

Rules of Order of the Constitutional Council

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Harris Shapiro

Chair, Constitutional Council, 1999 - 2000

ASSU Parliamentarian, 2000 - 2001

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1. Definitions

- a. For the remainder of this document, the ASSU Constitutional Council shall be referred to as the *Council*.
- b. For the remainder of this document, the Chair of the ASSU Constitutional Council shall be referred to as the *Chair*.

2. Decisions of the Council

Unless otherwise specified, all decisions of the Council shall be by consensus. Should consensus prove impossible to reach, the fallback procedure shall be a majority vote of those members of the Council who are present.

3. Duties of the Chair

The Chair shall be responsible for calling meetings of the Council, setting the agendas for the meetings, and ensuring that the meetings are run efficiently.

4. Dismissal of Cases by the Council

At any time after the first meeting on a given case has been announced, the Council may dismiss a case, if any one of the following conditions is met:

- a. All of the petitioners withdraw their complaints, or
- b. The Council deems that no act has occurred, or
- c. At the Council's discretion, any other set of circumstances that warrant dismissal.

5. Primary Representatives

- a. Each set of parties to a case shall designate a primary representative, who shall be responsible for:
 - i. Submitting all evidence to the Council on behalf of her/his party, and
 - ii. Distributing all Council announcements and decisions to her/his party.
- b. The initial petitioner request for the Council to consider a case shall indicate an individual to serve as the primary representative of the petitioner(s). In the event that it does not, the Chair may designate an individual to serve as the petitioner(s)'s primary representative, until such time as the petitioners designate their own.
- c. The initial respondent response to the Council shall indicate an individual to serve as the primary representative of the respondent(s). In the event that it does not, the Chair may designate an individual to serve as the respondent(s)'s primary representative, until such time as the respondents designate their own.
- d. Either party to the case may change their primary representative at any time, provided that they inform the Chair of any such changes.

6. Presentation of Cases to the Council

- a. All cases must be presented to the Council in the form of written arguments and/or documentation.
- b. Any evidence presented as part of a case must be submitted to the Chair no later than 72 hours before the meeting at which the Council considers that evidence.
- c. Members of the Council may submit to the official case record
- d. All material on which members of the Council base decisions must have been entered in the official case record.

7. Non-Member Speaking Rights at Council Meetings

At a meeting of the Council, non-members of the Council shall be allowed to speak only in response to questions asked of them by a member of the Council.

8. Burden of Proof in Council Cases

In all cases, the burden of proof shall be borne by the petitioner(s).

9. Stemming Acts

- a. A *stemming act* shall be any act that is substantially affected by an act deemed unconstitutional.
- b. When determining whether an act is a stemming act, the Council may, at its discretion, consider arguments presented by either party to the case.

10. Drafting of Council Opinions

Before the Council votes on the constitutionality of an act, it shall appoint a member of the Council to draft a preliminary version of the majority's opinion. The Council shall then recess for no longer than 7 days, at which time it shall reconvene to formally decide the matter and approve the official opinion.

11. Revision History

- a. 1999 - 2000 Session
 - i. Initial version
The initial version of these Rules was transcribed from the minutes taken by ASSU President Michael Levin, at the Constitutional Council meeting on January 30, 2000.
 - ii. First Revision
These Rules were amended at the Council meeting on February 6, 2000. This first revision was produced from the minutes taken at that meeting by ASSU President Michael Levin.
 - iii. Second Revision
These Rules were amended at the following Council meetings: May 7, 2000; May 9, 2000; May 12, 2000. This second revision was produced from the minutes taken at those meetings by Council Chair Harris Shapiro.
- b. 2000 - 2001 Session
 - i. Third Revision
A table of contents was added on February 9, 2001, along with this Revision History section.