

10-29-2012

Senate Bill 2012.0013 Vetoed

Student Government Association BBC, Florida International University

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SENATE BILL

Florida International University ◊ Student Government Council ◊ Biscayne Bay Campus

Agenda Item: Adding new duties to each member of the Judicial Branch
Authors: Abel Ramos Taype, Senator At Large/Speaker Pro Tempore

Sponsors: Odimayo Oluwatamilore, Senator At Large/Speaker of the Senate
Carolina Krauskopf, Honors College Senator
Kimberly Jurgensen, Journalism & Mass Communication Senator

Committee: As a Whole

Date: October 29, 2012

Adding new duties to each member of the Judicial Branch

Section 1: In Chapter 501 of the Structure and Leadership of the Judicial Branch, additional job duties were added to officers of the Judicial Branch

Section 2: Chapter 501 Structure and Leadership

501.01 The SGC-BBC Supreme Court shall be composed of

(i) Chief Justice

(1) The SGC-BBC Chief Justice shall be the chief administrator in the Supreme Court and a member of the Executive Board

(2) The Chief Justice shall receive writs and cases for legal review from any student or organization.

(3) The SGC-BBC Chief Justice shall serve as the SGC-BBC Parliamentarian

a) In absence of the SGC-BBC Chief Justice during a given SGC meeting, any Associate Justice may serve as the SGC-BBC Parliamentarian.

b) The Chief Justice shall have a limit of delegating Associate Justices as Parliamentarians for up to four (4) meetings per semester.

(4) The Chief Justice must schedule at least one (1) judicial meeting per month.

~~(i) The SGC-BBC Chief Justice shall be the chief administrator of the Supreme Court and a member of the Executive Committee.~~

~~(ii) The SGC-BBC Chief Justice shall serve as the SGC-BBC Parliamentarian.~~

~~(1) In absence of the SGC-BBC Chief Justice during a given SGC meeting, any Associate Justice may serve as the SGC-BBC Parliamentarian.~~

~~(iii) The Court Clerk is responsible for the following:~~

~~(1) Naming and assigning a citation to petitions received by the Supreme Court.~~

~~a) In crafting the name of the case, the plaintiff shall be listed first, followed by the defendant (e.g., Soviet Union v. U.S.)~~

~~b) In assigning a citation to the case, the Supreme Court designation shall be listed first, followed by the Semester and year in which the petition was adjudicated (i.e., S.C. 001 (Fall 2010))~~

~~(2) Making available, for public consumption, the vote and the majority and dissenting and relative concurring opinions, as well as the name and citation of the case.~~

~~a) A hard copy of the opinions relative to each petition shall be filed in a binder in the SGC-BBC office, located in Wolfe University Center, Room 301.~~

~~b) The opinions shall be published at the SGC-BBC website.~~

502.03 Any SGC official can be referred for judicial hearing for misfeasance, malfeasance, or nonfeasance as stated in the SGC- BBC Statutes. This review shall be instigated by a written grievance, filed as a writ of certiorari, which may be submitted by any member of the student body to the Supreme Court.

(1) In the case that the plaintiff is the Senate Internal Affairs Committee or the ~~Department of Justice Supreme Court~~, the committee or department shall prepare a report containing all the applicable information regarding the official.

(2) In the case that a student presents the *writ of certiorari*, that student is entitled to present the case and evidence or request and allow the ~~Department of Justice Supreme Court~~ to take up the plaintiff role, by presenting the evidence and presenting the argument in the hearing.

i) The ~~Department of Justice Supreme Court~~ has the prerogative to accept or deny the student's request to present a case on the student's behalf.



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Comment [PH1]: Of the whole

Date: October 29, 2012

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b) The Chief Justice shall have a limit of delegating Associate Justices as Parliamentarians for up to four (4) meetings per semester.

(4) The Chief Justice must schedule at least one (1) judicial meeting per month.

Comment [PH2]: This is unreasonable. You want one person to attend all committee meetings, eboard meetings, cabinet meetings, senate meetings, ect. It is unreasonable to make this one person's job, only allowing them to delegate it 4 times per semester. You may want to reconsider this. Since there has to be a parliamentarian at every meeting, I would suggest you amend this to say that the chief justice can appoint a justice to attend a particular meeting for the length of the semester. Otherwise you are saying that the chief justice has to attend about 9 meetings per week.

(1) In the case that the plaintiff is the Senate Internal Affairs Committee or the Supreme Court, the committee or department shall prepare a report containing all the applicable information regarding the official.

Comment [PH5]: Judicial Branch

(2) In the case that a student presents the writ of certiorari, that student is entitled to present the case and evidence or request and allow the Supreme Court to take up the plaintiff role, by presenting the evidence and presenting the argument in the hearing.

Comment [PH6]: Judicial Branch

i) The Supreme Court has the prerogative to accept or deny the student's request to present a case on the student's behalf.

Comment [PH7]: Judicial Branch

Section 3: This section shall be implemented by spring of 2013 with a super majority vote of the Senate.

<input type="checkbox"/> Enact	Senate Bill: 2012.0013	<u>In Favor Of:</u> <u>12</u>	<u>Opposed:</u> <u>1</u>	<u>Abstained:</u> <u>0</u>
<input type="checkbox"/> Veto		<u>Date Signed:</u>		
X <hr/> Pablo Adam Haspel, SGC President				

December 3, 2012

Oluwatamilore Odimayo
SGC-BBC Speaker of the Senate

RE: VETO Bill 2012.0013

Hello Speaker Odimayo,

This memo is to inform you of the veto of Bill 2012.0013 concerning the additional duties for the judicial brach. There appears to have been an oversight as to the new provisions for the chief justice. It is unreasonable to ask one person to attend over 7 meetings a week since there is supposed to be a parliamentarian in all meetings. It cannot be expected that one person attend all these meetings. Also, there is no method for selecting an interim chief justice, which would leave the decision as a free for all as it stands. I have attached a document containing specific comments to the memo to make it easier on you. If these changes are implemented or an appropriate solution is found I will be content to sign the bill.

Sincerely,



Pablo A. Haspel
Student Government President – Biscayne Bay Campus