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1516.13 Constitutional Amendment: Writ of Certiorari Rights Proceedings

Rollins College Student Government Association

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Legislation 1516.13

Constitutional Amendment: Writ of Certiorari Rights Proceedings

**Sponsor: Matthew Cassidy
September 16, 2015**

Whereas: In order to best serve the Student Body Government Association in the most judicial and democratic way,

Whereas: There is presently no set grievance process established within The Rollins College Student Government Association,

Whereas: Every member deserves the right to mount a defense in the face of persecution and have a fair and impartial hearing,

Be It Hereby Resolved, That the Student Government Association Of Rollins College Will:

Strike And Replace Article VII, Section III, Subsection D of Student Body Constitution and amend to read as follows:

Section D:

- I.* All members / candidates of SGA have the right to file a Writ of Certiorari with the Office of The Chief Justice and serve as plaintiff to their complaint.
- II.* These proceedings are done through formal petition (The Writ of Certiorari). This form will be available upon request from The Office of the Chief Justice.
- III.* This Writ Of Certiorari may be brought against any member* of The Student Government Association by any member of The Student Government Association in the event of failure of duties, gross negligence, mismanagement or malfeasance.
 - A.* The legal exception being The President him/herself in which case a Vote of No Confidence would need to be entered by the Senate followed by Impeachment Proceedings.
- IV.* The Chief Justice has ten calendar days to schedule a hearing regarding the active Writ of Certiorari.
- V.* In the event the Chief Justice does not schedule a hearing within this time frame, the case will automatically be dismissed as a Pocket Dismissal.
- VI.* Within five days of the hearing, the Judicial Board must convene and publish a legal opinion with recommendation for repercussions for the defendant. Such repercussions range from a formal reprimand to dismissal from post or candidacy.