



ASSOCIATED STUDENTS, INCORPORATED  
CALIFORNIA STATE UNIVERSITY, LOS ANGELES

ADMINISTRATIVE MANUAL  
JUDICIAL REVIEW COMMITTEE  
CODE OF PROCEDURE

ARTICLE I. AUTHORITY AND FUNCTION

These codes shall act as the governing procedures for the Judicial Review Committee (JRC) of the Associated Students, Incorporated (ASI) of California State University, Los Angeles.

Section 1 - Authority

The power of the Judicial Review Committee is derived from the Associated Students, Inc. Bylaws, Article IX, Section 6.

Section 2 - Function

The Judicial Review Committee shall:

- A. After appropriate legal consultation, have the power to declare corporation action contrary to the Articles of Incorporation, Bylaws, or any Code. Such declarations shall then be referred to the Board of Directors for immediate remedial action pursuant to Bylaws Article VI, Section 1, Clause.
- B. Act as an advisory committee to the ASI Board of Directors.
- C. Declare all elections results.
- D. Hear all alleged violations of the election campaign rules and regulations outlined in the Elections Committee Code of Procedure.
- E. Resolve grievances between regular members of the Associated Students, Inc., as defined in the ASI Bylaws, and all elected and appointed officers of ASI relative to the functioning of ASI.
- F. Hear other grievances or issues referred to the JRC by the BOD, or University President.

ARTICLE II. MEMBERSHIP AND DUTIES

Section 1 - Voting Membership

The voting membership of the JRC shall consist of a Chief Justice, three (3) Associate Justices and one (1) faculty member.

- A. The Chief Justice and the Associate Justices shall be recommended by the ASI President and appointed by a two-thirds (2/3) vote of the BOD.
  - a. The justices may not hold any elected or appointed office within ASI.
  - b. The justices must be regular members of the Associated Students, Inc. in good standing as defined by the University Registrar.
- B. The faculty member shall be recommended by the Committee on Committees of the Academic Senate and shall be approved by a two-thirds (2/3) vote of the BOD.

Section 2 - Nonvoting Membership

The nonvoting membership of the JRC shall consist of the University President or his/her designee and the ASI Senior Coordinator.

Section 3 - Duties of the Chief Justice

The Chief Justice shall preside over all proceedings of the Committee.

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A. The Chief Justice shall ensure that all established rules and procedures of the Committee are adhered to.

B. The Chief Justice shall be the official spokesperson of the Committee.

C. Serve as the chair of the Bylaws and COP Subcommittee

D. In the event that the Chief Justice resigns or is absent, the JRC shall appoint an interim Chief Justice from the Associate Justices.

The interim Chief Justice shall occupy this position until the position is filled by the BOD in accordance with Article 2, Section 1, A of these codes.

#### Section 4 – Responsibilities of the ASI Vice Chair for the Judicial Review Committee

The role and responsibility of the ASI Vice Chair for Judicial Review Committee shall be performed by an Associate Justice member. By the second official meeting the committee will appoint a committee member as Vice Chair. If the Vice Chair is an appointed ASI member their time served in this role will count as two of their required service hours.

A. Be recommended by the ASI Chief Justice to committee, with a majority vote of the committee.

B. Be responsible for preparation of the minutes for the Judicial Review Committee and to ensure that copies of those minutes are entered into the minutes at the next meeting of the Board of Directors

C. Act in the capacity of the chair in their absence.

#### Section 5 – Duties of the Associate Justice

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The Associate Justices shall:

- A. Be members of the JRC as outlined in Article I, Section 2 of these codes.
- B. Be members of the ASI Bylaws and Codes of Procedure Subcommittee.

**A. Reports**

- 1. Bi-weekly report
  - a. All Justices shall submit a report to the ASI Secretary/Treasurer and the ASI President that details the times, dates, places and description of all ASI -related activities to be counted for service hours.
  - b. Bi-weekly reports are due by noon on the Wednesday before each BOD meeting
- 2. State of Affairs
  - a. All Justices shall submit a report to the ASI Secretary/Treasurer and the ASI President on the state of affairs of the Associated Students, Incorporated.
  - b. State of Affairs reports are due by noon on the Thursday of the seventh (7/10) week of the semester.

**B. Meetings**

- All Justices are required to attend committee meetings that they have been appointed onto.
- 1. All Justices shall be a member of at two the ASI standing committees and serve as parliamentarian.

**C. Specific Duties**

- 1. Each Justices member shall be responsible for carrying out the duties specified in the ASI Bylaws.
- 2. In addition to the above requirement, Justices members shall be responsible for a minimum of two (2) office hours per week to be held in the ASI office.
  - a. Office hours must be scheduled with the ASI Secretary/Treasurer during the first week of each semester during the director's term of office.
  - b. Any change in these office hours is to be reported to the ASI Secretary/Treasurer immediately.
- 3. Each Justices shall assist with the development and implantation of a Roberts Rules Training for ASI Members throughout the year.
- 4. Each ASI member shall satisfy the following minimum hours of specific duties per position:
  - a. Chief Justice, Academic Senator = 8 hours
  - b. Associate Justice = 4 hours

**D. Service**

- 1. Each Justices shall be responsible for fulfilling a minimum number of service hours to the university community on behalf of the ASI per week beyond attendance at required meetings.
- 2. Each ASI member shall satisfy the following minimum hours of Service Hours per position:
  - a. Chief Justice, = 6 hours
  - b. Associate Justice & Cabinet of Commissioners = 2 hours

**Section 6 - Removal of a Justice**

In the event that a justice or Chief Justice is found to have been derelict in his/her duties or failed to maintain qualifications for membership on the JRC, the process of removal shall follow that of Policy 020.

**ARTICLE III NON-ELECTION GRIEVANCE HEARINGS**

Hearings that do not pertain to the ASI elections shall follow the guidelines delineated in this article.

**Section 1 - Commencing a Hearing**

- A. The plaintiff(s) shall file a Hearing Request Form with the Chief Justice through a scheduled meeting in person. This request must name the defendant(s), state code violations, describe the charges being filed, and list any witnesses. Any submitted petition in connection with a grievance must accompany the Hearing Request Form.

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- B. A copy of the request form must also be delivered in person, by the plaintiff(s) to the defendant(s). If undeliverable in person, the JRC may use reasonable means to deliver the request form.
- C. The defendant(s) must file a written reply with the Chief Justice of the JRC through a scheduled meeting in person within five (5) business days after receiving the request of the hearing.
- D. The JRC shall meet to decide whether to hear or dismiss the case (by a simple majority of the present, voting membership), based solely on the written documents filed by the plaintiff(s) and defendant(s), within ten (10) business days after the defendant(s) have been notified of the request for hearing, regardless of whether a rebuttal has been lodged by the defendant(s). If a case is accepted, a hearing date shall be determined.
- E. All parties shall be informed in writing of the decision (and hearing date(s), if applicable) within two (2) business days following this meeting.

**Section 2 - Rules of Hearing**

- A. The JRC, by its own motion, may limit the time allowed for each case, testimony, and number of witnesses. However, both sides shall be treated equally in such allotments.
- B. A postponement of the hearing may be granted by a majority vote of the JRC if the defendant(s) can show just cause.
- C. Representation by proxy for either party shall be permitted through the following process:
  1. The party requests permission to be represented by proxy at least twenty-four (24) hours prior to the hearing. This request should be in writing (in a letter) to the Chief Justice.
  2. The Chief Justice shall decide whether to allow the party to be represented by proxy.
- D. Proxies must be faculty, staff, or regular members of ASI as defined in the Bylaws.
- E. If the plaintiff(s) or proxy is not present at the set hearing, the case shall be dismissed.
- F. If the defendant(s) or proxy is not present at the set hearing, the status of the hearing will be determined by the JRC.

**Section 3 - Order of Hearing**

- A. The Chief Justice shall read the charges brought forth by the plaintiff(s).
- B. The plaintiff(s) shall confirm the charges and present his/her case, subject to cross-examination by the defendant(s) and then the
- C. The defendant(s) shall present his/her case, also subjected to cross-examination by the plaintiff(s) and then the JRC.
- D. After both cases have been presented, closing arguments shall be made by the plaintiff, and then the defendant. The JRC may make further inquiries after each argument.
- E. After the closing arguments, the JRC shall have the option of deliberating in closed session.
- F. Upon the end of deliberation, the Committee shall take a vote in open session and the majority opinion shall be expressed.
- G. The majority opinion shall be written and released within one week. The majority opinion must be signed by a majority of the voting members of the JRC. Any member of the JRC may write a dissenting or concurring opinion. All opinions must be posted.

**ARTICLE IV.**

**ELECTION HEARINGS**

**Section 1 - Hearing Procedures**

Hearings pertaining to elections shall follow the guidelines delineated in the Non-Elections Hearings requirements with the exceptions listed in this article.

- A. A copy of the request will then be posted immediately on the bulletin board outside of the A.S.I. Administrative Office.
- B. It is the duty of every candidate to check the board daily for hearing notices or possible complaints lodged against them.
- C. The JRC shall decide within one (1) business day after receiving the hearing request form whether or not the case shall be heard, based solely on the written Hearing Request Form. The JRC must meet in person where reasonably possible to decide whether or not to hold a hearing. In the event

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that a physical meeting cannot take place, all members of the JRC will be provided with the submitted Hearing Request Form. All voting members of the JRC must then present the Chief Justice with a document containing their decision.

D. The decision to hold a hearing shall be posted on the bulletin board.

## Section 2 – General Elections Violations

Violations pertaining to elections shall be defined below:

- A. Minor violations of the Elections Committee Code of Procedures by an individual/candidate/slate/campaign volunteers shall consist of one entire act, which must be corrected within the twenty-four hour time period from the time of written grievance of such violation. These minor violations may include, but not be limited to:
- Posters partially or completely covering other campus notifications, department notifications, or other candidates' flyers.
  - Posting on trees, building walls, pillars or doors.
  - Posting on any cement walls or other textiles (posts, pillars, waste receptacles) on or around campus.
  - Placement of any posters without prior Elections & Orientation Commissioner Approval.
  - Four minor violations will equal one major violation.

B. Major violations of the campaign rules by an individual/candidate/slate/campaign volunteers may include but are not limited to:

- Use of menace, force, threat or any unlawful means towards any voter to hinder or deter such voter from voting, or directly or indirectly offering any bribe, reward, or anything of value to a voter in exchange for the voter's vote for or against any candidate.
- Tampering or alteration of any official election material or ballot without authorization.
- Failure to attend and participate in required debates.
- Failure to adhere to A.S.I. campaign spending limits.
- Submitting a false expenditure form. This includes submitting an expenditure form that does not include all expenditures up to the specified date.
- Non-compliance in submission of itemized reports on time with receipts attached.
- Removal or defacement of lawfully placed political advertising without authorization.
- Use of A.S.I. equipment or supplies for campaign purposes, including phones, office machines, office space, and email accounts.
- Violating the Cal State L.A. IT Policy, Residence Hall Policy, or the Facility Services Policy as defined in the Candidate's Packet.
- Interference with the academic instruction of University classes.
- Violating state or federal phone solicitation laws.
- Other gross or intentional misconduct as perceived by the Elections Committee of such violation.

C. In all instances, the actions of a candidate's authorized agents shall be constructed as the action of the authorizing candidate.

## Section 3 - Penalties for Major and Minor Violations

The Elections Committee and J.R.C. have the right to impose any or all of the following sanctions against an individual/candidate/slate/campaign volunteers who is found to have violated the Elections Committee Code of Procedure. In addition any major or minor violations that break university policies or procedures concerning student behavior may be subject to student disciplinary action by the University.

A. Minor Violation

- Given a warning and required to cease and desist.
- Community Service within the campus.

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