

THE  
STANDING RULES  
OF THE  
PURDUE STUDENT SUPREME COURT (PSSC)

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STANDING RULES  
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**Article I. Definition & Adoption of Standing Rules of PSSC**

***Section 1.01 Definition of Standing Rules of PSSC***

The Standing Rules of PSSC will serve to define the rules of order directly concerning the operations and duties of the PSSC. The rules and procedures outlined in this document shall apply without exception to all cases brought before the PSSC.

***Section 1.02 Amendments to Standing Rules of PSSC***

The Standing Rules of PSSC can only be amended by a majority vote of the members of the PSSC at any official PSSC meeting.

***Section 1.03 Suspension of Standing Rules of PSSC***

Any of these rules can be suspended at any time at the discretion of the Chief Justice or a majority of voting members.

***Section 1.04 Conflicts involving the Standing Rules of PSSC***

This document is subordinate to the Purdue Student Government Constitution and By-Laws. In the event that any two Standing Rules of PSSC conflict, the members of PSSC shall discuss how to appropriately resolve the conflict and do so accordingly.

***Section 1.05 Rules of Order***

- 1.) The PSSC shall have presiding members responsible for conducting business in an orderly and consistent manner and will recognize the will of the majority and the rights of the minority to express their viewpoints.
- 2.) Robert's Rules of Order shall be used as a supplement to this document in questions of courtroom procedures.

**Article II. Structure of PSSC**

***Section 2.01 Purdue Student Supreme Court Function***

All judicial powers of the Purdue Student Government shall be vested in the PSSC. The PSSC shall be responsible for the review, upon petition of any member of the Purdue Student Government, of any document or action of the Student Government with regard to its Constitutionality. The PSSC shall also be responsible for resolving disputes between any member of the Purdue Student Government and other parties, which may include other Purdue Student Government members, Faculty, Staff, and Administration, and Community members relating to this Constitution and the procedures and policies of the Purdue Student Government. (Pursuant to Article VII. Section 7.02 of the Purdue Student Government Constitution)

***Section 2.02 Membership of PSSC***

Composition of the PSSC shall consist of nine (9) undergraduate justices, one of those serving as Chief Justice, and at least one investigator. The investigator(s) possesses deliberate powers and is not a voting member, but enjoys all other privileges of PSSC membership. All PSSC members shall serve for the remainder of their membership in Purdue Student Government, so long as it does not exceed four academic years and they remain in good academic and disciplinary standing with the University Registrar. However, the Chief Justice term coincides with the term of the Student Body President who appointed him/her. Once the Chief Justice's term has expired, he/she can either be re-appointed or, if not re-appointed, return to the status of an Associate Justice.

PSSC shall possess five (5) Executive Officers including, a Chief Justice, Vice-Chief Justice, Administrative Justice, Promotions Justice, and Investigative Justice whose duties are detailed in Article IV., Sections 4.03-.07 herein. The Executive Officers of PSSC, excluding the Chief Justice, shall be chosen by the Justices of the PSSC.

***Section 2.03 Restrictions to Membership in PSSC***

No PSSC member may hold any other office within Purdue Student Government and cannot be an employee or staff member of a campus media outlet.

***Section 2.04 Appointments***

The Student Body President shall appoint a Justice, at time a vacancy exists, to the Court, subject to the confirmation of the Student Senate such that nine of the justices are undergraduates. The Student Body President shall also be responsible for appointing, with consent of the Student Senate, the Chief Justice (since the Chief Justice term lasts for one-year) from then current Justices of the Court. Two remaining Graduate Justice positions shall be filled by the appointees of Purdue Graduate Student Government.

***Section 2.05 Removal of Justices***

Justices can only be removed from PSSC for cause. Removal shall be only by vote of three-fourths of all the members of the Student Senate upon the filing of a Petition for Removal with the President Pro-Tempore of the Student Senate and closed hearing. The Petition for Removal, signed by at least 10 percent of the Student Senate or a majority of voting members of PSSC, must state, with specific allegations, the reason for removal. The President Pro-Tempore shall serve a copy of the Petition upon the Justice by regular and certified mail at such address as is current with the Purdue University Registrar's Office. In not less than seven (7) days and not more than forty (40) days after service, the Student Body President shall convene and preside over the Student Senate for the sole purpose of conducting the hearing. During the hearing for Removal, the Justice shall have the right to participate in the hearing, including the right to cross-examine any person testifying, to testify, to produce witnesses and to give or have others give argument. Failure to obtain a vote of three-fourths of all of the members of the Student Senate within the time provided shall act as an acquittal of the Petition. (Pursuant to Article XII. Section 12.01 of the Purdue Student Government Constitution)

***Section 2.06 Removal of Investigators***

The Chief Justice may remove any Investigator at any time with or without cause.

**Article III. Quorum & Attendance at Hearings & Meetings**

***Section 3.01 Quorum***

- 1.) A quorum will be constituted when a majority five (5) of the entire voting membership of court is present at any hearing or meeting.
- 2.) A quorum must be present before that court may conduct a hearing or meeting. Once a quorum is established, only those members that participate in the entire hearing may take part in deliberation of that hearing.
- 3.) In the event that a member departing from a hearing causes a loss of quorum in the hearing, the Presiding Member must do one of two things:
  - A. Postpone the remainder of the hearing until the next possible time at which the same members can reconvene with quorum.
  - B. Declare a mistrial in non-traffic court related cases or excuse the citation in a traffic court related case should postponement of the hearing not be possible.

***Section 3.02 Attendance***

- 1.) All members of PSSC are expected to attend all hearings and meetings of the court. If a member is unable to attend, he/she must notify the Chairperson of the reason(s) of absence in advance of the scheduled hearing or meeting. The Chief Justice shall use his/her discretion to excuse the member's absence.

2.) In the event that a member of PSSC has two (2) unexcused absences from hearings or meetings per year without being excused by the Chief Justice prior to that PSSC hearing or meeting, the Chief Justice shall initiate the removal process outlined in Article II. Section 2.05 herein.

***Section 3.03 Removal from Case***

Members of PSSC who remove themselves from a hearing or meeting for reasons of bias shall not be considered truant.

**Article IV. Duties of PSSC Members**

***Section 4.01 Duties of all PSSC Members***

- 1.) It shall be the responsibility of all PSSC members to know and understand the Standing Rules of PSSC as laid out in this document, the Purdue Student Government Constitution & By-Laws, Purdue University Parking Regulations, Purdue University Regulations, Robert's Rules of Order, the role and structure of all University Committees that PSSC members are eligible to sit on and the general lay-out of university streets.
- 2.) Attend all scheduled hearings, pre-hearing conferences, weekly meetings, and to promptly respond to all requests from University Officials for PSSC participation in University Committees. If a member cannot attend a hearing, pre-hearing conference, or meeting, the Chief Justice shall be notified of the absence at least twenty four (24) hours in advance.
- 3.) PSSC members are expected to withdraw themselves from an individual case if they feel that they are unable to render an impartial and unbiased opinion. A majority vote of voting members can constitute a removal of a Justice from a particular case if the members believe that Justice is unable to render an impartial or unbiased opinion.
- 4.) If a member is found to have consciously not fulfilled the duties and expectations of membership in PSSC, the Chief Justice or a majority of Justices may initiate the removal process as outlined in Article II. Section 2.05 herein.

***Section 4.02 Training***

When a member joins PSSC for the first time, they are required to participate in a training program within two (2) weeks of their confirmation. The training program will include a description of the relationship between PSSC and the rest of Purdue Student Government, an in depth review of the role of PSSC, the Standing Rules of PSSC as outlined in this document, the Purdue Student Government Constitution & By-Laws, Purdue University Parking Regulations, Purdue University Regulations, Robert's Rules of Order, the role and structure of all University Committees that PSSC members are eligible to sit on, the lay-out of university streets, and at least two hours of ride along time with the Purdue Parking Violations Officer.

***Section 4.03 Duties of the Chief Justice***

The Chief Justice shall be responsible for the administration of PSSC, and shall be a spokesperson for PSSC.

***Section 4.04 Duties of the Vice-Chief Justice***

The Vice-Chief Justice shall preside over traffic court and all other PSSC hearings in the absence of the Chief Justice.

***Section 4.05 Duties of the Administrative Justice***

The Administrative Justice shall perform all internal administrative tasks as well as keep a record of court activities. Under the scope of this position is also included the maintenance of the PSSC Archives.

***Section 4.06 Duties of the Promotions Justice***

The Promotions Justice shall be responsible for all public relations and publicity efforts of PSSC. Included under this scope is the promotion and advertising of call-outs, court initiatives offered to the Student Body and the maintenance of the PSSC website.

***Section 4.07 Duties of the Investigative Justice***

The Investigative Justice is in charge of recruiting and training investigators and will serve as a direct mentor to all beginning PSSC members. He/She will organize and coordinate the mandatory training program outlined in Section 4.02 of this Article.

**Section 4.08 Duties of the Investigator(s)**

The Investigator(s) shall be responsible for further investigating cases in which a just decision could not be made for various reasons deemed appropriate by a majority of voting members of PSSC. The Investigator shall report his findings to the members of PSSC via e-mail within twenty- four (24) hours of adjournment of the PSSC hearing. The Justices shall determine which Investigator(s) is/are responsible for investigating certain cases during deliberation for that case.

**Section 4.09 Duties Prohibited to PSSC Members**

No member of PSSC may author or co-author legislation.

**Section 4.10 Oath of Office**

I (his/her name), on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ swear to abide by and uphold the Bylaws and the Constitution of the Purdue Student Government. I swear to conduct all judicial business with just and ethical intent in the interest of achieving a fair resolution.

**Article V. Complaint Process (Non-Traffic Court)**

**Section 5.01 Plaintiffs & Defendants**

- 1.) The person(s) filing the written complaint with the Purdue Student Government Administrative Secretary shall be called the "Plaintiff(s)."
- 2.) The Plaintiff(s) shall identify whom the complaint is against. That/Those person(s) will be called the "Defendant(s)."

**Section 5.02 Complaints**

- 1.) Any Purdue University Faculty, Staff, Administration, Community Member, or Purdue Student Government member may submit a complaint against a Purdue Student Government Member regarding the Purdue Student Government Constitution and/or the procedures and policies of the Purdue Student Government.
- 2.) In order to file a complaint with the PSSC, the Plaintiff(s) must submit a form in writing to the Purdue Student Government Administrative Secretary on which they will include each and all of the following if applicable to the case:
  - A. Name of the Plaintiff;
  - B. Name of the Defendant;
  - C. Office of the Defendant;
  - D. Alleged offense carried out by the Defendant;
  - E. Title of Article(s), Section(s), and Subsection(s) of the Constitution or legislation enacted pursuant to the Constitution with which legislation or policy or procedure in question conflicts or violates;
  - F. The time, date, and location on/at which the alleged violation took place;
  - G. A brief explanation of the arguments he/she will make
  - H. What general evidence he/she will utilize during hearing
  - I. A preliminary list of witnesses to be called during hearing
  - J. Newly discovered evidence (on appeal only)
  - K. In what medium he/she wishes to be contacted. The following shall be acceptable forms of formal notice, and the plaintiff may choose one or several forms:
    - a. Telephone (include number)
    - b. E-mail (include address)
    - c. Purdue Student Government mailbox (include title)
    - d. Registered Mail (include address)

3.) When filed with the Purdue Student Government Administrative Secretary, he/she will officially stamp or sign with the time and date and notify the Chief Justice of the filed complaint.

**Section 5.03 Selection of Cases**

PSSC members shall determine which complaints it will adjudicate and which it will not when receiving multiple complaints about the same alleged violation or dispute. In such case, PSSC shall determine which Plaintiff is best qualified or most competent to present the case. PSSC shall notify other Plaintiffs of such determination and the reasons for it.

**Section 5.04 Deadline for Complaint Filing**

1.) Any person wishing to file a complaint has sixty (60) days from the time of alleged violation or dispute in which to file a fully completed written complaint to the Purdue Student Government Administrative Secretary. These sixty (60) days shall only include academic days during the fall and spring semesters.

2.) PSSC can extend the sixty (60) day deadline due to extenuating circumstances by majority vote. These sixty (60) days shall only include academic days during the fall and spring semesters.

A. The deadline extension may not exceed sixty (60) additional days.

**Article VI. Responsibilities and Rights of Plaintiffs and Defendants (Non-Traffic Court)**

**Section 6.01 Necessary Documents**

1.) The following is a list of documents for which counsel for all parties shall be responsible:

A. A list of witnesses to be called at the hearing and the general facts to which each witness will testify

B. A written brief in which counsel outlines the following:

a. The facts of the party's case

b. The evidence to be presented at the hearing

c. The arguments that counsel plans to present in oral form at the hearing

2.) The Plaintiff shall submit these documents to the Purdue Student Government Administrative Secretary at least two academic days before the pre-hearing (if one is called) and again at least two academic days before the hearing.

3.) The Defendant shall submit these documents to the Purdue Student Government Administrative Secretary at least one academic day before the pre-hearing (if one is called) and again at least one academic day before the hearing.

4.) For hearings on challenges to the impartiality of a PSSC Member, counsel shall submit a list of witnesses to be called at that hearing.

**Section 6.02 Rights of Plaintiffs and Defendants**

All Plaintiffs and Defendants shall be afforded the following rights in having their cases adjudicated by the PSSC:

1.) Notice - The Chief Justice shall notify all parties to a case at least three (3) academic days before a hearing of the following:

A. The nature of the complaint against the Defendant(s)

B. The time and place of the alleged violation, if applicable

C. The name of the Plaintiff(s) who filed the complaint

D. The exact date, time, and location of any scheduled hearings and/or pre hearing conferences

E. What written documents the Plaintiff(s) and Defendant(s) must submit to the court either at the hearing or pre-hearing conference

F. That the Plaintiff(s) and Defendant(s) are entitled to be assisted by counsel or advisor

G. The Plaintiff(s) and Defendant(s) will have the opportunity to present argument in oral and documentary form and call witnesses to testify

H. That the Plaintiff(s) and Defendant(s) have a right to discovery of evidence, and are entitled to request and receive all documentary evidence and a list of witnesses which will be used by the opposing party in the hearings and/or pre-hearing conferences

I. The names of the current members of the court and that the impartiality of a voting member may be challenged by either the Plaintiff(s) or Defendant(s)

J. The Purdue Student Government policies and/or rules and regulations and/or Title(s), Section(s), and Subsection(s) of the Purdue Student Government Constitution that was allegedly violated by the Defendant(s)

K. The Defendant(s) right to request a closed hearing; That the Defendant does not have the right to a closed hearing, but may present his/her/their concerns to PSSC for consideration

L. Each Defendant shall be entitled to appear and to participate fully in all aspects of the proceeding and in equal capacity with every other Defendant throughout the duration of the hearing; a defendant may elect not to appear and such a failure to appear shall not be construed as evidence of fault or culpability

M. The burden of proof lies on the Plaintiff(s); The Defendant(s) is innocent until proven guilty in court

N. It shall be conclusively presumed that this notice and the notice of hearing have been furnished if they have been sent to the Plaintiff(s) and the Defendant(s) personally, by e-mail, or placed in the Plaintiff(s) and/or Defendant(s) Purdue Student Government mailbox provided that they are all also contacted by phone notifying them that they should check their e-mail or PSG mailbox. The notice shall include the name and e-mail of the presiding court member arranging the hearing in order to provide additional information prior to the meeting if necessary.

2.) Counsel and Advisors - In all hearings before PSSC both Plaintiff(s) and Defendant(s) shall be represented by counsel, who shall present the party's case and act as spokesperson during the hearing. Counsel may be one of the parties or any other full time Purdue University student. Plaintiff(s) and/or Defendant(s) may also be accompanied by one advisor who is not a full-time Purdue University student. However, such an advisor shall not take direct part in the hearing.

3.) Speed of Adjudication - Cases shall be adjudicated as quickly as possible without substantial hardship for the Plaintiff(s), Defendant(s), or Witnesses. PSSC shall hold a hearing within ten (10) academic days from receipt of a written complaint.

## **Article VII. Public & Closed Hearings and Meetings Guidelines (Non-Traffic Court)**

### ***Section 7.01 Public Hearings***

All pre-hearing conferences and all hearings shall be open and public except as otherwise provided herein. All public hearings must adhere to the requirements of "Public Notice" as laid out in Article II, Section 2.04, Subsection (b) in the Purdue Student Government By-Laws.

### ***Section 7.02 Public Records***

Minutes of the proceedings, which at the minimum will include a summary of the facts testified to at the hearing, will be kept for review by anyone and a copy will be furnished to the parties in the case.

### ***Section 7.03 Pre-Hearing Conferences***

1.) The Chief Justice may call a pre-hearing conference at which counsel for both parties will be informed of the manner in which the hearing will be organized and conducted. The Chief Justice shall consider the following when determining whether a pre-hearing conference is necessary:

**A.** Whether there is a substantial number of Plaintiff(s) and/or Defendant(s) involved, or that a substantial number of witnesses will be called, or that the issues of the case are sufficiently complex so to warrant it.

**B.** There is a challenge to the impartiality of one of the Members of PSSC. Either the Plaintiff(s) and/or Defendant(s) may challenge the impartiality of any member of PSSC for stated reasons. These reasons shall be stated in writing and presented to the Chief Justice no later than one academic day prior to the scheduled hearing. Upon receipt of a written challenge, the Chief Justice shall schedule a pre-hearing to be held immediately preceding the already scheduled hearing. Disqualification shall be determined if any of the following conditions are met:

**a.** PSSC Members shall have had no prior involvement as a participant in the case before them. Prior knowledge of the events of the dispute shall not alone constitute grounds for disqualification. However, a PSSC Member shall disqualify himself/herself if he/she believes for any reason that he/she cannot render a just and fair decision. At the pre hearing conference, the court will hear testimony and accept evidence from the challenger(s) and rebuttals from the PSSC Member challenged. A decision shall be rendered by majority vote of the entire court during a closed session immediately following the pre-hearing conference. The Member whose impartiality has been challenged shall not take part in the vote. Reasons for allowing or refusing challenges shall become an official preface for the decision in the case. Disqualified members shall not be permitted to participate as a member of the bench for that particular case.

**b.** PSSC Members shall be disqualified from a case before the PSSC in which he/she is a Plaintiff or Defendant.

**c.** No PSSC Member shall dismiss themselves from a case to act as counsel for a Plaintiff(s) or Defendant(s) in that same case.

**2.)** At this time and during the hearing, the Chief Justice or by PSSC majority vote may exclude or limit testimony which he/she/it considers irrelevant, unnecessarily repetitive, or time consuming. The Chief Justice or PSSC majority vote may also limit the time of presentation of each side of the case.

**3.)** At the pre-hearing conference, the PSSC by majority vote may dismiss a complaint if the court feels that there are no grounds to continue with a full hearing.

#### ***Section 7.04 Closed Hearings***

The PSSC Members presiding over a given case may by majority vote move into a closed hearing. The Members presiding over any hearing may only consider moving into a closed hearing at the request of counsel for the defendant in the case for one of several of the following reasons:

**A.** A case deals with personnel matters including but not limited to the appointment, employment, performance, compensation, or dismissal of any Purdue Student Government appointee or employee

**B.** A case deals with the acquisition or disposition of property and if discussion of these matters in public hearing would adversely affect Purdue Student Government's ability to acquire or dispose of the property.

**C.** A case deals with matters involving litigation, when discussion of these matters could adversely affect any party to the case or the interests of Purdue Student Government. For the purposes of the section, "litigation" includes any adjudicatory exercising its adjudicator authority, a hearing officer or arbitrator, to which any party to the case or Purdue Student Government is, or is about to be, named as a party.

#### ***Section 7.05 Hearing Agenda***

- 1.) All Court Hearings shall proceed with the following agenda: 1) Call to Order; 2) Quorum Roll Call; 3) Charge Against Defendant; 4) Plea of Defendant; 5) Opening Statement of Plaintiff; 6) Opening Statement of Defendant; 7) Examination (Direct and Cross) of Plaintiff Witnesses; 8) Examination (Direct and Cross) of Defendant Witnesses; 9) Closing Argument of Plaintiff; 10) Closing Argument of Defendant; 11) Judicial Examination; 13) Adjournment
- 2.) This Agenda may be suspended by PSSC majority vote at any time.

**Section 7.06 Hearing Procedures**

The following procedures as outlined in the Hearing Agenda shall apply to all non-traffic court hearing of the PSSC:

- 1.) Call to Order - The Chief Justice shall call all hearings to order.
- 2.) Quorum Roll Call - A roll call vote will be taken by the recorder to determine if a quorum has been established.
- 3.) Charge Against the Defendant - The Chief Justice will read the charge against the Defendant stated in the Court Complaint Form filed by the Plaintiff(s)
- 4.) Plea of Defendant(s) - The Chief Justice will ask the Defendant(s) whether he/she/they plead guilty or innocent. The Defendant will then reply accordingly. If the reply is "guilty", the Court proceeds to adjournment.
- 5.) Opening Statements - The Plaintiff and Defendant will introduce the arguments he/she intends to prove during the course of the case. This opening statement shall be limited to an outline of the case and not constitute itself as testimony.
- 6.) Examination (Direct and Cross) of Witnesses - The Plaintiff and Defendant shall have the right to present witnesses and to confront and cross-examine witnesses. The Plaintiff(s) and/or Defendant(s) shall not themselves be termed "witnesses" but may give testimony and be subject to cross examination. PSSC Justices may also question witnesses.
  - A. No witness shall be permitted to testify unless prior to his/her testimony he/she agrees to submit to cross-examination.
  - B. No witness shall be compelled to incriminate or bear witness against himself/herself.
  - C. Where a witness is or may become unavailable to testify, the Chief Justice, if possible, may arrange for that witness evidence to be taken under conditions complying with this section. Such testimony shall be accorded less weight because the witness is unavailable for cross-examination.
  - D. Witnesses shall not enter the hearing room until called to testify and may not partake in the rest of the hearing unless recalled for further testimony.
  - E. Defendant(s) have the right to remain silent and such silence shall not be taken as evidence of fault or culpability.
  - F. Witnesses shall limit their testimony to questions posed.
- 7.) Closing Arguments - The Plaintiff(s) and the Defendant(s) shall present a summary of their respective cases. No new evidence may be admitted during closing arguments.
- 8.) Judicial Examination - PSSC Members may question the Plaintiff(s) and the Defendant(s).
- 9.) Adjournment - The Chief Justice adjourns the hearing and the justices commence deliberations.
- 10.) Objections - Counsel for the Plaintiff(s) and the Defendant(s) and any PSSC member shall be permitted to object at any point during a hearing by raising his/her placard to be recognized by the Chief Justice. The Chief Justice shall rule on the objection. If an Associate Justice disagrees with the ruling he/she may so state. The Justices will then rule by majority vote. The following will be considered relevant grounds for objection:
  - A. Irrelevance to the Case
  - B. Leading the Witness

- C. Repetitive Testimony (Asked and Answered)
- D. Compound Question (requires more than one answer)
- E. Question assumes a fact not yet in evidence
- F. Argumentative
- G. Foundation
- H. Hearsay

11.) Motions – The Plaintiff(s) and the Defendant(s) and any PSSC Justice shall be permitted to make motions at any point during a hearing by raising his/her placard to be recognized by the Chief Justice. The Chief Justice shall rule on the motion. If an Associate Justice disagrees with the ruling he/she may so state. The Justices will then rule on the motion by majority vote. The following will be considered relevant motions:

- A. Dismissal of the case
- B. Continuance of the case until a later time
- C. Suppression of Witness
- D. Suppression of Evidence
- E. Recess
- F. Suspend the Agenda
- G. Move into Closed Hearing
- H. Strike Testimony

***Section 7.07 Removal of Disruptive Person(s)***

During any hearing or pre-hearing of the PSSC, the Chief Justice or a majority of the members of PSSC may evict individuals from the meeting place who are behaving in such a way as to disrupt the proceedings of the court.

***Section 7.08 Meetings***

- 1.) PSSC will convene thirty (30) minutes prior to any scheduled pre-hearing conference or hearing to discuss prior published opinions, the status of any court orders, and the cases to be adjudicated in the pre-hearing conference and/or hearings to be conducted in the current day.
- 2.) Request for Deliberation Response – Upon receiving a formal request from the Senate to deliberate on a particular issue that PSSC will hold a meeting on or before the date specified by the motioning Senator to determine whether or not to accept the request. If the request is accepted, PSSC will set a date for a second meeting at which the issue(s) will be deliberated. This meeting will be public and the Court may hear arguments from anyone in attendance while considering the issue but the Chief Justice shall determine the structure of the meeting. The minutes from the meeting and a formal opinion reached by the court shall be submitted to Senate Pro Tempore in writing on or before the date specified in the request. The opinion will be advisory in nature and will not be binding.

**Article VIII. Case Deliberations and Opinions (Non-Traffic Court)**

***Section 8.01 Case Deliberations***

Deliberations on the case shall take place in closed session after the hearing is adjourned. The findings and recommendations of the court shall be based solely upon the evidence received at the hearing, and guilt shall be shown to have been based upon preponderance of the evidence.

***Section 8.02 Case Opinions***

PSSC Members shall publish their opinions and make them available for public inspection through the Purdue Student Government office and website. All final opinions regarding a case shall be archived in PSSC’s archive files. A copy of each shall be furnished to the parties involved in the case upon request.

- 1.) The court shall arrive at one, several, or all of the following options:

- A. Majority Opinion – More than half of the Members in deliberation arrive at a consensus opinion. Anyone among the majority may author the opinion. The majority opinion shall cite evidence that led to the decision. It shall be the duty of the majority to render a judgment and write any court order(s) it deems necessary and appropriate.
  - B. Minority Opinion – If one or several of the Members disagree with the Majority Opinion, he/she/they may publish a Minority Opinion reflecting their disapproval. They shall in so doing, list their reasons for opposition. If there are several Members in the minority, they may publish separate Minority Opinions, or choose from among themselves a single author and sign all of their names.
  - C. Concurring Opinion – If one or several of the Members agrees with the verdict of a given case, but disagrees with the rationale behind it, he/she/they may publish a Concurring Opinion reflecting such. If there are several Members concurring, they may publish separate Concurring Opinions, or select from among themselves a single author.
- 2.) The Chief Justice shall notify the Plaintiff(s) and the Defendant(s) as to the Court’s verdict as soon as possible after deliberations.
  - 3.) The author of each respective opinion shall complete the opinion and make it available for the other Members to inspect within two (2) academic days of the end of deliberations. The Members of that opinion shall inspect the written opinion and do one of the following:
    - A. Sign their name or otherwise signify that they agree (e.g. reply to e-mail stating so) to the opinion
    - B. Request that some, part, or all of the opinion is re-written to reflect their opinion.
    - C. Choose to write a Concurring Opinion
  - 4.) All Opinions and Court Orders must be completed and published within five (5) academic days of the end of case deliberations.

**Article IX. Traffic Court**

***Section 9.01 Traffic Court***

- 1.) It shall be the duty of the Purdue Student Supreme Court to, upon the second appeal, hear and decide appellate cases involving alleged violators who have been issued Purdue University Citations, rather than State of Indiana Citations, for any offense in which a Purdue University Citation exists while considering all Purdue Parking Regulations, Purdue University Regulations, and state statutes.
- 2.) Traffic Court cases shall be adjudicated by the Purdue Student Supreme Court using the authority granted to it by the PSG Constitution, By-Laws, Purdue University Parking Services, and Purdue University.
- 3.) PSSC Traffic Court shall hear a case when an alleged violator’s primary appeal is denied by Purdue University Parking Services, and the alleged violator submits a second appeal. However, PSSC is the court of last resort and whatever decision is reached by PSSC is the final say. There are no further appeal opportunities.
- 4.) Each case is assigned a time on the quarter hour by officials at Purdue Parking Services.

***Section 9.02 Meeting of Traffic Court***

PSSC Traffic Court shall convene weekly at a time and place, both which will be posted publicly pursuant to Purdue Student Government By-Laws and communicated to involved parties at least forty-eight (48) hours in advance of the hearing.

***Section 9.03 Traffic Court Agenda***

All Traffic Court Hearings shall proceed with the following agenda: 1) Call to Order; 2) Quorum Roll Call; 3) Introduction; 4) Charge Against Defendant; 5) Plaintiff’s and

Defendant's Argument; 6) Examination (Direct and Cross) of Witnesses (when necessary); 7) Closing Arguments; 8) Judicial Examination; 9) Deliberation; 10) Reading of Verdict; 11) Adjournment

#### **Section 9.04 Traffic Court Procedures**

The following procedures as outlined in the Traffic Court Agenda shall apply to all Traffic Court hearings of the PSSC:

- 1.) Call to Order - The Chief Justice shall call all hearings to order.
- 2.) Quorum Roll Call - A roll call vote will be taken by the recorder to determine if a quorum has been established.
- 3.) Introduction - The Chief Justice will ask the Defendant to state his full name, semester classification, and how long he/she has had a car on campus.
- 4.) Charge Against the Defendant - The Chief Justice will read the Defendant's synopsis, Parking Services' reason for denying the first appeal, and the charge against the defendant.
- 5.) Plaintiff's and Defendant's Argument - The Plaintiff and Defendant introduce the arguments he/she intends to prove during the hearing.
- 6.) Examination (Direct and Cross) of Witnesses (when necessary) - The Plaintiff and Defendant shall have the right to present witnesses and to confront and cross-examine witnesses. The Plaintiff(s) and/or Defendant(s) shall not themselves be termed "witnesses" but may give testimony and be subject to cross examination. PSSC Justices may also question witnesses.
  - A. No witness shall be permitted to testify unless prior to his/her testimony he/she agrees to submit to cross-examination.
  - B. No witness shall be compelled to incriminate or bear witness against himself/herself.
  - C. Where a witness is or may become unavailable to testify, the Chief Justice, if possible, may arrange for that witness evidence to be taken under conditions complying with this section. Such testimony shall be accorded less weight because the witness is unavailable for cross-examination.
  - D. Defendant(s) have the right to remain silent and such silence shall not be taken as evidence of fault or culpability.
  - E. Witnesses shall limit their testimony to questions posed.
- 7.) Closing Arguments - The Plaintiff(s) and the Defendant(s) shall present a summary of their respective cases.
- 8.) Judicial Examination - PSSC Members may question the Plaintiff(s) and the Defendant(s).
- 9.) Deliberation - The Plaintiff(s) and Defendant(s) are asked to leave the room while the Justices deliberate. When a decision is reached the Plaintiff(s) and Defendant(s) are invited back into the room for the verdict of the reading.
- 10.) Reading of Verdict - The verdict is read to the Plaintiff(s) and Defendant(s) and the implications of the decision are described.
- 11.) Adjournment - The Chief Justice adjourns Traffic Court for the week when the last case on the docket is resolved.

#### **Section 9.05 Possible Verdicts**

- 1.) Excused - The violation and accompanying fine have been excused meaning that the appellant's record is expunged and he/she is not required to pay the fine.
- 2.) Warned - The appellant does not have to pay the fine accompanied with the violation, however, if he/she receives an identical violation within one calendar year of the first violation, the appellant is responsible for paying both fines and both violations appear on his/her record.
- 3.) Reduced - The Court can decide that the appellant is guilty of the violation but should not be liable for the full fine amount and therefore reduces the amount of the fine to an amount determined by the court. The appellant must pay the fine to Purdue University

Parking Services within ten days of the Court decision or have his/her grades encumbered until the fine is paid in full.

4.) Uphold – The Court decides that the appellant is guilty of the violation and enforces the ticket and the fine. The appellant must pay the full fine amount to Purdue University Parking Services within ten days or have his/her grades encumbered until the fine is paid in full.

***Section 9.06 No-Shows***

If an appellant does not show up within fifteen minutes of the assigned hearing time his violation and accompanying fine is automatically upheld.

***Section 9.06 Removal of Disruptive Person(s)***

During any hearing of PSSC Traffic Court, the Chief Justice or a majority of the members of PSSC may evict individuals from the meeting place who are behaving in such a way as to disrupt the proceedings of the court. If the evicted person is the defendant in the traffic court case, his violation and accompanying fine is automatically upheld.

THE  
STANDING RULES  
OF THE  
PURDUE STUDENT SUPREME COURT (PSSC)

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