Hearing from Senator Chidera Okoroama of the School of Information and Computer Sciences. Petitioner alleged an improper application by the Senate Committee on Rules and Oversight of its authority under Art. VII § F of the ASUCI Bylaws, recently amended by the Senate under legislation R60-54: Senate Accountability Act. This section stipulates that a decision of the Senate Rules Committee related to excused absences or virtual attendance requests may be appealed to the Judicial Board, which "has final authority to reverse or uphold a decision of the Rules Committee." ASUCI Bylaws Art. VII § F(5)(b).

The primary purpose of a Preliminary Hearing is to "hear arguments, vital evidence, and testimony concerning its jurisdiction in the matter." ASUCI Judicial Board Policies and Procedures, Art. VI § B(1). As the petitioner seeks to appeal a decision made by the Senate Committee on Rules and Oversight, the Judicial Board found that this petition fell under its appellate power under the Senate Accountability Act. ASUCI Bylaws Art. VII § 7(F)(5)(b). Consequently, the Board determined, by a unanimous vote, that it indeed holds appropriate jurisdiction, rendering a Preliminary Hearing redundant. Thus, the Board finds it appropriate to move directly to a Formal Hearing in this case.

It is so ordered.

Appendix

Relevant Sections of the ASUCI Bylaws

As of the writing of this opinion, the cited sections of the ASUCI Bylaws read as follows:

Article 7. Meetings

F. Attendance

5. For all absences after the first absence in a single quarter, the Senator must notify the Senate President, the Senate President Pro-Tempore, the Rules Committee Chair, and the Senate Secretary at least one (1) day in advance with the reason for their absence.
    a. The Rules Committee shall first vote whether or not to accept the absence as excused. The Committee may not reject a reasonable excuse simply because documentation was not provided. Any documentation requests cannot violate HIPAA or UCI Policy.
    b. If the Rules Committee does not excuse the absence, the Senator may appeal to the Judicial Board within three (3) days of their determination. The Judicial Board has final authority to reverse or uphold the decision of the Rules Committee.
    c. The Judicial Board shall finalize their decision on the appeal during their next regular meeting.
        i. In the case the Judicial Board fails to meet the deadline, the Senate may freeze their stipends.

Relevant Sections of the ASUCI Judicial Board Policies and Procedures

As of the writing of this opinion, the cited sections of the ASUCI Judicial Board Policies and Procedures read as follows:

ARTICLE VI. PROCEDURES FOR HEARINGS

Section B. Terms of Office

1. Upon receiving a Petition for Hearing Form, the Judicial Board Chair shall convene a preliminary hearing where the Judicial Board can hear arguments, vital evidence, and testimony concerning its jurisdiction in the matter, and the Judicial Board shall then make its own determination whether or not to hold a formal hearing.
    a. The Judicial Board, by a unanimous vote, may choose not to hold a preliminary hearing for a specific Petition for Hearing. If this is done, they must make their reasons for this accessible publicly within two (2) working days of the vote.