



JUDICIAL BOARD BYLAWS

This Edition Amended: 3/11/2009

DASB JUDICIAL BOARD BYLAWS

TABLE OF CONTENTS

	Preamble	1
Article I	De Anza Associated Student Body Judicial Board	2
Section	(1) Name	2
	(2) Duties and responsibilities	2
Article II	Members	3
Section	(1) Judicial Board Make-Up	3
	(2) Eligibility Requirements	3
	(3) Duties, Responsibilities and Privileges	3
Article III	Meetings	5
Section	(1) California Open Meeting Laws	5
	(2) Parliamentary Procedure of Meetings of the Judicial Board	5
	(3) Regular Meetings of the Judicial Board	5
	(4) Special Meetings of the Judicial Board	5
	(5) Emergency Meetings of the Judicial Board	5
Article IV	Quorum	6
Section	(1) Establishment of Quorum	6
	(2) Actions Sanctioned in the Absence of Quorum	6
	(3) Actions Prohibited in the Absence of Quorum	6
Article V	Appointment	7
Section	(1) Terms of Office	7
	(2) Appointment Process of DASB Justice	7
	(3) Appointment Process of DASB Chief Justice	7
Article VI	Resignations, Absences and Removal	8
Section	(1) Resignations	8
	(2) Absences	8
	(3) Automatic Removal	8
	(4) Impeachment	8
Article VII	Right to Act	9
Article VIII	Complaints	10
Section	(1) Filing of Complaints	10
	(2) Trial	10
	(3) Judgment	10
	(4) Appeal	10
Article IX	Enabling Clause	12

PREAMBLE

De Anza Associated Student Body (hereafter referred to as DASB Judicial Board is established to ensure separation of powers of DASB. DASB declares that DASB shall ensure the check and balance procedure for fairness and social justice functions with this DASB Judicial Board.

ARTICLE I: DE ANZA ASSOCIATED STUDENT BODY JUDICIAL BOARD

Section 1: Name

The name of this representative judicial body shall be the De Anza Associated Student Body Judicial Board, hereinafter referred to as the DASB Judicial Board.

Section 2: Duties and Responsibilities

The DASB Judicial Board shall:

- A. Perform all duties and responsibilities as outlined in the DASB Constitution and the DASB Judicial Board Bylaws.
- B. Hold meetings as specified in the Article III and post documents of those meetings for public viewing.
- C. Oversee and be responsible for the expenditure of DASB Judicial Board funds.
- D. See that a fair and impartial election is held in accordance with the adopted Elections Code and that ethical standards are maintained in all procedures.
- E. Examine, accept or deny, and judge DASB complaints that pertain to violation of the DASB Code of Conduct, the DASB Constitution, the DASB Senate Bylaws, the DASB Judicial Board Bylaws, the DASB Codes, or any other DASB statutes or policies.
- F. Interpret and review the DASB Constitution, the DASB Senate Bylaws, the DASB Judicial Board Bylaws and the DASB Codes, in consultation with the DASB Judicial Board Advisor.
- G. Declare any decisions approved or procedures adopted by DASB Senate unconstitutional, which do not comply with the DASB Constitution, the DASB Senate Bylaws, the DASB Judicial Board Bylaws and the DASB Codes.
- H. *Establish equitable judgment in case in which no precedent has been established.*
- I. Review and propose amendments to the DASB Judicial Board Bylaws as deemed necessary, referring them to the DASB Administration Committee, and act in accordance with the adopted DASB Judicial Board Bylaws.

ARTICLE II: MEMBERS

Section 1: Judicial Board Make-Up

The DASB Judicial Board shall consist of the following:

- A. Voting members
 - At least five (5) but no more than seven (7) DASB Justices, including DASB Chief Justice
- B. Ex-officio members
 - DASB Judicial Board Advisor

Section 2: Eligibility Requirements

Each DASB Justices shall, throughout the entire period from application to the end of their term of office:

- A. Be a current DASB member (not applicable during Summer Quarter).
 - 1. At the beginning of each quarter, each DASB Justices shall have up to two (2) weeks to comply with this requirement.
- B. In accordance with the California State Education Code, be enrolled in at least seven and one half (7.5) quarter units (not applicable during Summer Quarter).
 - 1. At the beginning of each quarter, each DASB Justices shall have up to two (2) weeks to comply with this requirement.
- C. In accordance with the California State Education Code, maintain a cumulative 2.0 GPA.
- D. Not be on social, academic or disciplinary probation.
- E. Not be a current Inter Club Council representative or officer. (not applicable during the period from application to confirmation.)
- F. Not be a current or former DASB Senator, Junior Senator or Agent.
- G. Not be a current or former De Anza Student Trustee.
- H. Not be seeking a position of DASB Senate office or De Anza Student Trustee.
- I. Not associated with any DASB Senator, Junior Senator, Agent or De Anza Student Trustee.
- J. Not associated with any DASB Senatorial and Student Trustee candidates.

Section 3: Duties, Responsibilities and Privileges

A. DASB Justice

Each DASB Justices shall:

- 1. Serve as a voting member of the DASB Judicial Board.
- 2. Attend all meetings of the DASB Judicial Board.
- 3. Maintain a minimum of two (2) regular and publicly posted office hours per week (except during Summer Quarter, breaks, or the first week, dead week or finals week of each quarter).
- 4. Submit their regular office hour schedule to the DASB Executive Vice President by the end of the first week of each quarter, or of holding office (except Summer Quarter).
- 5. Adhere to and become familiar with the DASB Constitution, the DASB Senate Bylaws, the DASB Judicial Board Bylaws, all the relevant DASB Codes, College/District Regulations and any other DASB statues and policies.
- 6. Become familiar with the form of parliamentary procedure, as specified in the Article III, Section 2.
- 7. Not run for a DASB Senate or a De Anza Student Trustee position.
- 8. Remain fair and impartial in all dealings with DASB Senatorial and Student Trustee candidates, proposed ballot measures, students and members of the public.

9. Encourage potential candidates to submit completed election applications to the Office of College Life by the application deadline.
10. Ensure that all DASB Senatorial and Student Trustee candidates maintain the eligibility requirements as specified in the adopted Elections Code through out the entire period from their application to the final tallying of the election results.
11. Be given the privilege of priority registration.
12. Be issued copy codes.

B. DASB Chief Justice

The DASB Chief Justice shall:

1. Follow the duties, responsibilities and privileges of a DASB Justice, as specified in the Article II, Section 3, A.
2. Serve as the presiding member of the DASB Judicial Board, and seek to facilitate the decision-making process of that body.
3. Act as the official spokesperson of the DASB Judicial Board.
4. In accordance with the California Open Meeting Laws (Ralph M. Brown Act), schedule and set the agenda of all meetings of the DASB Judicial Board as specified in the Article III, Section 1.
5. Notify the accuser and the defendant regarding the trial as specified in the Article VIII.
6. Be an authorized and required signer for all DASB Judicial Board expenditures.
7. Be a member of the following Committees and attend all of its meetings:
 - i. DASB Senate
 - ii. Student Grievances Committee

ARTICLE III: MEETINGS

Section 1: California Open Meeting Laws

All meetings of the DASB Judicial Board and its Internal Committees shall be conducted in accordance with the California Open Meeting Laws (Ralph M. Brown Act).

Section 2: Parliamentary Procedure of Meetings of the Judicial Board

All meetings of the DASB Judicial Board shall be conducted in accordance with Standard Code of Parliamentary Procedure; Sturgis, Alice; 4th Edition.

Section 3: Regular Meetings of the Judicial Board

In accordance with the DASB Constitution, the DASB Judicial Board shall conduct regular meetings on Tuesday, at least once per month as deemed necessary by the DASB Chief Justice or Judicial Board, excluding during break, first week, dead week and finals week, with each meeting convening before 5:00 PM and adjourning after 5:00 PM.

- A. After the announcement of election schedule and procedure, the DASB Judicial Board shall conduct regular meetings once per week until the club endorsement week, as specified in the adopted Elections Code.
- B. During campaign and election weeks, the DASB Judicial Board shall conduct regular meetings twice per week, as specified in the adopted Elections Code.
- C. DASB Judicial Board shall conduct the complaint meeting as specified in the adopted Elections Code.

Section 4: Special Meetings of the Judicial Board

- A. All special meetings of the DASB Judicial Board shall be held in compliance with the following requirements:
 1. All calls for special meetings must include a clear description of the business to be dealt with at that special meeting.
 2. In accordance with the California Open Meeting Laws (Ralph M. Brown Act), at special meetings the DASB Judicial Board shall only deal with business which is specified in the call for that meeting and its agenda.
- B. Special meetings may be called by the DASB Chief Justice or a majority of the current DASB Justices at any time, provided that written notice can be publicly posted, given to each DASB Justice, and to notify at least twenty-four (24) hours prior to the meeting's commencement all the De Anza College media outlets who have requested notice in writing.

Section 5: Emergency Meetings of the Judicial Board

In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the DASB Chief Justice shall be permitted to call an emergency meeting of DASB Judicial Board provided that written notice can be publicly posted, given to each DASB Justice, and to notify at least one (1) hour prior to the meeting's commencement all the De Anza College media outlets who have requested notice in writing (see Section 54956.5 of the Ralph M. Brown Act).

ARTICLE IV: QUORUM

Section 1: Establishment of Quorum

Quorum for DASB Judicial Board meetings shall be established when a simple majority of the Justices are present.

Section 2: Actions Sanctioned in the Absence of Quorum

The DASB Judicial Board shall be permitted in the absence of quorum to have:

- Call to order
- Roll Call
- Public Comments
- Business Reports
- Information Items
- Adjournment

Section 3: Actions Prohibited in the Absence of Quorum

The DASB Judicial Board shall not take any official vote upon, or take any official action regarding any issue at any of their meetings when quorum is not in effect.

- A. Exception: At the discretion of those active DASB Justices in attendance, the DASB Judicial Board shall be permitted to take official votes and actions on an emergency basis when quorum is not in effect, but if not subsequently ratified at a DASB Judicial Board meeting with quorum, all such actions shall be considered null and void.

ARTICLE V: APPOINTMENT

Section 1: Terms of Office

- A. The term of office shall begin on the Fall Quarter Week Six (6) and end on the Spring Quarter Week Ten (10).
- B. All DASB Justices shall take the office after they have been sworn into office.
- C. Each current DASB Justices shall hold their office until one of the following conditions is met:
 - 1. They hold the office for one (1) term.
 - 2. They voluntarily resign from their office, as specified in the Article VI, Section 1.
 - 3. They are removed from office, as specified in the Article VI.

Section 2: Appointment Process of DASB Justice

In the event that the position of DASB Justice becomes vacant, any current DASB member may become a DASB Justice by:

- A. Meeting all the eligibility requirements of DASB Justices as stated in Article II, Section 2.
- B. Submitting a completed DASB Justice application to the Office of College Life on or before the Fall Quarter Week Four (4).
 - 1. Exception: If less than five (5) applicants has submitted a completed DASB Justice application by the Fall Quarter Week Four (4), the application deadline shall be extended until total of at least five (5) applicants has submitted the application.
- C. Receiving confirmation of their eligibility from the Office of College Life.
- D. Being interviewed by the DASB Executive Council and the DASB Judicial Board Advisor by the Fall Quarter Week Five (5).
 - 1. Exception: If the application deadline is extended, the interview shall be held by the next week of application deadline.
- E. Being nominated by the DASB Executive Council as a slate of five (5) or seven (7) DASB members, which shall be sent to the DASB Senate.*
- F. Receiving the approval of the DASB Senate by a two-third (2/3) vote.
- G. Attending mandatory DASB New Judicial Board Orientation.
- H. Being sworn in by the DASB President.

Section 3: Appointment Process of DASB Chief Justice

In the event that the position of DASB Chief Justice becomes vacant, the DASB President shall follow the steps below:

- A. Immediately open nominations for the position of DASB Chief Justice to the DASB Justices.
- B. Close nominations upon a majority vote of the DASB Senate.
- C. Give each nominee the opportunity to speak before the DASB Senate and answer its question.
- D. Conduct an election by the DASB Senate to fill the vacancy.
 - 1. If one (1) candidate is running for the position, a majority vote shall be held.
 - 2. If two (2) or more candidates are running for the position, a majority approval vote shall be held.
 - 3. If two (2) or more candidates are tied for first place, a runoff vote shall be held between them.
- E. Once a DASB Chief Justice is elected, they shall immediately assume all the duties and responsibilities of their position.

ARTICLE VI: RESIGNATIONS, ABSENCES AND REMOVAL

Section 1: Resignations

- A. Any DASB Justices may resign from office at any time.
- B. It is required that resignations be tendered in writing and submitted to the DASB President or Executive Vice President.

Section 2: Absences

- A. Any of the following by a DASB Justice, except as noted in subsection C, shall be considered to be one (1) unexcused absence.
 - 1. One (1) missed DASB Judicial Board meeting
 - 2. Two (2) missed office hours.
- B. Any of the following by a DASB Chief Justice, except as noted in subsection C, shall be considered to be one (1) unexcused absence:
 - 1. One (1) missed DASB Senate meeting
 - 2. One (1) missed Student Grievance Committee meeting
- C. The DASB President and the DASB Executive Vice President shall be empowered to approve all requests for excused absences that they feel are of merit.

Section 3: Automatic Removal

- A. When DASB Justice fails to meet their eligibility requirements listed in Article II Section 2, or have three (3) unexcused absences within one (1) quarter defined in Article VI Section 2, that DASB Justice shall be automatically questioned to be removed.
- B. The DASB Executive Vice President shall present the case of removal of DASB Justice to the DASB Senate. If the minutes and the DASB Justice in question confirm the failure to meet their eligibility requirements or unexcused absences, in conjunction with the approval of the DASB Senate, then the DASB Justice in question shall be removed automatically.
- C. The DASB Executive Vice President shall notify the DASB Justice through certified return receipt requested mail that said DASB Justice shall be removed from office at the next regular DASB Senate meeting.

Section 3: Impeachment

- A. Any five (5) DASB Senators acting together may invoke impeachment proceedings for any DASB Justices by submitting a Bill of Particulars to the DASB Senate calling for the removal of a DASB Justice from the DASB Judicial Board.
- B. The Bill of Particulars must cite the section(s) of the DASB Judicial Board Bylaws, the DASB Codes or College/District Regulations that have been violated by the DASB Justice in question.
- C. DASB Executive Vice President shall notify the DASB Justice in question of their right to appear at the removal proceeding, which shall be at the next regular DASB Senate meeting.
- D. The DASB Executive Vice President shall place the impeachment proceeding on the DASB Senate agenda and present the DASB Justice's case of impeachment to the DASB Senate.
- E. The DASB Senate shall debate the act of removing the DASB Justice in question.
- F. The DASB Senate may remove the DASB Justice with the approval of a two-thirds (2/3) vote of the DASB Senate.
- G. A DASB Justice removed from the office shall be allowed one (1) appeal within two (2) regular DASB Senate meetings of their removal.

ARTICLE VII: RIGHT TO ACT

No DASB Justices shall have the right to incur any debt or get involved in any business on behalf of the DASB Judicial Board unless they are given the authority or responsibility to do so by the DASB Constitution, the DASB Judicial Board Bylaws, the DASB Codes or the DASB Judicial Board.

ARTICLE VIII: COMPLAINTS

Section 1: Filing of Complaints

- A. Any of the following DASB complaints must be submitted in writing to the DASB Judicial Board Advisor in care of the Office of College Life:
 - 1. Student complaint
 - 2. Election complaint
 - 3. Breach of the DASB Code of Conduct by a DASB Senate member
- B. DASB Complaint must cite the section(s) of the DASB Constitution, the DASB Senate Bylaws, the DASB Judicial Board Bylaws, the DASB Codes or College/District Regulations that have been violated by the student in question.
- C. All DASB complaints shall be reviewed by the DASB Justices.
- D. The DASB Chief Justice shall notify the defendant of the charges against him/her and notify him/her of his/her rights.

Section 2: Trial

- A. The DASB Chief Justice shall hold the trial as an agenda item in the meeting of the DASB Judicial Board:
 - 1. within two (2) weeks upon the filing of student complaint.
 - 2. after 1:00 pm on the second (2nd) business day after the last day of polling for election complaint, as specified in the adopted Elections Code.
 - 3. within two (2) weeks upon the filing of breach of the DASB Code of Conduct.
- B. The trial shall follow the steps below:
 - 1. The Accuser and the Defendant shall be given an opportunity to make an opening statement.
 - 2. The Accuser and the Defendant shall be given an opportunity to present evidences and witnesses.
 - 3. The Accuser and the Defendant shall be given an opportunity to make a closing statement.
 - 4. The DASB Justices shall discuss based upon the complaint filed.
 - 5. The student shall be disciplined with a majority vote of the DASB Justices.
- C. If the accuser or the defendant fails to appear at a trial called by the DASB Chief Justice, the DASB Chief Justice may proceed as if the trial had been held.
- D. The DASB Judicial Board shall tape record all trials using videotape and audiotape.

Section 3: Judgment

- A. Possible disciplinary actions shall include, but not be limited to:
 - 1. Removal from the DASB Senate.
 - 2. Disqualification from the DASB Election.
 - 3. Forced leave of absence from the DASB Senate.
 - 4. Being required to make a public apology and a promise of appropriate future behavior.
 - 5. Referral to the appropriate college office for other possible disciplinary action.
- B. All the judgment made by the DASB Judicial Board shall be final and binding to any and all parties involved.

Section 4: Appeal

- A. In the occurrence the DASB Judicial Board judges not to remove a DASB Senate member from the office, the accuser shall be allowed to demand a special recall election.

1. The DASB Judicial Board shall then hold a recall election within two (2) weeks of the accuser's demand.
 2. If the DASB Senate member in question is recalled by a majority of the votes cast, they shall then be removed from office.
 3. All recall election shall be held in accordance with the adopted Elections Code, with all expenses assumed by the DASB.
- B. In the occurrence the DASB Judicial Board judges that no violation has occurred, the accuser shall be allowed one (1) appeal within one (1) DASB Judicial Board meetings of the trial.
- C. A DASB Senate member removed from the office shall be allowed one (1) appeal within one (1) DASB Judicial Board meetings of their removal.
- D. A DASB Senatorial and Student Trustee candidate disqualified from the DASB Senate and De Anza Student Trustee Election shall be allowed one (1) appeal within one (1) DASB Judicial Board meetings of their disqualification.
- E. All the judgment made by the DASB Judicial Board shall not be appealed to the DASB Senate.

ARTICLE IX: ENABLING CLAUSE

These DASB Judicial Board Bylaws, as outlined, shall be adopted and become effective upon 1st of July, 2009, with approval in accordance with the DASB Senate Bylaws and shall supersede all conflicts with the adopted Elections Code and the previous DASB Judicial Board Code.

Adopted: 10/22/2008

Amended: 3/11/2009