

## CHAPTER 401 JUDICIAL POWERS ACT (2001-143, 2004-116)

- 401.1 Intent – The Student Senate, acting on its authority granted by Article III, Section 6(n) of the Student Body Constitution and in consideration of Article V, Section 1 enacts the Judicial Powers Act to define powers of the Judicial Branch.
- 401.2 The Judicial Branch, composed of the Supreme Court and the Student Honor Court, is vested with all the power and authority necessary for carrying into complete execution all its judgments in the matters before it, as according to the Student Body Constitution and by law.
- 401.3 The Judicial Branch shall have subpoena powers over students affected by judicial jurisdiction. Failure to appear shall be a contempt of court.
- 401.4 The Supreme Court shall have jurisdiction over appeals from the Elections Commission as according to Student Body Statute 729.0
- 401.5 The Student Honor Court shall have jurisdiction over appeals from the Student Government Codes of Ethics as according to Student Body Statute 101.8.
- 401.6 The Judicial Branch in accordance with Article V, Section 6(a) of the Student Body Constitution shall make its internal rules of practice and procedure by a majority vote of the Honor Court Justices.
- 401.7 The Judicial Branch in accordance with Article V, Section 6(a) of the Student Body Constitution shall publish its internal rules of practice and procedure.

## CHAPTER 402 JUDICIAL DISQUALIFICATION (2001-143)

- 402.0 Intent – The intent of this act is to establish guidelines that will create cause for a member of the Court to be disqualified from involvement of the action.
- 402.1 In any cause before the court any party to said cause or any interested party, may at any time before final judgment, file a motion requesting a disqualification of a member of the court.
- 402.2 Grounds for disqualification may include but are not limited to interest in the outcome of the case, relative, shared membership of a UF organization, or currently resides with a member of any party.
- 402.3 Any member of the court may on his or her own motion disqualify himself or herself where, to the member's own knowledge, of any of the grounds for suggestion of disqualification.
- 402.4 In any cause where the grounds for a suggestion of disqualification, as set forth in this act, appear, but no suggestion of disqualification is filed therein, the orders shall be valid.

CHAPTER 405 - JUDICIAL RECORDS-HONOR COURT CLERK (95-100, 98-100, 2000-136, 2001-141, 2004-116, 2004-127)

- 405.1 Intent - The Student Senate, acting on its authority granted by Article III, Section 6(n) Student Body Constitution and in consideration of Article V, Section 3(D), enacts the Judicial Records Act to foster better communication among the three branches of student government.
- 405.2 Duties of the Student Honor Court Secretary or the Clerk of the Student Court
- 405.21 Maintain pleadings, opinions, orders, correspondence, and like materials of the Student Court, Student Appeals Court, and Supreme Court.
- 405.215 If the provisions of 405.21 result in knowledge of privileged or confidential information, the Clerk may not disseminate that information unless provided by federal, state, or student body law or federal, state, or student body Court Order. Any Clerk failing to adhere to this statute shall be individually guilty of an Offense Against the Student Body.
- 405.22 Transmit, within three (3) school days after receipt of any order, opinion, or like decision of the Supreme Court that interprets any Constitutional provision, By-Law, or statute, a certified copy of the same to the President of the Student Body, Treasurer of the Student Body, Senate President, and Chairperson of the Judiciary Committee of the Student Senate.
- 405.23 Transmit periodically, but at least once per academic term, an index of all opinions, orders, and decisions of the Supreme Court to the President of the Student Body, Treasurer of the Student Body, Senate President, and Chairman of the Judiciary Committee of the Student Senate.
- 405.3 The Chancellor must appoint clerk(s) of the Student Honor Court that he or she deems necessary. The clerk(s) may be removed at the discretion of the Chancellor.
- 405.4 The Chief Justice must appoint clerk(s) of the Supreme Court that he or she deems necessary. The clerk(s) may be removed at the discretion of the Chief Justice.

## CHAPTER 406 – PANEL HEARINGS (2001-141, 2003-126)

- 406.1 Intent – The Student Senate, acting on its authority granted by Article III, Section 6(n) of the Student Body Constitution and in consideration of Article V, Section 1 establishes an accused student’s right to a student panel hearing.
- 406.2 The Honor Court Chancellor may recommend hearing officers in the amount that he or she deems necessary, which are to be approved by a majority vote of the Senate. The hearing officers may be removed at the discretion of the Chancellor.
- 406.3 A panel hearing shall be composed in the following manner:
- a) three or five hearing officers selected at random by the Chancellor or the Chief Hearing Officer; and
  - b) one Associate Justice who shall be from the accused student’s college. If the Associate Justice from the student’s college is unavailable due to vacancy, conflict of interest, or any other reason, the Chancellor or Chief Associate Justice may select another Associate Justice at random; and
  - c) the Student Honor Court Chancellor or Vice Chancellor
- 406.4 All final judgments of a panel hearing may be appealed in accordance with Florida Administrative Code.

## CHAPTER 409 - STUDENT HONOR CODE (89-113, 95-128, 96-103, 2000-136)

- 409.1 Preamble:  
In adopting this Honor Code, the students of the University of Florida recognize that academic honesty and integrity are fundamental values of the University community. Students who enroll at the University commit to holding themselves and their peers to the high standard of honor required by the Honor Code. Any individual who becomes aware of a violation of the Honor Code is bound by honor to take corrective action. A student-run Honor Court and faculty support is crucial to the success of the Honor Code. The quality of a University of Florida education is dependent upon community acceptance and enforcement of the Honor code.
- 409.12 The Honor Code:  
We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honesty and integrity.
- 409.13 On all written work submitted for credit by students at the University of Florida, the following pledge is either required or implied: "On my honor, I have neither given nor received unauthorized aid in doing this assignment."
- 409.2 Definitions, violations and penalties will be provided for under Chapter 410 and Article V, Section 2 of the Student Body Constitution.

CHAPTER 410 SUBSTANTIVE PROVISIONS - UF STUDENT HONOR COURT (72-105, 72-122, 75-156, 76-222, 79-165, 79-175, 79-183, 81-158, 96-115, 2000-136, 2001-141)

- 410.1 Adoption of this Title.
- 410.11 This title is adopted in compliance with Article III, Section 6(n), of the University of Florida Student Body Constitution.
- 410.12 This title shall become effective upon passage by the Student Body Senate.
- 410.13 Any previous provisions inconsistent with this title are hereby repealed.
- 410.14 Any student accused of violating the Academic Honesty Guidelines may choose to be tried by the Student Honor Court for the offense.
- 410.2 Cheating: The improper taking or tendering of any information or material which shall be used to determine academic credit. Taking of information includes, but is not limited to, copying graded homework assignments from another student; working together with another individual(s) on a take-home test or homework when not specifically permitted by the teacher; looking or attempting to look at another student's paper during an examination; looking or attempting to look at text or notes during an examination when not permitted. Tendering of information includes, but is not limited to, giving your work to another student to be used or copied; giving someone answers to exam questions either when the exam is being given or after having taken an exam; giving or selling a term paper or other written materials to another student; sharing information on a graded assignment.
- 410.3 Plagiarism: The attempt to represent the work of another as one's own. Plagiarism includes, but is not limited to, quoting oral or written materials without citation on an assignment for an academic requirement; submitting a paper which was purchased from a term paper service as your own work; and submitting anyone else's paper as your own work.
- 410.4 Bribery: The offering, giving, receiving or soliciting of any materials, items or services of value to gain academic advantage for yourself or another.
- 410.5 Misrepresentation: Any act or omission with intent to deceive a teacher for academic advantage. Misrepresentation includes using a computer program(s) generated by another and submitting it as your own work unless expressly allowed by the teacher; lying to a teacher to increase your grade; lying or misrepresenting facts when confronted with an allegation of academic dishonesty.

410.6 Conspiracy: The planning or acting with one or more persons to commit any form of academic dishonesty to gain academic advantage for yourself or another.

410.7 Fabrication: The use of invented or fabricated information, or the falsification of research or other finding with the intent to deceive for academic or professional advantage.

CHAPTER 414 – THE ATTORNEY GENERAL ACT (2001-141, 2004-116)

- 414.0 This subsection, from 414.0 to 414.6, shall be known as “The Attorney General Act.”
- 414.1 There is hereby created the position of Attorney General. The Attorney General shall be appointed by the Chancellor of the Honor Court. The Attorney General must have taken and passed, or be taking, a law school course in Evidence. The Attorney General must also be a member in good standing with the Student Honor Court Bar Association.
- 414.2 The Attorney General shall represent the interest of the University of Florida in all matters of violation of the Honor Code and offenses against the student body.
- 414.3 The Attorney General shall appoint a Deputy Attorney General and an Assistant(s) Attorney General. The Attorney General may appoint any additional staff that the Attorney General deems necessary. The Assistant Attorney General’s term shall end in conjunction with the expiration of the term of the Attorney General. The Assistant Attorney General shall assist the Attorney General in the performance of his or her duties and act as the Attorney General in his or her absence.
- 414.4 The Attorney General may only be removed by impeachment.
- 414.5 In the event of a vacancy in the office of Attorney General, a new Attorney General shall be chosen pursuant to 414.1.
- 414.6 The Deputy Attorney General and the Assistant(s) Attorney General are subject to removal of office at the discretion of the Attorney General or a majority vote of the Chancellor and any Vice Chancellors..

## CHAPTER 415 – THE CHIEF DEFENSE COUNSEL ACT (2001-141, 2004-116)

- 415.01 This subsection, from 415.01 to 415.6, shall be known at “The Chief Defense Counsel Act.”
- 415.1 There is hereby created the position of Chief Defense Counsel. The Chief Defense Counsel shall be appointed by the Chancellor of the Honor Court. The Chief Defense Counsel must have taken and passed, or be taking a law school course in Evidence. The Chief Defense Counsel must also be a member in good standing with the Student Honor Court Bar Association.
- 415.2 The Chief Defense Counsel shall represent the interest of accused students at the University of Florida in all matters of violations of the Honor Code and offenses against the student body.
- 415.3 The Chief Defense Counsel shall appoint an Assistant Chief Defense Counsel. The Chief Defense Counsel may appoint any additional staff that the Chief Defense Counsel deems necessary. The Assistant Chief Defense Counsel’s term shall end in conjunction with the expiration of the term of the Chief Defense Counsel. The Assistant Chief Defense Counsel shall assist the Chief Defense Counsel in the performance of his or her duties and act as the Chief Defense Counsel in his or her absence.
- 415.4 The Chief Defense Counsel may only be removed by impeachment.
- 415.5 In the event of a vacancy in the office of Chief Defense Counsel, a new Chief Defense Counsel shall be chosen pursuant to 420.1
- 415.6 The Assistant Chief Defense Counsel and the Chief Defense Counsel Staff are subject to removal of office at the discretion of the Chief Defense Counsel or by a majority vote of the Chancellor and any Vice Chancellors.

CHAPTER 420 UNIVERISTY OF FLORIDA STUDENT BAR ASSOCIATION (73-145, 79-178, 81-112, 88,105, 96-115, 98-100, 2000-117, 2000-136, 2001-141, 2004-116)

- 420.1 Purpose: The Student Honor Court Bar Association (Article V, Section 3(b) of the Student Body Constitution) is established to foster professionalism and to create training guidelines for the operation of the Student Honor Court.
- 420.2 Board of Directors: There shall be a Board of Directors of the University of Florida Student Bar Association consisting of the Chief Justice of the Supreme Court, the Chancellor of the Honor Court, the Attorney General, the Chief Defense Counsel, and the Justices of the Supreme Court.
- 420.25 The Chief Justice shall be the chair of the Board of Directors as well as the chair of the University of Florida Student Bar Association.
- 420.3 The Law Senator(s), the Student Body President, the Student Senate President, Clerk of the Student Honor Court, and the Clerk of the Supreme Court shall be ex officio members of the Board of Directors.
- 420.4 The Board of Directors shall establish such rules and procedures as are necessary and proper for the operation of the Student Honor Court Bar Association and shall publish them in the Student Honor Court office. Such rules shall not abridge, enlarge or modify any substantive right. Such rules shall not take effect until they have been reported to and approved by the Student Senate by authorization.
- 420.5 Members of the University of Florida Student Bar Association will be selected annually by the Board of Directors. Criteria for membership may include, but are not limited to any of the following:
1. Served in the Student Honor Court for at least one (1) full term; and
  - 2a. Participated in, or assisted with, one (1) Student Honor Court hearing (Evidentiary, summary or penalty); OR
  - 2b. Participated in, or served as counsel in at least one (1) Supreme Court Hearing which has proceeded to a decision.
- 420.51 Each year prior to the first day of qualifying for the spring general election, the Chairperson of the Student Honor Court Bar Association, after approval by a majority of the Board of Directors, will publish a list of all members of the Bar Association who are in good standing.
- 420.52 The list of members in good standing of the Honor Court Bar Association shall be submitted to the Board of Directors, to the Student Government Office Manager, to the Supervisor of Elections, and to the Chair of the Student Government Elections Commission upon completion.

420.53

If a list of members in good standing has not been published pursuant to section 420.51 and 420.52 of this chapter, the Honor Court Bar Association waives its right to limit candidacies for Chancellor. An alternative method for qualifying as a candidate for Honor Court Chancellor is provided for in section 732.41 and section 732.42 of the Election Qualification Act.

CHAPTER 430 – OFFENSES AGAINST THE STUDENT BODY ACT (2001-141, 2004-116)

- 430.0 This subsection, from 430.0 to 430.4, shall be known as “Offenses Against the Student Body Act.”
- 430.1 Intent – The Student Senate, acting on its authority granted by Article V, Section 2 of the University of Florida Student Body Constitution, hereby defines “Offenses Against the Student Body” and grants the Student Honor Court all judicial powers necessary for hearing all cases pertaining to all offenses against the Student Body.
- 430.2 It shall be an Offense Against the Student Body for a Supreme Court Justice to disseminate any unofficial information from an official deliberation.
- 430.3 If in the process of an Honor Court case an officer or agent of Student Government receives knowledge of privileged or confidential information, the information may not be disseminated unless provided by federal, state, or student body law or federal, state, or student body Court Order. Any officer or agent of Student Government failing to adhere to this statute shall be individually guilty of an Offense Against the Student Body.
- 430.4 The Judicial Branch may use any of the penalties granted to the Judicial Branch under the University of Florida Student Body Constitution Article V, Section 7 to punish Offenses Against the Student Body.

CHAPTER 450 UF STUDENT HONOR COURT VACANCY REPLACEMENTS (76-216, 79-179, 81-112, 84-163, 96-115, 200-136, 2001-141, 2004-127)

- 450.1 In accordance with Article V, Section 4, of the Constitution of the Student Body, the Student Senate does hereby provide for succession to the office of Chancellor of the Student Honor Court and the office of Justice of the Student Honor Court.
- 450.2 A vacancy shall exist when any officer of the court ceases to be full-time student or when he or she resigns, is impeached, is removed, or otherwise disqualified from holding office in Student Government.
- 450.21 If a vacancy occurs in the office of Chancellor of the Student Honor Court, the President of the Student Body shall appoint a successor, with the majority consent of the justices and two-thirds consent of the Student Senate present and voting at a regular meeting. The successor, at the time must have successfully completed or be currently enrolled in a course in evidence and must be a member in good standing of the Student Honor Court Bar Association.
- 450.22 If a vacancy occurs in the office of Justice of the Student Honor Court, the Chancellor, with majority consent of the Justices, shall appoint a successor who, at the time of his or her appointment, shall be a full-time student enrolled in the College or School of his or her predecessor.
- 450.3 Officers appointed under this section shall serve until their elected or appointed successor takes office.