

**LEGISLATION No. 2021-22-01**

**AUTHORED BY: Jeremiah Finley, President**

**REFERRED TO: A.S. Board of Directors**  
**ACTION SCHEDULED:**

**SUBJECT: An act to reinstate the Judiciary**

**WHEREAS**, the Associated Students Board of Directors of Humboldt State University (HSU) is the single recognized voice for over 5,500 students; and,

**WHEREAS**, the Mission of the Associated Students of Humboldt State University serves to "assist in the protection of rights and interests of the individual student and the student body," and to "stimulate the educational, social, physical, and cultural well-being of the University community"; and,

**WHEREAS**, the President shall be the chief executive officer of the Association elected by the Association membership, granting them the ability to "propose legislation to the A.S. Board of Directors" as according to the A.S. Constitution Section B item b.

**WHEREAS**, the Association lacks a clear appeal process from its student government separate from the legislative body, therefore, be it;

**ENACTED**, the A.S. Judiciary is reinstated, with all powers, duties, and jurisdiction as follows:

The A.S. Judiciary Code works in support of the A.S. Constitution & Bylaws, providing additional direction to the A.S. Board of Directors and Staff for the day-to-day governance and operation of the association.

**ASSOCIATED STUDENTS OF HUMBOLDT STATE UNIVERSITY Judiciary CODE**

**Judiciary CODE INDEX**

SECTION 1) Charge and Meetings

SECTION 2) Duties, Powers and Responsibilities

SECTION 3) Composition and Compensation

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**Section 1. Charge and Meetings**

1. The Charge of the Associated Students of Humboldt State University Judiciary is as follows:
  - 1.1. to ensure that the rules and regulations laid by the Bylaws of this association are followed

- 1.2. to ensure that the resolutions enacted by the Associated Students Board of Directors are constitutional, and maintain a level of checks and balances.
2. All meetings shall be held in accordance with the Gloria Romeo Open Meeting Act Of 2000.
  - 2.1. The Judiciary Shall Convene when needed or requested by a member of the Association or the Associated Students Board of Directors.

## **Section 2. Duties, Powers and Responsibilities**

The Powers of the Associated Students Judiciary (ASJ) shall include:

1. Any Action that the ASJ takes will require a simple majority vote
2. Actions of the Board of Directors arising from the provisions of these Bylaws or any Code of the A.S.. may be questioned or commented upon as to their constitutionality by the ASJ at the petition of any regular member of the association.
3. In the case of recall and/or initiative legislation, ASJ shall receive necessary verification from the A.S. Board of Directors.
4. The ASJ shall investigate any contested election and render a decision thereupon petition by any regular member of the association.
5. The ASJ shall initially review the constitutions of the groups seeking to be chartered as A.S core Programs, as well as any revisions to such rules, regulations, or stipulations.
6. The ASJ shall report its decisions to the Board of Directors for implementation.
7. The ASJ shall have the responsibility upon the conclusion of Judiciary proceedings to make recommendations on any changes or clarification of the A.S. Constitution, Board of Directors Standing Rules, Codes, or other university policies.

## **Section 3. Composition and Compensation**

All members of this body shall be students of the association. No members shall also be members of the A.S. Board of Directors. The composition of this Judiciary shall be as follows; it shall consist of a **Chief Justice, Four (4) Associate Justices, and Two (2) Judiciary clerks. These Members shall be recommended by the A.S. President and approved by the Board of Directors by a 3/4th Vote. The Chief Justice shall be elected from the voting membership of the ASJ** The duties of each position shall be as follows:

### Voting Members:

1. Chief Justice
  - 1.1. May, convene the Judiciary at any time.
  - 1.2. Shall, select an associate justice as acting Chief Justice.
  - 1.3. Shall, be responsible for forming Judiciary rulings that represent the will of the ASJ
  - 1.4. Shall, ensure that work is evenly distributed amongst the Judiciary.
2. Acting Chief Justice
  - 2.1. Shall, perform all functions of the Chief Justice when the Chief Justice is absent or unable to act.
3. Associate Justices
  - 3.1. Shall select an Associate Justice as acting Chief Justice in the event that the Chief Justice is unable to do so.
  - 3.2. Shall, be responsible for forming Judiciary rulings that represent the will of the ASJ

### Staff Assistants:

1. Judiciary Clerks: Appointed by the Board of Directors from the membership of the Association
  - 1.1. Shall, be responsible for providing necessary documents to the Judiciary
  - 1.2. Shall, be responsible for ensuring that 'Judiciary Statements' are promptly accurately relayed to the necessary parties.

#### Compensation

1. The ASJ shall be compensated with one-hundred (100) C Points per semester for each member of the Composition of the Judiciary. Totaling to one-thousand (1400) C Points per each academic year.

#### **Section 4. Judiciary Procedure**

1. The ASJ procedure shall, whenever feasible and with minimal deviation, mirror that of the California Supreme Court as follows:
  - 1.1. Upon receiving a petition from a party of the Association shall have three (3) regularly scheduled academic days to convene and consider the merits of the petition; for the purposes of this code merits shall be defined as details within the petition.
  - 1.2. The Judiciary shall then request that oral arguments be prepared from the according parties within 48 hours, for the Judiciary to review.
  - 1.3. The Judiciary shall then convene to hear the oral arguments from the according parties.
  - 1.4. The Judiciary shall then have three (3) regularly scheduled academic days to convene and review the oral arguments of each party and shall deliberate within themselves on the petition brought before them.

Upon completion of the deliberation or the three (3) regularly scheduled academic days, the Judiciary shall convene to deliver their ruling and shall post a written opinion outside the A.S.. Main Business Office that explains and resolves the issue that the petition has raised. All dissenting opinions shall be posted along with the original written opinion, after the written opinion is posted the Chief Justice shall report the decision to the A.S. Board of Directors at the following meeting

**RESOLVED,** That copies of this resolution be sent to, but not limited to people, Associated Students Funded areas.

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Jeremiah Finley  
President, Associated Students