

## **SBA Court Mission Statement**

The mission of the Honor Code Committee is to promote and uphold the ethical values of the legal profession. By setting and meeting high ethical standards, Penn State Law students prepare themselves to stand alongside members of the Bar with honesty and integrity. The Honor Code Committee's primary responsibilities are to work in conjunction with Dean of Academic Affairs to adjudicate matters concerning academic misconduct and dishonesty by students, to increase student interest and awareness of the ethical concerns of the legal profession, and to maintain and update the school's Honor Code as necessary.

## **SBA Court Bylaws**

### **Overall Duties**

- I) The SBA Court shall consist of the eight (8) Justices elected to the SBA Board.
- II) The Chief Justice will be one of the 3L Justices, who shall be nominated by the President and voted on by the Board.
- III) When necessary, the SBA Court will serve as a:
  - A) Judicial Review Board;
  - B) Student Organization Dispute Resolution Board; and
  - C) Honor Code Hearing Board.

### **Serving Roles**

- I) As a Judicial Review Board, the SBA Court shall have the power to:
  - A) Adjudicate disputes on matters of rule, equity, and constitutional law within the SBA;
  - B) Conduct hearings and issue rulings related to disputed matters, specifically pertaining to election disputes, disciplinary actions, and disputes concerning the interpretation of the SBA Constitution;
  - C) Review all SBA constitutional amendments, unless otherwise specified, for fairness and equity. The review and any resulting opinion shall be considered non-binding;
  - D) Procedurally review all internal elections and appointments;
  - E) Review, *sua sponte*, all legislation and resolutions approved during the current Board's term for compliance with University policy;
  - F) A ruling shall be determined by a simple majority of the Justices. The Chief Justice, or in the absence of the Chief Justice, the most senior justice, shall carry the vote.
  - G) An *ad hoc* bylaws committee will be created if a board member requires assistance with drafting amendment proposals to the SBA Constitution or SBA Bylaws.
- II) As a Student Organization Dispute Resolution Board, the SBA Court shall have the power to:
  - A) Resolve disputes between student organizations brought to the SBA Court via a request for a hearing before the board.
    - 1) Disputes that can be solved by the SBA Court pertain to any issue a student organization has with other student organizations chartered by the SBA, events that receive SBA funding, and any other situation that falls within the purviews of the SBA.

III) As an Honor Code Hearing Board, the SBA Court shall comply with the procedures outlined in the Penn State Law Honor Code.

### **Dispute Resolution**

I) Steps to resolve disputes:

- A) Student organizations must try to resolve the issue with the organization they have the dispute with.
  - 1) This must be a good faith effort. This includes, but is not limited to, discussions between the presidents of the organizations and/or between members of their board who oversee the issue in dispute, proposals for a solution discussed between organizations, etc.
  - 2) Presidents of the organizations must be aware of the dispute and be aware of the good faith efforts by both organizations to resolve the dispute.
- B) If the dispute cannot be resolved between the organizations, the organizations may request a hearing in front of the SBA Court.
  - 1) A hearing must take place within 14 days of the request for hearing.
  - 2) All organizations party to the dispute must be represented by either its president or someone the president has designated to represent the organization in the proceedings.
    - (a) If an organization fails to be present at the hearing, it forfeits its opportunity to be heard.
  - 3) At this hearing each organization must orally present the following:
    - (a) Information regarding the good faith effort to resolve the dispute prior to seeking a hearing before the SBA Court.
      - If there is no evidence of a good faith effort, the hearing will be postponed until all organizations involved have made a good faith effort to resolve the dispute on their own
    - (b) Information on the nature of the dispute
    - (c) Desired resolution.
  - 4) Each organization will have 20 minutes to present their case before the SBA Court.
  - 5) After each side presents their case, the SBA Court will ask any and all questions it sees fit to any party involved to resolve the dispute

II) Dispute resolution decision by the SBA Court:

- A) The SBA Court will consider the desired resolutions from each organization but may make decisions as it sees fit.
- B) Decisions by the SBA Court will be determined by a majority vote.
- C) Decisions by the SBA Court are final and cannot be challenged.
- D) Decisions must be made within 7 days of hearing and all organizations party to the dispute must be notified of decisions within 24 hours of the decision being rendered.
- E) Decisions will be non-binding on future disputes before the board.

III) Implementation of decision:

- A) Organizations party to the dispute will be bound by the decision of the SBA Court.

- B) Any attempt by an organization, without formal written approval from the opposing party to the dispute, to go against the decision of the SBA Court will result in the following possible consequences.
- 1) The delinquent organization will forfeit its rights in the decision.
  - 2) The SBA Court may then change its decision to benefit the other organization.
  - 3) Budget Committee may withdraw funds from future events within the same academic year from the delinquent organization.