

CHAPTER 500 - IMPEACHMENT PROCEDURE

ARTICLE I. ADMINISTRATIVE

- §1 **AUTHORIZATION.** This chapter and all of its regulations are authorized pursuant to the Student Government Constitution Article III, 10(d).
- §2 **DEFINITION.** Articles of Impeachment shall be defined under this code as a special kind of Simple Resolution and shall only cite one respondent and shall be formatted similarly as found in [Appendix XVI](#). Articles of Impeachment will list the following information:
- (a) Name of complainant(s), which are the filers and authors of the Articles of Impeachment.
 - (b) Name and position of the respondent.
 - (c) Charges with specific citation of rules or instances of violations. Each violation listed will constitute a new Article.
 - (d) Facts related to each charge under each Article.

ARTICLE II. PROCESS

- §1 **RESPONSIBLE PARTIES.** In the context of this chapter there are two parties to any impeachment whose roles are defined in this section. The complainants are defined as those who sign on to Articles of Impeachment. The respondent is defined as the person charged under the Articles of Impeachment. The roles of these two parties are as follows:
- (a) The complainants are responsible for managing the Articles of Impeachment as authors and providing testimony and evidence in favor of the Articles of Impeachment, primarily seeking a verdict of guilty from the legislative body.
 - (b) The respondent is responsible for providing evidence and testimony which counters the argument of the complainants and primarily seeks a verdict of not guilty from the legislative body with jurisdiction.
- §2 **FILING.** Articles of Impeachment must first be filed with the Supreme Court Chief Justice. The complainants must submit the Articles of Impeachment to the Chair of the legislative body with jurisdiction prior to the meeting at which the Articles are to be read. The Articles of Impeachment must be placed on the agenda 72 hours prior to the meeting and must be placed under the New Business section of the agenda. At this time the Chair of the legislative

body, with the advice and consent of the Chief Justice, will certify that the Articles of Impeachment meet all constitutional and regulatory requirements to be placed on the agenda.

§3 **READING.** After being certified as properly filed the Articles of Impeachment will be read to the legislative body with jurisdiction. There will be no time for comment by the complainants, they will not take questions or attempt justification of the Articles after reading.

§4 **SUPREME COURT REVIEW.** The Supreme Court shall convene for an Impeachment Review within five (5) days of the Article of Impeachment being read and shall decide which, if any, of the Articles listed have sufficient evidence and information to proceed to trial. The Articles of Impeachment may be amended by the Supreme Court to reflect those charges they believe warrant trial and forward what is accepted to the Chair of the legislative body with jurisdiction. If they do not find sufficient evidence on any of the Articles they shall return to the legislative body with jurisdiction a written report as to their findings.

§5 **DEBATE AND DISCUSSION.** If the Supreme Court impeaches the respondent a trial will occur at a regularly scheduled meeting or in the case when a Joint Session is required within ten (10) business days of the Supreme Court announcement. During the trial the legislative body with jurisdiction will be governed by the rules found in Chapter 20 of Roberts Rules of Order and all related trial rules. After the presentation of opening statements, evidence, witnesses, testimony, cross examination and closing statements the legislative body with jurisdiction will proceed with debate and discussion on the Articles of Impeachment. Each charge listed under the Articles of Impeachment shall be voted on as distinct motions with the members present having one of two options for each vote; guilty or not guilty. Such votes will be done by roll call vote and shall be reflected in the official voting records for the legislative body with jurisdiction. Those articles which the respondent is found not guilty will be struck from the Articles of Impeachment. If the legislative body with jurisdiction finds the respondent guilty on any one of the Articles it shall constitute conviction and removal.