

**SENATE BILL #2107**

**Title:           Establishing a Judicial Records System**

**Date:            March 8, 2005**

**Authors:       Senators Case and Jordan**

**Sponsors:     Senators Chadwick, McKinzie; Student-at-Large Guier**

1.     WHEREAS, the Judicial Council of the Associated Students of the University
2.     of Wyoming (ASUW) has no official system for holding Judicial Council
3.     documents, interpretations, sanctions and opinions; and
4.     WHEREAS, Judicial Council records are currently passed down from Chief
5.     Justice to Chief Justice and not held by the Judicial Council Faculty Advisor;
6.     and
7.     WHEREAS, a centralized permanent record location would ensure that
8.     precedence of Judicial Council decisions are maintained during years of
9.     Council turnover; and
10.    WHEREAS, a centralized record location in the ASUW Office would give
11.    members of the ASUW executive and legislative branches access to Judicial
12.    Council records for reference in drafting legislation and programs; and
13.    WHEREAS, keeping a copy of Judicial Council records would increase the
14.    visibility and legitimacy of Council interpretations, sanctions and opinions.
15.    THEREFORE, be it enacted by the Student Senate of the Associated Students
16.    of the University of Wyoming that Article III, Section 3 of the ASUW By-
17.    Laws be amended to read as stated in Addendum A; and
18.    THEREFORE, be it further enacted that upon the ratification of this

19. amendment by the ASUW Senate the ASUW Judicial Council shall provide to
20. the ASUW office a copy of all previous Judicial Council documents,
21. interpretations, sanctions and opinions by April 29, 2005.

**Referred to:** Constitution Committee

**Date of Passage:** April 5, 2005

**Signed:**

  
(ASUW Chairperson)

“Being enacted on April 6, 2005, I do hereby sign my name hereto  
and approve this senate action.”

  
ASUW President

## ADDENDUM A

### Addition to the ASUW By-Laws (new language in bold)

- Section 3.** In the discharge of its responsibilities, the ASUW Judicial Council shall conduct its business pursuant to the principles of due process and fairness; it shall seek to protect the interests and rights of students, and it shall fulfill the following procedural requirements:
- A. Except in the matter of Constitution or By-Laws interpretation, the Council will not render a final decision until the appropriate body, unit or committee of original jurisdiction has fulfilled all of its responsibilities in the matter;
  - B. Decisions by the Council on matters where the Council has recommended to the Vice President for Student Affairs that sanctions be imposed against an individual student or a student organization may, at the discretion of the sanctioned students, be appealed to the University Board for Student Appeals before any action is initiated by the Vice President for Student Affairs;
  - C. All official hearings by the Council shall be conducted in accordance with written rules of procedure prepared by the Council; and such rules shall include provision for the following matters:
    - 1. The rules for procedure shall provide for the fundamentals of due process and fairness;
    - 2. In any situation where a charge is made against individual students or a student organization, the charge shall be made in writing, and those persons charged shall be provided with a copy of the charge along with the names of any persons who may speak against them;
    - 3. Each party to a dispute or charge shall have the right to be present in the meeting room during all testimony and they shall be afforded an opportunity to speak in their own behalf, present rebuttal, and present summary; and
    - 4. Each party to a dispute or charge shall be provided a written explanation of the reasons for any decision rendered by the Council;
  - D. **A permanent copy of all Council documents, interpretations, sanctions and opinions shall be kept on file in the ASUW office in order to uphold the precedence of Council decisions. All Council decisions must be turned into the ASUW Secretary within (10) academic days after a formal Council decision has been issued or the precedence of the case will not be honored.**
- Section 4.** Any member of the ASUW may bring a dispute before the ASUW Judicial Council. All complaints must be filed with the ASUW Secretary within ten (10) school days of the disputed action. The Council must meet regarding the complaint within ten (10) school days after the written complaint is filed.