

Supreme Court Procedural Rules of the Student Government Association of the University of Maryland, Baltimore County

The SGA Supreme Court Procedural Rules were initially ratified by the Student Government Association of the University of Maryland, Baltimore County, on December 2, 2003. The document below is current as of that date.

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1 **Scope**

This document shall govern the Supreme Court of the Student Government Association of the University of Maryland, Baltimore County. It shall be superseded only by the Constitution and Bylaws of the SGA and any applicable local, state, or federal law. Any matter of procedure not contained within this document shall be governed by the current version of *Robert's Rules of Order*.

2 **Jurisdiction**

The jurisdiction of the Supreme Court shall be set forth in the *SGA Constitution*. The Supreme Court shall have the power to determine which petitions come under its jurisdiction.

3 **Responsibilities**

Supreme Court Justices shall have the following responsibilities:

- All justices are required to attend all regular meetings of the supreme court and hearings, unless excused by the Chief Justice
- All justices are expected to be knowledgeable of the of all SGA Governing Documents
- Neither the court, nor any justices shall offer advisory opinions. This prohibits involvement in crafting and review of legislation with the exception of reviews of the governing documents mandated by the Constitution and Bylaws.
- Justices shall not work on the political campaigns for candidates running for elected SGA positions.

4 **Meetings**

The Supreme Court may at its discretion hold regular meetings during the fall and spring semesters, which the Chief Justice will call and preside over. Hearing of petitions to the court shall not be included as a regular meeting.

5 **Hearing Procedures**

5.1 **Petition**

Petitions to the Supreme Court shall be made, as outlined in the Constitution, and shall be directed to the Chief Justice.

The petition shall include:

- (1) Name and contact information for the person making the complaint
- (2) Reason for making the complaint (i.e., the specific policy which is in need of interpretation or is suspected of being violated).
- (3) Information of any recourse taken prior to petitioning the Supreme Court.

No later than two days after receiving the petition, the Chief Justice shall forward copies to all associate justices of the Supreme Court.

The Supreme Court must hear any petitions coming from SGA President, or a majority petition of the Senate or House of Organizations. For all other petitions, the Supreme Court shall, in accordance with the *SGA Bylaws*, meet in one week to decide whether or not to hear the petition. The petition shall be heard if a simple majority of the justices votes to hear the petition.

5.1.1 **Acceptance of Petition**

If the Supreme Court decides to accept the petition, the hearing on the petition shall be held no later than seven days after the decision.

5.1.2 Rejection of Petition

If the Supreme Court decides not to accept a petition, it shall provide the petitioner with a rationale. Reasons for not hearing a case include, but are not limited to precedent set by a previous ruling, or the complaint addresses an issue outside of the Supreme Court's Jurisdiction. In deciding not to accept a petition, the court may refer the issue to a legislative committee or the Elections Board.

5.2 Notice for Hearings

The Supreme Court shall give notice of any hearings in the following manner:

1. A flyer must be placed on the outer door of the SGA Office.
2. Notices must be placed in the mailboxes of all SGA Justices, the SGA President, SGA Vice President, Speaker of the Senate, and Speaker of House.
3. Each party involved in the hearing shall be notified via email.
4. Notice shall also be given on the SGA listproc.
5. Additional methods of notice are recommended but not required. Possible methods include electronic mailing lists, newsgroups, and campus mail notices.

5.3 Hearing

The hearing shall be called to order by the chief justice, if at least three of the justices are present. The hearing shall be designated as SC- Hearing number- Academic Year.

Each side in the petition shall have a spokesperson, who will be the only person to address the justices, and to whom the justices will address of their questions.

The spokesperson of the side bringing the petition will make an opening statement to the justices, and the spokesperson for the other side shall then make an opening statement.

The Justices shall then begin a question-and-answer session. All questions shall be directed to the spokesperson. The spokesperson shall then have up to one minute to deliberate with his party, at which point a response will be made to the court, not exceeding two minutes. During the answer period, the spokesperson may yield to others in his party. This is the only time to that a person, other than the spokesperson may address the justices. The other side shall then have the opportunity to rebut the answer given, in a response, not to exceed one minute. If necessary, the spokesperson for the side first asked the question would have the chance to make any last comments regarding that question.

After the question-and-answer session, each side will have the opportunity to make closing statements, with the side bringing the petition having the last opportunity to address the court.

5.4 Deliberations

After the meeting, the justices shall deliberate. Only the voting members of the Supreme Court shall be present during the deliberations. The majority opinion is the opinion agreed upon by a simple majority and shall become binding, as outlined in the *SGA Bylaws*.

5.5 Notification of Ruling

After the majority opinion has been decided, all persons affiliated with the case shall be called back into the room to have the verdict read by the Chief Justice. At this point, any justice(s) with dissenting opinions shall be allowed to read these. All opinions are to be typed, signed and posted in the SGA office no later than three days after the hearing.

6 Minutes

Minutes shall be kept at all Supreme Court hearings. The Chief Justice shall designate a member of the SGA, who shall be unaffiliated with the parties involved in the petition, to take the minutes. Minutes do not need to be taken for regular Supreme Court meetings or deliberations.

7 Archiving

The Chief Justice of the Supreme Court shall be responsible for archiving all minutes from hearings, majority opinions, and dissenting opinions.

8 Amendments Procedure

The SGA Supreme Court Procedural Rules may be amended by a two-thirds vote of members present in both the Senate and House of Organizations following a minimum two-week reading period. All amendments shall originate from the Supreme Court, and amendments to this document are not subject to presidential veto. Any one item of the SGA Supreme Court Procedural Rules may be suspended for any period of time not to exceed a semester by a two-thirds vote of both the Senate and House of Organizations.