**Student Court of Justice**

Sunday, October 1, 2017

7:30 PM – Heine Room

Minutes

1. Call to Order
   1. Present: Melville, Beah, McCormick, Dunwoody, Pacella, Garrick
   2. Absent: Stirling
2. Additions to and Approval of the Agenda
   1. Agenda - Approved
3. Good News
   1. Dunwoody: Homecoming was a success.
   2. Melville: Last week is over, tests and papers. National Taco Day Wednesday!
4. Reports
   1. Melville:
      1. October 15: We will have a group photo taken of the Student Court. Wear black and white attire.
      2. SB-o8-18: The Student Senate passed an amendment to the Student Government Code changing the requirement for the Constitution and Code Review Committee to have all eight voting members present to enact changes to now only requiring six voting members be present.
   2. McCormick: completed section of Court decisions
   3. Pacella:
      1. CSO update, approved National Organization of Minority Architects, along with an organization for mechanical engineers.
      2. Electronic voting for Senate, looking into using myNDSU for voting has been troublesome; I am close to having a prototype of Court and Senate pages for myNDSU that will ensure on Student Senators can vote.
         1. McCormick: Have we considering using Qualtrics?
         2. Melville: We have used Qualtrics for the Student Court applications. It can be time consuming to set up. We would need to set up ballots beforehand. Another issue we would need to address is how to efficiently ensure only Student Senators are voting.
5. Order of Business:
   1. Student Court Administration
      1. Melville: The Student Senate approved Mathew Justin as an at-large member of CCRC. Next week another member will hopefully be approved. If you are interested in serving on the CCRC, please respond to the Doodle Poll.
      2. Melville: Associate Justice Garrick created a poll for Student Senate meeting attendance. Submit times you are feasibly able to attend. In the future, I would like at least two or three Justices at each Student Senate meeting. On October 8, I will not be present at the Student Senate meeting. Associate Justices Stirling and Pacella will be present.
      3. Melville: Another poll for emergency meeting availability. In the event we need to meet outside of regular court meetings, this can help us find a time.
      4. Melville: Due to us not having an Assistant Justice, we will need to rotate minute taking responsibilities. If you are assigned for a specific week, please bring a laptop so you can take minutes. If you cannot be at a meeting, it is your responsibility to find a replacement.   
         
   2. Rules of the Court
      1. Melville: (2014); the rules are overly confusing and use language to try to sound smart. It is useful, however, because it uses detail into how things are supposed to work. I would like to create a short form of the document containing the most essential or frequently used information. We should keep the short form to one page.
      2. Melville: There are different ways we can look at the Rules of the Court. We can look section by section. In addition, we can work on this by assigning certain tasks to different taskforces. The goal is to be done with this by approximately December 2. The task forces, consisting of two or three Justices, can arrange meetings by themselves to get work done. Here are the taskforces:
         1. Creating short form – hold off until the rest of the document is complete.
         2. Writing new case procedure
         3. Creating set of court values
         4. Create distinction between justice positions
         5. Ensure all references are current.
      3. Pacella: The document is incredibly outdated, especially with reference to Constitutional Jurisdiction of Court. The Rules do not clarify how the Court has jurisdiction over executive guidelines. Before the short form is created, changes need to be made.
      4. McCormick: It would be manageable to go through this by taking a look at a couple sections each meeting. I believe it would be beneficial for a shorter version (step by step guidelines) for easy access and quick tool as a resource. If necessary, we can have the short form refer to the Rules of the Court.
      5. Dunwoody: Short form leaves a lot of variability and could cause some confusion. It could lead to there being too much room for interpretation. Considering how the Rules of the Court is only ten pages, is a short form necessary?
      6. Melville: Items the Court should add to the Rules: distinction between Justice positions, set of values, sentencing guidelines, and using the consistent header.
      7. INTRODUCTION: (P): "hereafter" change in text from "here as"; (CJM, M, P) (grammar and sentence styling);(CJM) be revisited after review of other sections
      8. MEETINGS AND QUORUM: (M) case hearings scheduled in place of regular meetings, inaccurate, sentence implies court hearings will replace court meetings, (D, M) Court hearings will be scheduled as determined by the SCJ, (B) eliminate line suggesting "preparing for Student Body Elections"; (P, M, CJM) detailing the rules around quorum, role of ASSIS. JUSTICE, role to reach a quorum, bring up to CCRC; (CJM) quorum is a simple majority of current justices; (CJM, M, P) does CJ have voting power, tie-breaking vote?, CCRC, implied; (CJM, M, P) should we include the Assist. J in quorum rules?; (ALL) rewrite of last line, first paragraph, RULE 1; (ALL) conflict of interest discussion, how it affects quorum (Rule 1 & Rule 17), put COI under values or justice responsibilities, justice with
         1. Table discussion: CJM moto for approval to end discussion
            1. Beah: so moved
            2. McCormick: seconded. Passes.
   3. Discussion: Can the Student Body President Appoint Him/Herself as an Executive Commissioner?
      1. Melville: Wenzel and Holmquist had a verbal altercation, and this question was brought before the Student Court several weeks ago.
      2. McCormick: If the President wants to appoint himself, I think he must step down as President.
      3. Pacella: According to the Constitution, a Student Government member cannot hold more than one appointed or elected position.
      4. Settled: President can appoint himself as an Executive Commissioner, if he steps down from the office.
6. Announcements and Comments
   1. Pacella: have we had a chance to discuss the sentencing guidelines?
      1. Beah: Motion to take Rules of the Court discussion from the table.
      2. McCormick seconded. Passed.
      3. Rules of the Court
         1. Pacella: In the past, we have issued reprimands and not punishments in the past. In different decisions, the Student Court repeatedly makes decisions and clarifies that “this does not seek to establish precedent.” If the Court makes a decision, it needs to hold that decision firmly. I have separated the punishments into different categories based on severity.
         2. Melville: You should consider including case citations in the sentencing guidelines, only to clarify where the precedent is based.
         3. Pacella: These guidelines explain what historically has been done and what can be done
         4. McCormick: We can create a very condensed form of the guidelines to include in the short form.
         5. Dunwoody: We could provide the percentage of vote reductions in the short form.
         6. Pacella: Condensing the guidelines might confuse future courts.
         7. Melville: The danger of using a short form, or providing examples in general, is that it tends to become the basis for future decision making. This is both good and bad. The negative side is that we get into a cycle of “this is the way things have always been done.”
      4. McCormick: move to table discussion
      5. Dunwoody: second to table
7. Review of Action Items
   1. Melville 🡪 Follow up with McCormick on institutional research objectives.
   2. Melville 🡪 Follow up with Justices who will be attending Student Senate meeting in his place.
   3. Justices 🡪 Respond to Doodle Polls for CCRC, Senate attendance, and emergency meeting availability.
   4. Justices 🡪 Finish Book of Court Decisions titles by October 8.
   5. Justices 🡪 Continue reviewing the Rules of the Court.
8. Adjourn
   1. McCormick: Motion to Adjourn
   2. Beah: Seconded. Passes
   3. Adjourned: 8:41 PM