First Reading: February 4, 2014

Second Reading: March 25, 2014

Pass:

Other:

Resolution 1-14-S Resolution to Adopt Amendments to the Constitution and Bylaws

PURPOSE: For the Student Government Association of Western Kentucky University to adopt amendments to the Constitution and Bylaws.

WHEREAS: All representative organizations should continually seek improvements to their operational structure to better represent their constituents, and

WHEREAS: The proposed amendments will allow for greater involvement in the Student Government Association and will allow for more effective representation, and

WHEREAS: The proposed amendments have been reviewed and approved by the Judicial Council of the Student Government Association pursuant to clause 4.5.9 of the Constitution.

THEREFORE: Be it resolved that the Student Government Association of Western Kentucky University adopt the proposed amendments to the Constitution and subsequently refer these amendments to the student body for ratification on the Spring 2014 election ballot, and

THEREFORE: Be it further resolved that the Student Government Association of Western Kentucky University adopt the proposed amendments to the Bylaws.

AUTHOR: Seth Church

 Nicki Seay

SPONSOR: Legislative Research

CONTACTS: Jay Todd Richey

 Julia Payne

Kara Raley

Jackie Stewart

Megan Lemmons

Overview of changes:

* Constitution
	+ Increases the number of Judicial Council Justices to 7. (4.3.1)
	+ Makes the Chief Justice nominated by a majority of Judicial Council justices. (4.3.3)
	+ Creates the Associate Chief Justice position and assigns the office certain duties. (4.3.4 and 4.5)
	+ Makes the Chief Justice required to report to the Senate twice per month. (4.4.7)
	+ Requires the Chief Justice to complete office hours. (4.4.8)
* Bylaws
	+ Places the job of taking minutes under Associate Chief Justice rather than a Judicial Council Clerk. (3.5)

Constitution

4. **THE JUDICIAL BRANCH**

4.1 The judicial authority of the Student Government Association shall be vested in the Judicial Council.

4.2 **Qualifications.**

To qualify for and remain as a member of the Judicial Council, a person must meet the following requirements:

4.2.1 Be in good standing with the University.

4.2.2 Be a student during the entire term of office and not be a member of the faculty.

4.2.3 Have a minimum grade point average of 2.5 cumulative.

4.2.4 Not be a member of any other branch of the Student Government Association during the term of office.

4.3 **Organization and Terms of Office.**

4.3.1 The Judicial Council shall be composed of ~~five~~ seven (~~5~~ 7) Justices appointed by the President with the approval of a two-thirds (2/3) vote of the Senate.

4.3.2 The members of the Judicial Council shall be appointed to take office no later than two (2) weeks after the beginning of the fall term. Any vacancies shall be filled within two (2) weeks of the resignation.

4.3.3 The Chief Justice of the Judicial Council shall be ~~appointed by the President of the Student Government Association from the five (5) members~~  appointed by a majority vote of the Judicial Council serving during the Spring Semester with approval of a majority vote of the Senate.

4.3.4 The Associate Chief Justice shall be appointed by the Chief Justice and approved a majority vote of the Senate.

~~4.3.4~~ 4.3.5 Each member of the Judicial Council shall serve for the duration of their academic career provided they maintain requirements of the office.

~~4.3.5~~ 4.3.6 All Judicial Council records and minutes shall be posted for two (2) weeks and then filed in the Student Government Association office.

4.4 **Duties of the Chief Justice.**

The Chief Justice of the Judicial Council shall:

4.4.1 Be the presiding officer of the Judicial Council.

4.4.2 Have completed one year of membership as an Associate Justice of the Judicial Council or may be granted an exemption by the Senate.

4.4.3 Schedule meetings of the Judicial Council.

4.4.4 Administer the oath of office to the officers of the Student Government Association. In the absence of the Chief Justice, an Associate Justice or the President may administer the oath of office.

4.4.5 Preside over all impeachment proceedings for members of the executive and legislative branches.

4.4.6 Call special meetings of the Judicial Council provided twenty-four (24) hours notice is given.

4.4.7 Report to the Senate at least twice a month.

4.4.8 Establish and post set office hours of a minimum of one (1) per week during regular business hours.

**4.5 Duties of the Associate Chief Justice**

The Associate Chief Justice of the Judicial Council shall:

4.5.1 Serve directly under the supervision of the Chief Justice.

4.5.2 Chair meetings of the Judicial Council in the absence of the Chief Justice.

4.5.3 Serve as Acting Chief Justice, upon the resignation or impeachment of the Chief Justice, until a new Chief Justice is elected by the Judicial Council.

4.5.4 Record all minutes of the Judicial Council.

4.5.5 Perform other duties as designated by the Chief Justice.

**~~4.5~~ 4.6 Duties of the Judicial Council.**

The Judicial Council shall:

~~4.5.1 At its first meeting select one (1) Justice as clerk to record minutes and post all records in the Student Government Association office.~~

~~4.5.2 Designate a Justice to report to the Senate twice a month.~~

~~4.5.3~~ 4.6.1Interpret the Constitution and Bylaws of the Student Government Association upon request.

~~4.5.4~~ 4.6.2Have the power of judicial review over actions of the Executive Cabinet and the Senate upon request by any duly registered student of Western Kentucky University not in the Judicial Council.

~~4.5.5~~ 4.6.3Head and adjudicate all cases of appeal concerning elections and qualifications for candidacy.

~~4.5.6~~ 4.6.4Establish general procedural rules and ethical considerations for the Judicial Council.

~~4.5.7~~ 4.6.5Enact and review Election Codes subject to the approval of a majority vote of the Senate.

~~4.5.8~~ 4.6.6Establish such committees as deemed necessary for elections.

~~4.5.9~~ 4.6.7Review all Constitutional amendments before the Senate’s vote.

~~4.5.10~~ 4.6.8Take appropriate action, in accordance with the attendance policy, against those who have been brought up for review.

~~4.5.11~~ 4.6.9Meet no less than twice a month.

~~4.5.12~~ 4.6.10Review any enactments of regional affiliates at the request of any student to determine if the enactment is in conflict with the resolutions, enactments, constitution, and bylaws of the Student Government Association of Western Kentucky University. Any enactment deemed in conflict shall be considered void.

~~4.5.13~~ 4.6.11Review the impeachment proceedings by regional affiliates to consider the case and make the final determination.

**~~4.6~~ 4.7 Impeachment**

~~4.6.1~~ 4.7.1 Any member of the Judicial Council may be removed from office for failure to uphold any provision of this Constitution or for any just cause.

~~4.6.2~~ 4.7.2 For impeachment proceedings to be initiated, a written endorsement of at least twenty percent (20%) of the Senate membership is required.

~~4.6.3~~ 4.7.3 Impeachment proceedings shall be in a special session of the Senate and shall be presided over by the Speaker of the Senate.

~~4.6.4~~ 4.7.4 A final vote may not be called until at least fourteen (14) days after proceedings are initiated. The impeachment procedure shall be by a two-thirds (2/3) vote of the full membership of the Senate acting as a judicial body.

-----------------------------------------------------------------------

Bylaws

3. **Meeting Procedure**

 3.5 Minutes of the Judicial Council

The ~~Judicial Council Clerk~~ Associate Chief Justice of the Judicial Council shall make copies of all minutes of Judicial Council proceedings available in the SGA office.