

**B-F2019-01: To create a Student Government Judiciary Board and revise/define impeachment and recall proceedings.**

In the General Body,

Date: August 4th, 2019

Sponsors:       Suchir Govindarajan, Vice President for Governmental Affairs  
                      Jenni O'Neill, Executive Vice President  
                      Chris Driscoll, Alternate Student Trustee  
                      Jonathan DellaGatta, Speaker of the General Assembly  
                      Raj Toor, Student Trustee  
                      Kelsey Cogan, Vice President for Academic Affairs

A Bill,

To create an SG Judiciary Board, comprised of the Executive Vice President, Speaker of the General Assembly, and Alternate Student Trustee, to oversee the performance of SG members as it pertains to their responsibilities within the organizations. The Judiciary Board shall be responsible for bringing forth charges of impeachment so that when the case is presented to the General Body, it is for a vote for recall, or removal of office. This Bill streamlines the recall process and defines impeachment charges into three designations: nonfeasance, misfeasance, and malfeasance.

**Formatting:**

Article III, Section C  
Article III, Section K  
Article III, Section M  
Article VIII

**Details**

Article III, Section C, Clause 8 shall be added.  
Article III, Section C, Clause 8 shall read:

To serve on the SG Judiciary Board as outlined in Article VIII, Section 3.

Article III, Section K, Clause 12 shall be added.  
Article III, Section K, Clause 12 shall read:

To serve on the SG Judiciary Board as outlined in Article VIII, Section 3.

Article III, Section M, Clause 9 shall be added.

Article III, Section M, Clause 9 shall read:

To serve on the SG Judiciary Board as outlined in Article VIII, Section 3.

Article VIII, Section 1 shall be amended.

Article VIII, Section 1 shall read:

Impeachment shall be defined as a formal process of the SG Judiciary Board bringing charges to a member of the SG in order to remove that member from his/her office.

Article VIII, Section 1 shall be instilled.

Article VIII, Section 2 shall be amended.

Article VIII, Section 2 shall read:

Recall is defined as the removal of a member from office. This shall be conducted by a vote of the General Body, after formal impeachment charges are brought forth by the SG Judiciary Board. Recall proceedings shall be conducted during open session. The recall proceedings may not be recorded or documented in any manner by constituents or members of the SG. Any media outlets must sign a Non-Disclosure Agreement prior to the start of the recall proceedings.

Article VIII, Section 2 shall be instilled.

Article VIII, Section 3 shall be added.

Article VIII, Section 3 shall read:

A Student Government Judiciary Board shall oversee the performance of SG members throughout the semester and shall be responsible for presenting a formal charge of impeachment. The SG Judiciary Board shall be comprised of the Executive Vice President, Speaker of the General Assembly, and Alternate Student Trustee. If any member of the Judiciary Board is unable to perform his/her duty on the Judiciary Board or if any member is the party being investigated, then the Student Trustee shall serve on the Judiciary Board instead.

Article VIII, Section 4 shall be added.

Article VIII, Section 4 shall read:

Impeachment charges shall be separated into two designations; nonfeasance and misfeasance/malfeasance. Nonfeasance charges include failing to accrue the required number of Positive Program Points. Misfeasance charges include dereliction of duty, accumulating (20) Unexcused Negative Program Points, and failing to comply with the Judiciary Board. Malfeasance charges include inappropriate behavior, the wrongful exercise of authority, or corruption.

Article VIII, Sections 3-4 shall be renumbered as 5-6.

Article VIII, Section 5 shall be amended.

Article VIII, Section 5 shall read:

Recall proceedings should be announced to the General Body one week before the hearing, except in extenuating circumstances. The accused must be given a choice of at least two dates to appear before the General Body for the recall process. If the accused fails to make either date, he/she has the option to appoint a designee to present his/her case and answer questions. In this case, the prosecutor must send out a poll one week before the recall proceedings to collect potential questions for the designee to prepare answers to. This designee may not vote in the recall proceedings. If the accused does not appoint a designee, the recall process shall proceed without them. At the meeting during which the recall proceedings are scheduled, the proceedings must be prioritized on the Agenda, as to provide ample time for questions and deliberation.

Article VIII, Section 5 shall be instilled.

Article VIII, Section 6, Subsection A shall be amended.

Article VIII, Section 6, Subsection A shall read:

The Vice President for Governmental Affairs, or his/her designee, shall act as the prosecution. If the Vice President for Governmental Affairs is the party being impeached, the Student Trustee, or his/her designee, shall serve as the prosecution.

Article VIII, Section 6, Subsection A shall be instilled.

Article VIII, Section 6, Subsection B shall be amended.

Article VIII, Section 6, Subsection B shall read:

The prosecution will be allowed opening remarks charging the accused party of the violations in question. The accused will be allowed opening remarks refuting the charges.

Article VIII, Section 6, Subsection C shall be instilled.

Article VIII, Section 6, Subsection C shall be amended.

Article VIII, Section 6, Subsection C shall read:

Questions for the prosecution and the accused will be allowed from voting and non-voting members of the Student Government, as well as any constituents present.

Article VIII, Section 6, Subsection C shall be instilled.

Article VIII, Section 6, Subsection D shall be amended.

Article VIII, Section 6, Subsection D shall read:

A vote to recall the accused can be taken at any time after a minimum of five questions for both the prosecution and the accused. The accused shall be recalled with a 51%-majority vote of members present at the meeting. All votes must be conducted via a secret ballot.

Article VIII, Section 6, Subsection D shall be instilled.

Article VIII, Section 6, Subsection E shall be deleted.

Article VIII, Section 6, Subsection F shall be deleted.

**Effective Date:** Immediately