

California College Republicans Judicial Board

HEARING PROCEDURE RULE

RULE 1. Preliminary Hearing; Arraignment

§1.1 Means of Holding a Preliminary Hearing; Arraignment

§1.1.1 The Chief Justice may decide to hold the hearing on-line via a video chat or to hold the hearing in person.

§1.1.2 A preliminary hearing shall only hear evidence, arguments regarding evidence, and citations of the rule

§1.1.3 All Preliminary Hearings shall be closed to the public unless specified by the Chief Justice

§1.2 Introductions

§1.2.1 The Chief Justice or acting Chief Justice of the Judicial Board will introduce themselves

§1.2.2 The Chief Justice or acting Chief Justice will state—for the record—the number of justices currently in attendance for the hearing, including themselves

§1.2.3 Justices in attendance will introduce themselves by full name

§1.2.4 A member of the Board acting as clerk will indicate themselves as such

§1.2.5 The acting parliamentarian, if in attendance, will indicate themselves as such

§1.2.6 A member of the Board will read a summary of the charges

§1.3 Arraignment

§1.3.1 The Chief Justice will give the defendant the opportunity to plead guilty or not guilty

§1.4 Plaintiff Testimony; Evidence

§1.4.1 Plaintiff will provide a testimony no longer than 10 minutes

§1.4.2 Relevant witnesses for the Plaintiff will provide testimonies no longer than three minutes apiece

§1.4.3 Plaintiff will provide any evidence they wish to submit per the Judicial Board's Rules of Evidence.

§1.4.4 Evidence not submitted during the preliminary hearing will not be accepted as evidence during the formal hearing.

§1.5 Defendant Testimony; Evidence

§1.5.1 Defendant will provide a testimony no longer than 10 minutes

§1.5.2 Relevant witnesses for the Defendant will provide testimonies no longer than three minutes apiece

§1.5.3 Defendant will provide any evidence they wish to submit per the Judicial Board's Rules of Evidence.

§1.5.4 Evidence not submitted during the preliminary hearing will not be accepted as evidence during the formal hearing.

§1.6 Determination of Formal Hearing 1

§1.6.1 If at least three (3) Judicial Board members determine that the case is within the jurisdiction of the Judicial Board, then a Formal Hearing shall be convened with its date, time, and place announced within one (1) day of the Preliminary hearing.

§1.6.2 In setting time and dates for Formal Hearings, the Judicial Board

shall allow at least five (5) working days, but no more than one (1) academic quarter (as defined by the University of California, Irvine), with the option for extension by a vote of the Judicial Board. In matters relating to a pending election, a formal hearing shall be held within 5 days of the Preliminary hearing

§1.6.3 The petitioner may request the Judicial Board subpoena any member of the California College Republicans, and that the subpoenaed member be given good notice and ability to testify

§1.6.4 The Judicial Board may choose to impose injunctions as necessary

RULE 2. Formal Trial Hearing

§2.1 Means of Holding a Formal Trial Hearing; Basic Procedures

§2.1.1 The Formal Hearing must be held in person

§2.1.2 The Formal hearing will only submit as evidence any evidence that both complies with the Judicial Board's Rules of Evidence and that which was submitted at the prior preliminary hearing

§2.1.3 Formal Hearings shall be open to all California College Republicans members unless decided otherwise by a majority of the Judicial Board members voting affirmatively or negatively prior to the hearing. A vote on this matter can be initiated either by a Judicial Board member or at the request of the Respondent.

§2.1.4 When procedural questions are raised at Formal Hearings or when evidence or testimony is questioned on the grounds of relevancy or admissibility, it shall be ruled upon by the Chief Justice. The Chief Justices decision may be appealed by any other Judicial Board member. The Judicial Board member shall then move to a closed session to discuss the appeal, whereby by majority decision they may overrule the Chairs decision

§2.1.5 The right to be a witness and offer testimony before the Judicial Board shall not be limited to the members of the California College Republicans

§2.1.6 All witnesses shall be informed of their obligation to tell the truth prior to presenting testimony before the Judicial Board

§2.1.7 All witnesses shall be presented prior to the final summations of both parties

§2.1.8 All evidence, witnesses, and other methods of proof must be submitted prior to the Formal Hearing at the Preliminary Hearing except in cases of request by the Chief Justice or the majority of the Judicial Board

§2.2 Introductions

§2.2.1 The Chief Justice or acting Chief Justice of the Judicial Board will introduce themselves

§2.2.2 The Chief Justice or acting Chief Justice will state—for the record—the number of justices currently in attendance for the hearing, including themselves 2

§2.2.3 Justices in attendance will introduce themselves by full name

§2.2.4 A member of the Board acting as clerk will indicate themselves as such

§2.2.5 The acting parliamentarian, if in attendance, will indicate themselves as such

§2.2.6 A member of the Board will read a summary of the charges

§2.3 Plaintiff's Statement; Witnesses

§2.3.1 Plaintiff will provide a statement no longer than 10 minutes; this is encouraged to be a written statement but is not required

§2.3.2 The plaintiff will present any evidence they have

§2.3.3 The Board will be given the opportunity to ask questions of the plaintiff pertinent to their testimony and evidence

§2.3.4 The defendant will be given the opportunity to cross-examine the plaintiff with questions pertinent to their testimony and evidence

§2.3.5 Witnesses for the plaintiff will each be given the opportunity to provide testimony (3 minutes apiece)

§2.3.6 The Board will be given the opportunity to ask questions of each witness after their testimony

§2.3.7 The defendant will be given the opportunity to ask questions of each witness after the Board has finished

§2.4 Defendant's Statement; Witnesses

§2.4.1 Defendant will provide a statement no longer than 10 minutes; this is encouraged to be a written statement but is not required

§2.4.2 The defendant will present any evidence they have

§2.4.3 The Board will be given the opportunity to ask questions of the defendant pertinent to their testimony and evidence

§2.4.4 The plaintiff will be given the opportunity to cross-examine the defendant with questions pertinent to their testimony and evidence

§2.4.5 Witnesses for the defendant will each be given the opportunity to provide testimony (3 minutes apiece)

§2.4.6 The Board will be given the opportunity to ask questions of each witness after their testimony

§2.4.7 The defendant will be given the opportunity to ask questions of each witness after the Board has finished

§2.5 Final Comments

§2.5.1 Plaintiff will have 5 minutes to make any final comments

§2.5.2 Defendant will have 5 minutes to make any final comments

§2.5.3 Board members will have the opportunity to ask any final questions for either party, as well as all witnesses present

§2.5.4 the hearing will be closed and deliberation will take place

RULE 3. Post-Trial

§3.1 Decisions

§3.1.1 Decisions and judgments reached by the Judicial Board shall be announced in a general meeting, with the decision open to the public

§3.1.2 If the decision is pertinent to the voting delegates of the California College Republicans General Session, the Judicial Board shall advise the respondent of their right to appeal

§3.1.3 the majority decision shall be recorded in writing and made available to the public within one week of the hearing

§3.1.4 any dissenting opinions may also be recorded in writing and made available if the dissenting judges wish to do so