



The Judicial Council of ASUCR

University of California, Riverside

asucrjustice@ucr.edu

Instructions - Filing a Case

To ensure the fair and efficient administration of justice within ASUCR, the Judicial Council has developed this guide to assist petitioners in filing cases with the Judicial Council using our forms.

Deciding the Type of Case

If you are filing a case to get a judgment against an ASUCR Official for an action taken (or a lack thereof), you will file a **Complaint Against an ASUCR Official**. You can find more information about this type of case in the Judicial Council Rules of Procedure, Title V, Section 2.

If you are filing a case to get a judgment on the constitutionality of a written bylaw or other statute, you will file a **Constitutional Challenge to a Statute**. You can find more information about this type of case in the Judicial Council Rules of Procedure, Title V, Section 3.

If you are filing a case to get a judgment on whether an action was legal based on written statutes, including the bylaws and Constitution, you will file a **Request for Judicial Review**. You can find more information about this type of case in the Judicial Council Rules of Procedure, Title V, Section 4.

If you are filing a case looking to get a judgement about a violation of elections procedures in the Elections Code or certain provisions of Article VII of the Constitution, you will not file with the Judicial Council. The Elections Director and Elections Committee have original jurisdiction. Contact that office for assistance and directions.

If you need a waiver to automatic Academic Leave, you will not need to file. The Judicial Council receives a list of ASUCR Officials placed on Academic Leave each quarter, and will contact all officials on the list about the process.

Appeals. If you want to appeal a conviction against an ASUCR Official, you will file an **Appeal to a Conviction Against an ASUCR Official**. If you want to appeal strikes assigned by the Elections Committee, you will file an **Elections Appeal**. You can find more information about appeals in the Judicial Council Rules of Procedure, Title VI.

A few notes about appeals. Other than the types listed, there are generally **no other types of appeals**. Additionally, appeals to a conviction against an ASUCR Official require the presentation of **new evidence**. Elections Appeals, however, do not, because the Judicial Council is acting as an appellate court, rather than through original jurisdiction. Appeals **must be filed by a named, convicted party in the original case**. For example, if a Senator was assigned strikes as a result of a case, a member of the Executive Cabinet may **not** file an appeal for the Senator. The Senator must file, and must be the named petitioner on the appeal.

If there is a type of case **not listed**, or if you need further assistance in deciding what type of case you are filing, please email asucrjustice@ucr.edu.

Filling out the Form

Once you have decided what form to use, it is as simple as filling out the form, attaching related documents, and filing it.

The Judicial Council has a strong preference for typed forms. All forms are published on the ASUCR website as fillable PDFs. You can save the PDF with text filled out, and email it with text in it. You can also print it.

All fields are required. Fill them out to the best of your ability and as fully as possible - too much detail is always preferred over too little. **Do not fill out any of the second page.**

If you cannot fit all of the information into the field, you may attach a second, typed sheet labeled with the field.

Evidence

Any available evidence for the case should be attached to the form. It should be sufficient for the Judicial Council to at least see there is a case needing to be heard, but it need not be a complete list. The Judicial Council may contact the Petitioner for evidence, but it is required to do so. This is especially important for **appeals**. Appeals without sufficient evidence will almost certainly be denied even a first hearing.

The Petitioner should know that all evidence submitted will most likely be shared with the Respondent during the Discovery process. This process is outlined in the Judicial Council Rules of Procedure, Title VII, Section 2.

The deadline for evidence submission is 72 hours before the time of hearing or trial. Therefore, there will be chances to submit evidence after filing. However, it is usually in the Petitioner's best interest to submit evidence with the filing because the case is more likely to be accepted.

Any witnesses who will be used should be submitted with the filing as well. The Judicial Council will not compel the Petitioner to use every witness on the list but will not allow the use of witnesses not submitted, so it is in the Petitioner's best interest to submit more witnesses rather than fewer. This witness list will also be shared. Again, there will be time after the filing, but it is best to submit sooner rather than later.

All evidence, including witnesses, will be reviewed by the Judicial Council prior to the trial or hearing, and any evidence not in compliance with any provision of Title VII of the Judicial Council Rules of Procedure will not be allowed in the trial or hearing. The Petitioner and the Respondent should both read Title VII in its entirety to familiarize themselves with the rules relating to evidence.

Filing the Form and Related Documents

There are two acceptable ways of filing your completed form: emailing the form and related documents to asucrjustice@ucr.edu, or dropping it off at the front desk of 202 HUB during business hours. Neither method is preferred over the other; however, forms will be acted on more quickly if they are emailed.

Filing via Email

Forms filed via email must come from the email listed on the form. There may be delays in processing if this guideline is not followed.

Do **not** send your form to the Secretary of the Court directly, or to any of the Justices. You must send to asucrjustice@ucr.edu.

Please avoid filing forms via email with the form filled out and scanned. The file sizes are large and the text is often hard to read. Adobe Acrobat allows you to fill out the form and save text typed into it, and email the completed form. This method should be used if possible. If you must print it out to fill it out, the Judicial Council would prefer if you file in person.

Witness lists, evidence, and photos may be on a separate document, added to the same PDF document as the form, or simply placed in the body of the email. The Secretary of the Court will arrange it in a way that is acceptable for the Judicial Council.

Filing in Person

You may file forms in person, during business hours, at the front desk of the ASUCR suite, 202 HUB.

Please paperclip or place in a folder your form, and all related printouts, documents, etc. _____.

Combined Email/In Person

The Judicial Council would prefer you do not combine filing in person with filing via email - for example, you should avoid dropping off a form and then emailing evidence. This may delay the processing of your case.

Confirmation of Receipt of Your Case

Once the Secretary of the Court or other authorized agent has received your filing, he or she will send you a confirmation with your case number. Please keep this number handy and place it in the subject line of any emails sent to the Judicial Council regarding your case, and on top of any evidence filed after your initial filing. **This confirmation will always come via email, regardless of the method of filing.** It will not come from asucrjustice@ucr.edu. It will be sent to the email listed on the form.

This confirmation does not constitute acceptance of your case. It simply acknowledges that you have filed a case and the Judicial Council has received it and will take action on it at some point in time. You will receive an email at a later time if your case has been accepted and will move to hearing or trial.

Additional Questions? Concerns? Clarifications?

If anything is unclear, or if you need assistance, email the Judicial Council at asucrjustice@ucr.edu.