To Approve Modifications to the Judicial Board By-Laws: Timeline for Approving Amendments
GSC 8-Judicial-4

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Submitted for Previous Notice: 7 January 2004.
Submitted for Consideration: 
Requirements for Approval: Consensus or majority vote.

WHEREAS it the responsibility of the GSC to review all proposed judicial changes so that they can be implemented effectively,

WHEREAS the Judicial Board has asked that a reasonable time constraint be placed on the review process for amendments to the Judicial By-laws and Student Conduct Penalty Code,

THEREFORE let it be resolved by the Graduate Student Council of Stanford University:

THAT the following 2 amendments to the Judicial Board By-Laws be approved:

Judicial Procedures / Board on Judicial Affairs / Powers (By-laws)

The Judicial Charter, Section III.A.2., provides:

a) The Board shall have the exclusive power to adopt or modify By-laws specifying policies and procedures pertaining to judicial affairs. All such By-laws must be consistent with this Charter.

b) Whenever the Board adopts or modifies its [sic] By-laws, it shall inform the community, and shall forward the text of the changes to the chair of the Undergraduate Senate of the Associated Students of Stanford University, the chair of the Graduate Student Council of the Associated Students of Stanford University, the Chair of the Senate of the Academic Council, and the President of the University.

c) Any By-law adopted or modified by the Board can be overruled by any one of the four following entities: the Undergraduate Senate of the Associated Students of Stanford University, the Graduate Student Council of the Associated Students of Stanford University, the Senate of the Academic Council, the President of the University.

The Board recognizes the need for a reasonable limitation as to the time within which a By-law may be overruled, in order to promote clarity, certainty and equity in the judicial process. Therefore, to address the problematic open-ended nature of the authority to overrule a By-law, the Board has adopted the following provision:
The Board shall notify the four entities listed in c) above of a new or modified By-law no later than seven (7) days following Board approval.

An entity noted in subsection c) above has until the end of the next academic quarter following the quarter in which the Board approved a new or modified By-law (excluding summer) to overrule it.

Unless any one of the four entities overrules it, a new or modified By-law shall become effective on the first day of the second quarter following the quarter in which the Board approved it (excluding summer).

This By-law shall take effect Spring Quarter 2003-04.

(ADOPTED Fall 2003)

Judicial Procedures / Board on Judicial Affairs / Powers (Student Conduct Penalty Code)

The Judicial Charter, Section III.A.2., provides:

d) The Board has the authority to adopt and/or modify the Student Conduct Penalty Code.

e) Whenever the Board adopts or modifies the Student Conduct Penalty Code, it shall inform the community, and shall forward the text of the changes to the chair of the Undergraduate Senate of the Associated Students of Stanford University, the chair of the Graduate Student Council of the Associated Students of Stanford University, the chair of the Senate of the Academic Council, and the President of the University.

f) Any adoption or modification of the Student Conduct Penalty Code can be overruled by any one of the four following entities: the Undergraduate Senate of the Associated Students of Stanford University, the Graduate Student Council of the Associated Students of Stanford University, the Senate of the Academic Council, the President of the University.

The Board recognizes the need for a reasonable limitation as to the time within which an adoption or modification of the Student Conduct Penalty Code may be overruled, in order to promote clarity, certainty and equity in the judicial process. Therefore, to address the problematic open-ended nature of the authority to overrule an adoption or modification of the Student Conduct Penalty Code, the Board has adopted the following provision:

The Board shall notify the four entities listed in c) above of an adoption or modification of the Student Conduct Penalty Code no later than seven (7) days following Board approval.

An entity noted in subsection c) above has until the end of the next academic quarter following the quarter in which the Board adopted or modified the Student Conduct Penalty Code (excluding summer) to overrule it.
Unless any one of the four entities overrules it, an adoption or modification of the Student Conduct Penalty Code shall become effective on the first day of the second quarter following the quarter in which the Board approved it (excluding summer).

This By-law shall take effect Spring Quarter 2003-04.

(ADOPTED Fall 2003)