

3 **Legislative Action:**

4 Introduced by: President Mia Amin (A)(E), Ryan Regalado (A)(E), Senator Romero-Salas (S)

5
6 1st Reading: 4/21/2021

Referred To: Steering & Rules

7 2nd Reading: 4/28/2021

Committee Action: 5-0-0-0

8 3rd Reading: _____

Senate Action: 19-0-0-1

9
10 **Executive Action:**

11 Approved Vetoed

12 

4/30/2021

13
14 ASUNM President

Date

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16 Unsigned by the President on this _____ day of _____ 2021. Bill automatically becomes law.

17
18 **Legislative Response:**

19 Veto override vote taken: _____ Senate Action: _____

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21 Be it enacted by the Associated Students of the University of New Mexico that the following be amended
22 in **(Judicial Branch - Article IV)** of the ASUNM **(Constitution)**:

23 **ARTICLE IV. Judicial Branch**

24 Section 1. Judicial Function

25 The Judicial power of the ASUNM Government, with the exception of impeachment, shall be vested in
26 the Student Court.

27 Section 2. Student Court

28 A. The Student Court shall have original jurisdiction in all cases arising under this Constitution, the laws
29 and by-laws of the ASUNM Government, ASUNM Government money allocations and the
30 regulations and actions of the various bodies and committees of the ASUNM Government with the
31 exception of those judicial powers of the Student Conduct Committee and the Senate. The Student
32 Court shall also have appellate jurisdiction over the decisions of the Attorney General and the
33 Elections Commission. (5- 16-97) (3-11-02)(10-24-09)

34 B. The Court shall be composed of a Chief Justice and four Associate Justices. The justices must have
35 attended the University, main campus, at least one semester immediately prior to their appointment,
36 **and be a student in good standing.** The justices shall be appointed by the President and confirmed
37 by the Senate. The term of office of the Chief Justice ~~and Associate Justices shall be no longer than~~
38 ~~the calendar year. Their term shall begin when the oath of office has been administered and end~~
39 ~~exactly at 1 p.m. on the last day of the spring semester. All Justices may apply and be reappointed to~~
40 ~~another term if they are to remain on the court.~~ **shall mirror that of the ASUNM President. Their**
41 **term will begin when the oath of office has been administered in the Summer and end at exactly**
42 **1 p.m. on the last day of the Spring semester the following year. The term of office of the**
43 **Associate Justices will begin at the exactly 1 p.m. on the last day of the Fall semester and end at**
44 **exactly 1 p.m. on the last day of the Fall semester the following year. All Justices must apply**
45 **and be reappointed to another term if they are to remain on the court.** (10-24- 09) (05-14-13)

- 46 C. The Chief Justice shall preside over the Court and shall be responsible for the publication of the
47 decisions of the Court. A decision of the Court shall be made with the written concurrence of at least
48 three of the justices. If there is a vacancy or absence of three of the justices, the remaining justice(s)
49 may only act on administrative matters subject to later approval by at least three justices. Details of
50 court procedure not prescribed by this Constitution or by legislation shall be the responsibility of the
51 court itself.
- 52 D. Any justice, upon written request for the issuance of a subpoena ordering a person to appear before
53 the Court, may issue such subpoena. The subpoena may be contested before the Court. Any student
54 failing to comply with a properly issued subpoena may be suspended from ASUNM Government
55 offices and committees.
- 56 E. Any student failing to comply with a properly issued Court Order may be suspended from ASUNM
57 Government offices and committees.
- 58 F. Any act which is calculated to hinder or obstruct the Court in administration of justice may be
59 considered in contempt of court if committed by a person who does so willingly in an attempt to
60 impede the administration of justice. A party may be found guilty of Contempt of Court only if a) the
61 act is done in the presence of the court and its presiding judge; or b) the party fails to comply with an
62 order of the Court. Any student or group found guilty of contempt of court may be suspended from
63 ASUNM Government offices and committees.
- 64 G. Student Court decisions may be appealed to the Student Conduct Committee if the Committee will be
65 able to hear and decide the appeal before the end of the semester, as determined by the Dean of
66 Students. If the Student Conduct Committee is unable to accept the appeal, the Dean of Students will
67 hear and decide it. Decisions of the Dean of Students may be appealed to the Vice President for
68 Student Affairs. The President and the Board of Regents reserve the discretionary authority to review
69 all decisions. (3-11-02)
- 70 H. The Chief Justice shall prepare and submit to the Senate a budgetary proposal for the next fiscal year
71 for the Judicial Branch of the government. (8-10-93) (12-13-16)