

UNIVERSITY JUDICIARY COMMITTEE BY-LAWS

Amended March 31st, 2020

Note: These By-Laws shall replace, in their entirety, the existing By-Laws of the University Judiciary Committee, the By-Laws of the First-Year Judiciary Committee, and the Constitution of the First-Year Judiciary Committee. Capitalized terms in these By-Laws shall have the meanings ascribed to them in Article XI (“Definitions”).

UJC BY-LAWS: PURPOSE

The purpose of these By-Laws is to describe generally the powers of the University Judiciary Committee (the “UJC”), its Executive Committee, the First-Year Judiciary Committee (the “FYJC”), and the UJC’s Support Officers, as well as the procedures for adjudication of Complaints by the UJC and the FYJC. While these By-Laws contain many specific provisions, they are not meant to be an exhaustive list of enumerated powers, responsibilities and procedures that extend to every imaginable contingency.

Instead, they are intended to provide a general framework from which the UJC, using sound judgment and reason, can deduce the extent of its power and responsibility, and the procedural limitations of the Judiciary System. These By-Laws incorporate, by reference, the Complaint filing and case management systems and procedures set forth on the website of the UJC, www.virginia.edu/ujc, (the “UJC Website”).

ARTICLE I UJC OVERVIEW

The charge of the UJC is to investigate and adjudicate Complaints of alleged violations of the University’s Standards of Conduct and, where violations are found, to impose one or more of the sanctions set forth in Article V hereof (the “Sanctions”). The primary role of UJC Representatives is to serve as Judges in UJC Trials. UJC Trials are divided into two phases, if applicable, the first of which is the Trial for Guilt, and the second of which is the Trial for Sanction. Trial Panels are comprised of five (5) Representatives, including a Trial Chair, who shall be one of the five Voting Members of the Executive Committee (“Voting Members”). When

a Complaint alleges a violation of the Standards of Conduct by a First-Year Student, the trial shall be conducted by the FYJC, in which case the Trial Panel shall be comprised of five (5) FYJC Representatives, including a Trial Chair, who shall be either the FYJC Chair or the FYJC Vice-Chair.

Decisions by the UJC Trial Panel are appealable to the Judicial Review Board (the “JRB”) and reviewed by the Vice President and Chief Student Affairs Officer (“Vice President”). Decisions by the FYJC Trial Panel are appealable to the UJC and reviewed by the Chair and, ultimately, the Vice President. In certain cases, the parties may agree to a less formal adjudication before a Hearing Panel, as more particularly described in Article VII, below.

ARTICLE II JURISDICTION

A. ORIGINAL AND APPELLATE JURISDICTION

The UJC has jurisdiction to hear and adjudicate duly filed Complaints involving alleged violations of one or more of the Standards of Conduct by a University Student or a University Group. Specifically, the UJC is empowered to exercise all original and appellate jurisdiction detailed in Article II, Section A of the UJC Constitution, and the FYJC is empowered to exercise all original jurisdiction delegated to it by the UJC. Special rules for the “Non-Exercise of Jurisdiction” and certain “Jurisdiction Restrictions,” are set forth in Article II, Sections C and D of the UJC Constitution.

B. INTERIM SUSPENSION

A University official may temporarily suspend a University Student reasonably believed to pose a threat to themselves, to the health or safety of other members of the University, to University property, or to the educational process, pending a hearing of the underlying offense(s) charged under the Standards of Conduct. In such cases, the University Student may appeal the interim suspension to the Vice President. The UJC retains jurisdiction of the underlying charges. If the Vice President affirms the interim suspension in whole or in part, the University Student may request an expedited UJC Trial on the underlying charges within seventy-two (72) hours of receipt of notice of the Vice President’s decision. When such request is made, the UJC shall

schedule a trial as soon as reasonably practicable.

ARTICLE III

UJC, FYJC, UFP, EXECUTIVE COMMITTEE, SUPPORT OFFICERS

A. UJC REPRESENTATIVES

1. Election of UJC Representatives. The UJC shall be comprised of twenty-seven (27) Representatives, including three (3) Representatives from the College of Arts and Sciences and two (2) Representatives from each of the other separate schools of the University, selected as provided in Article V of the UJC Constitution. The newly-elected Representatives shall replace the existing Representatives and assume office on April 1 of each year following the applicable election.
2. UJC Representative Vacancies. In the event that any of the UJC Representatives have not been selected by election as contemplated in Article V of the UJC Constitution, the Chair shall contact the President of the relevant school and encourage them to select such Representative(s) as soon as reasonably possible. If such efforts fail, or in the event of any subsequent vacancy for any reason, such vacancy shall be filled as described in Article V, Section B of the UJC Constitution.
3. Training of Newly-Elected UJC Representatives. During the month of March following each election of Representatives to the UJC, the outgoing Chair and Vice Chair for Trials shall be responsible for Training of the newly-elected Representatives, and shall provide reasonable advance written notice to such Representatives of the date, time, and place of all training sessions.
4. Responsibilities of Representatives. The primary responsibility of UJC Representatives is to serve as Judges in UJC Trials; other responsibilities include fulfilling all duties reasonably imposed by the Chair and Vice Chair for Trials, with the advice and consent of the UJC. In addition, each Representative shall:
 - a. Affirm their support for these By-Laws and the UJC Constitution, in writing or in person, prior to commencing to serve as a Representative, as a condition of their service on the UJC.

- b. Attend all UJC meetings; any Representative who misses more than three (3) meetings per semester without a reasonable explanation, may be subject to disciplinary action, including impeachment, as specified in Article VII, Section A of the UJC Constitution.
- c. Sign up and be available to serve as a Judge in at least the Minimum Trial Number (as hereafter defined). The “Minimum Trial Number” shall be determined by the Vice Chair for Trials in consultation with the UJC Representatives at the beginning of each term. Any Representative who fails to sign up and be available to serve as a Judge in at least the Minimum Trial Number shall, absent a reasonable explanation for such failure, in the reasonable discretion of 4/5 of the Voting Members, be subject to disciplinary action, including impeachment, as specified in Article VII, Section A of the UJC Constitution.
- d. Maintain confidentiality concerning UJC and FYJC cases, in accordance with Article VIII, below.
- e. Refer any media or other requests for case information from a person or entity who is not a Representative or Support Officer to the Chair.

B. FIRST-YEAR JUDICIARY COMMITTEE

1. The FYJC shall be comprised of twelve (12) FYJC Representatives, each of whom shall be a First-Year Student, to be selected by the Vice Chair for First-Years, and subject to approval by the Chair. The primary responsibility of FYJC Representatives is to serve as Judges in FYJC Trials. The FYJC Representatives shall elect from among themselves, by majority vote through an instant run off system, a FYJC Chair and a FYJC Vice Chair. Every FYJC Trial shall be chaired by either the FYJC Chair or the FYJC Vice Chair. In the event of any subsequent vacancy in a FYJC Representative position, such vacancy shall be filled as determined by the Chair and the Vice Chair for First-Years, and subject to the approval of the Chair. In the event of any subsequent vacancy in the position of the FYJC Chair or the FYJC Vice Chair, such vacancy shall be filled by election in the same manner by which the original officer was selected.

C. University and Fraternity Panel (UFP)

1. The UFP shall be comprised of UJC and IFCJC Representatives, five (5) of whom shall be IFCJC Representatives, to be selected by the IFCJC Chair, and the remaining members to be the entire UJC Representative body. The primary responsibility of the UFP is to adjudicate cases in which an IFC Member organization and a Contracted Independent Organization (CIO), or other University group, are alleged to violate a standard of conduct during the same event. In the event of any subsequent vacancy in a UFP Representative position, such vacancy shall be filled as determined by the IFCJC Chair if an IFCJC Representative or follow the standard vacancy procedures for a UJC Representative.

D. UJC EXECUTIVE COMMITTEE

1. Executive Committee Membership. The UJC Executive Committee shall be comprised of twelve (12) standing members, including the Chair, the Vice Chair for Trials, the Vice Chair for Sanctions, the Vice Chair for First Years, and the Vice Chair for Graduate Students, who shall collectively comprise the Voting Members, as well as the following non-voting members: one (1) Senior Investigator, two (2) Senior Counselors, one (1) Senior Educator, one (1) Senior Data Manager, one (1) FYJC Chair, and one (1) FYJC Vice Chair. Additional non-voting and voting members may be added upon a majority vote by the Representatives.
2. Election of Voting Members of Executive Committee. Before April 1 of each year, but no sooner than three (3) weeks following the date of the most recent election, all of the newly-elected UJC Representatives who have successfully completed their training, as determined by the outgoing Chair, shall convene to elect the new Voting Members of the Executive Committee, by majority vote by instant run off, in the following order: Chair, Vice Chair for Trials, Vice Chair for Sanctions, Vice Chair for First Years, Vice Chair for Graduate Students. Such Executive Committee elections shall (a) be organized and overseen by the outgoing Chair, and (b) require the participation of at least three-quarters (3/4) of the newly-elected Representatives. In the case of a tie, the newly-elected

Representatives shall continue to discuss and question the candidates in an effort to break such tie and, in the event that such efforts are not successful, the outgoing UJC Chair shall cast the tie-breaking vote.

a. The Vice Chair for Graduate Students must be a graduate student. In the event that no graduate student Representative is elected to the position by May 1, a majority of the Representatives may elect to waive this requirement.

3. Executive Committee Vacancies. In the event of a vacancy among the Voting Members of the Executive Committee, the Representatives shall convene to elect a replacement by majority vote by instant run off, provided that at least three-quarters (3/4) of the Representatives participate in such election. The remaining Voting Members who are not themselves running shall oversee such election. In the event that all of the remaining Voting Members are themselves running, the Representatives shall elect one of their own to oversee such election. In the event of a vacancy in the position of the Chair, the Vice Chair for Trials shall preside until a new Chair is elected.

4. Powers and Responsibilities of the Voting Members of the Executive Committee. The Voting Members of the Executive Committee may:

a. Serve as Trial Chair in UJC Trials. No other person may chair a UJC Trial.

b. Discuss cases with Support Officers, witnesses, the Complainant, the Accused Student and/or Accused Group (“Accused”), the Dean of Students, and other University administrators and organizations as necessary in order to manage the trial and monitor and confirm completion of Sanctions.

c. By unanimous vote, release non-identifying statistical case data as necessary to inform the University community of the UJC’s presence and to further the UJC’s purpose.

d. By unanimous vote, adopt minor grammatical and other administrative changes, updates, and amendments to these By-Laws. Such changes, updates, and amendments shall be presented to the Representatives for review at its next meeting.

5. Powers and Responsibilities of the Chair. The Chair shall:

- a. Preside at all UJC meetings.
- b. Speak on behalf of the UJC in discussions with University officials and in other business matters.
- c. Ensure proper administration of all Sanctions imposed by the UJC.
- d. Ensure that Complaints are properly investigated.
- e. Ensure that UJC Representatives are given reasonable prior notice of each UJC meeting and each UJC Trial.
- f. Ensure that all parties to a UJC Trial have been assigned a Counselor.
- g. Ensure submission of the Investigator's Report for each trial, together with other pertinent information, including the outcomes of both the Trial for Guilt and the Trial for Sanction, to the Vice President for review, and, where applicable, to the JRB for review.
- h. Review all decisions of the FYJC.
- i. Recommend to the Voting Members the dismissal of any Complaint that they determine is not within the jurisdiction of the UJC, or fails to allege violations for which the UJC can make a finding of guilt, in which case such Complaint may be dismissed upon majority vote by the Voting Members.
- j. Appoint, with the advice of the outgoing Executive Committee, the consent of the other four Voting Members of the incoming Executive Committee, and a majority of the incoming UJC Representatives, a Senior Investigator, two (2) Senior Counselors, a Senior Educator, and a Senior Data Manager, unless expanded as permitted in Section C, 1 of this Article.
- k. With the consent of a majority of the Voting Members, establish and appoint chairmen of any subcommittees necessary to effectuate the goals and policies of the

UJC.

- i. With the advice and consent of the other Voting Members, implement special procedures, as and when necessary, to manage unique or voluminous cases that, based on their unique nature or volume, are inappropriate for disposition under standard UJC procedures.
- m. Oversee and supervise all other operations of the UJC, its Support Officers, and its subcommittees.

6. Powers and Responsibilities of Other Voting Members of the Executive Committee.

- a. The Vice Chair for Trials shall preside over the UJC in the absence of the Chair.
- b. The Vice Chair for Trials shall be responsible for the administrative operations of the UJC, including the scheduling of Trials and the assignment of Judges, and shall be the head of the Representative pool.
- c. The Vice Chair for Sanctions shall be responsible for keeping accurate records and monitoring completion of all Sanctions imposed by the UJC.
- d. The Vice Chair for First-Years shall be responsible for training of the FYJC and shall have all other UJC responsibilities relating to the FYJC.
- e. The Vice Chair for Graduate Students shall be responsible for managing UJC outreach to the graduate schools, including recruitment.
- f. The Voting Members of the Executive Committee shall report to the Chair and to the UJC, as appropriate, concerning any problems, and progress of their respective responsibilities.

7. Powers and Responsibilities of Non-Voting Members of the Executive Committee.

- a. The Senior Counselors shall be responsible for selecting new counselors each year in accordance with Article III, Section D, Subsection 1.
- b. The Senior Counselors shall be responsible for assigning counselors to cases in a

timely manner and for taking cases at a similar rate as other counselors.

c. The Senior Investigator shall be responsible for selecting new investigators each year in accordance with Article III, Section D, Subsection 1.

d. The Senior Investigator shall be responsible for assigning investigators to cases in a timely manner and for taking cases at a similar rate as other investigators.

e. The Senior Educator shall be responsible for selecting new educators each year in accordance with Article III, Section D, Subsection 1.

f. The Senior Educator shall be responsible for overseeing and implementing the UJC's outreach activities and, when appropriate, coordinating outreach with the Vice Chair for First Years and the Vice Chair for Graduate Students.

g. The Senior Educator shall work with the Chair to coordinate alumni and fundraising outreach.

h. The Senior Data Manager shall be responsible for the creation and maintenance of the UJC's student-run technology services, including its public website.

i. The Senior Data Manager shall be responsible for liaising with ITS on any matters on which the UJC requires ITS assistance.

j. The Senior Data Manager shall be responsible for creating a budget spreadsheet based on the Chair's budget and keeping that spreadsheet up to date based on monthly UJC expenditure reports.

8. Removal from Executive Committee.

a. The Chair alone or a majority of the Voting Members may remove a Senior Support Officer from the Executive Committee for the same reasons as a support officer may be removed from the UJC under Appendix 1. A Senior Support Officer may also be removed for failure to adequately perform their duties as listed in Article III, Section C, Subsection 7.

b. The Chair alone or a majority of the Voting Members may initiate proceedings to remove a Voting Member from the Executive Committee for the same reasons as a representative may be removed from the UJC under the UJC Constitution Article VII. A Voting Member may also be removed for failure to adequately perform their duties as listed in Article III, Section C, Subsections 5-6. A Voting Member may only be removed from the Executive Committee by majority vote of the UJC Representatives.

E. SUPPORT OFFICERS

The Investigators, the Counselors, and the Educators (collectively, the “Support Officers”), and the Senior Support Officers shall perform their responsibilities of investigation, advice, and education with respect to both UJC Trials and FYJC Trials.

9. Selection and Training of Support Officers. Each fall, the Voting Members and Senior Counselors and Investigator shall (a) recruit interested individuals to apply to serve as UJC Counselors and Investigators based on a two-step process, involving a written examination and, for applicants whose scores on such examination demonstrate a good working knowledge of the UJC, an oral interview; and (b) review the performance of incumbent Counselors and Investigators. Throughout the year, the Voting Members and Senior Educator shall (a) recruit interested individuals to apply to serve as UJC Educators based on a written application and, if necessary, an oral interview; and (b) review the performance of incumbent Educators. In the event that a deficiency in the number of Support Officers arises during the year, the Voting Members and the relevant Senior Support Officer(s) shall interview and appoint additional Support Officers, as necessary. The Senior Support Officers shall ensure that each Support Officer has been oriented as to the authority and procedures of the UJC.

a. The written examination requirement does not apply to law student applicants.

10. Responsibilities of Support Officers.

a. Each Investigator shall be responsible for investigating Complaints referred to them by the Chair and the Senior Investigator, including the compilation of the Investigator’s Report, and for such other duties as determined by the Voting Members. In addition,

- Investigators are responsible for contacting the Complainant and the Accused following the Trial, to elicit feedback, if possible, to prepare a “Feedback Report” on the case.
- b. Each Counselor shall be responsible for advising the Complainants, Accused Students and/or Accused Groups to whom they are assigned by the Chair and the Senior Counselors, and for such other duties as determined by the Voting Members.
 - c. Each Educator shall be responsible for educating the University community on UJC policies and procedures, for supporting UJC outreach, and for such other duties as determined by the Voting Members.
 - d. Counselors and Investigators are required to attend all assigned trials.
11. Selection of Senior Support Officers. The incoming Voting Members shall appoint two (2) Senior Counselors (from among the incumbent Counselors), a Senior Investigator (from among the incumbent Investigators), a Senior Educator (from among the incumbent Educators), and a Senior Data Manager (from among the Representatives of the UJC or FYJC or from any Support Officer pool) to serve a term of one (1) year. Additional members may be added as permitted in Section C, 1 of this Article. The Chair shall undertake such appointments with the advice of the other incoming Voting Members of the Executive Committee and the outgoing Executive Committee, followed by a majority vote of the incoming UJC Representatives.
12. Confidentiality and Professionalism; Removal. All Support Officers are held to high standards of confidentiality and professionalism, as more fully set forth in Appendix A. Violations of confidentiality or professionalism may result in sanctions, including, without limitation, suspension or removal from the UJC. Details concerning investigations and sanctions for violations of confidentiality and professionalism, together with the protocol in cases where Support Officers are facing a UJC Complaint, are more fully set forth in Appendix A.

F. REMOVAL OF REPRESENTATIVES

UJC Representatives may be removed in accordance with Article VII of the UJC Constitution. FYJC Representatives may be removed in the same manner as UJC Representatives, except that removal proceedings against FYJC Representatives may be initiated by the Vice Chair for First-Years.

G. NO SERVICE ON JRB

No UJC Representative, FYJC Representative, or Support Officer may serve on the JRB.

ARTICLE IV TRIAL PROCEDURES

Unless otherwise specified, or the context otherwise requires, the following Trial Procedures are intended to apply both to UJC and FYJC Trials, and references herein to the procedures governing UJC Trials shall be read also to govern and include FYJC Trials. Pursuant to the Constitution, FYJC Complaints may be heard by the UJC if (1) the Voting Members of the Executive Committee determine that more cases are pending before the FYJC than can be handled effectively by the FYJC, and/or (2) the FYJC term ends prior to adjudication of any Complaint that would otherwise be adjudicated by the FYJC, and/or (3) the Voting Members of the Executive Committee determine the case is more appropriately heard by the UJC.

References in these By-Laws to a “University Group,” “Accused Group” or “Sanctioned Group” shall, as the context requires, be read to refer to their respective student representatives.

A. COMPLAINTS

Typically, UJC Complaints are filed electronically through the UJC Website and must contain all of the information required therein. In rare cases, if a Complaint cannot be filed electronically, it nevertheless must include all of the information required by the electronic form. In accordance with the UJC Constitution, UJC Complaints must be filed within forty-five (45) calendar days from the date that the Complainant first knew or should have known the identity of the alleged offender. UJC Trials are scheduled within a reasonable time following the filing of a Complaint within the

jurisdiction of the UJC. Any request by the Accused for an open trial shall be made in writing at least five (5) academic days prior to the UJC Trial date. A Complaint will be dismissed if it fails to state a basis for finding a violation of the Standards of Conduct for which the UJC could issue a sanction.

B. COMPOSITION OF TRIAL PANEL

Each UJC Trial Panel shall be comprised of five (5) UJC Representatives, sitting as Judges, including the Trial Chair, who must be one of the Voting Members of the Executive Committee. Each FYJC Trial Panel shall be comprised of five (5) FYJC Representatives, sitting as Judges, including the Trial Chair, who must be either the FYJC Chair or the FYJC Vice Chair. The Accused Student or Accused Group may challenge any Judge on the basis of bias or conflict of interest. If such challenge is made prior to the commencement of the Trial, the challenged Judge may withdraw or may be asked to withdraw by the remaining Judges, in which case the Trial Chair may appoint an alternate Judge. If such challenge is made during the Trial, and if the challenged Judge decides, or is asked by the remaining Judges, to withdraw, the Trial shall be recessed until a new Judge is appointed and has had time to review a record of the proceedings to that point; provided, however, that if the withdrawing Judge is the Trial Chair, a new Trial shall be ordered.

C. RIGHTS OF THE ACCUSED

The Accused Student or Accused Group shall have the rights set forth in Article IV of the UJC Constitution. In addition, the Accused Student or Accused Group may select an advisor of their choice who may be present in a non-participatory role at trial. The Accused Student or Accused Group shall also have the right to be present at the Trial, provided that, pursuant to the UJC Constitution, the Trial may be held in absentia when proof of reasonable notice is shown and if, before the Trial date, the Accused Student or Accused Group fails to show cause for not appearing at the Trial. For these purposes, “proof of reasonable notice” means that the Accused Student or Accused Group has received email notice of the time, date, and location of the Trial at the relevant official University email address, in accordance with the University’s official notification policy set forth in the Undergraduate Record. For additional information regarding the UJC process or

this case, you may contact the UJC Vice Chair for Trials at any time during the process. The Vice Chair may be reached at shs3ww@virginia.edu.

D. DUTY OF COMPLAINANT

In addition, the Complainant shall be present at the Trial. If the Complainant is unable to attend the Trial as initially scheduled, the Complainant shall request a continuance, which may be granted in the sole discretion of the Trial Chair. Failure by the Complainant to appear at the Trial or request a continuance may result in the dismissal of the Complaint, in the discretion of a majority of the Trial Panel.

E. TRIAL PROCEDURE

1. The Vice Chair for Sanctions may request that the registrar place a registration block on the Accused who leaves the University or fails to cooperate in efforts to schedule and hold a trial.
2. Pre-Trial Exchange of Information; Investigator's Report. At least five (5) days prior to the Trial date, the parties, through their respective Counselors, shall upload to the UJC Website their respective lists of anticipated witnesses and evidence including, where restitution is sought by the Complainant, details about the nature and extent of the restitution sought. For good cause shown, the Trial Chair may, in their reasonable discretion, allow the introduction at Trial of witnesses or evidence not included in such lists. The Investigator's Report shall be uploaded to the UJC Website at least forty- eight (48) hours prior to the commencement of the Trial.
3. Pre-Trial Meeting; Admission of Guilt by the Accused. Prior to the commencement of the Trial, the parties shall convene to discuss any unresolved issues relating to UJC or FYJC jurisdiction, including any motion to dismiss the Complaint on the basis of a lack of jurisdiction, evidentiary issues, and any other issues that may affect the conduct of the Trial. In addition, any decision by the Accused Student or Accused Group to admit guilt should be communicated to the Trial Chair prior to the Trial. In such cases, if the Trial Chair determines

that the consequences of this admission are accepted and understood, there shall be no Trial for Guilt, and the Trial for Sanction shall commence immediately. If the admission is to some, but not all, of the charges in the Complaint, the Trial for Guilt shall commence as to the charges still at issue (unless the Complainant agrees to accept such partial admission of guilt, in which case the Trial may move to a Trial for Sanction).

4. Evidence.

a. Trial for Guilt: All relevant evidence is admissible at the Trial for Guilt, except for evidence which, in the reasonable discretion of the Trial Chair, (i) is highly prejudicial, meaning that such evidence would unfairly bias the Judges, (ii) is plainly redundant, or (iii) relates to the Past Disciplinary Record of the Accused.

b. Trial for Sanction: All relevant evidence is admissible at the Trial for Sanction, in the reasonable discretion of the Trial Chair, including, without limitation, a reasonable number of character witnesses for the Accused Student and the Past Disciplinary Record of the Accused Student.

5. Conduct of the Trial. The Trial for Guilt and the Trial for Sanction each shall commence with an opening statement by the Complainant, followed by an opening statement by the Accused Student or Accused Group. Witnesses and other evidence shall be presented first by the Complainant and then by the Accused Student or Accused Group, provided that each party may cross-examine the witnesses of the other party following each witness's direct testimony, and subject to the supervision of the Trial Chair. It shall be the responsibility of each party to ensure that their witnesses are present at the trial and prepared to testify. Following the presentation of all witnesses and other evidence, the Complainant shall present their closing argument, followed by the closing argument of the Accused Student or Accused Group. The opening statements, direct- and cross-examination of witnesses, and closing statements of the parties, described herein, may be made on their behalves by their respective Counselors. All trials will be recorded by audio.

6. Sequestration of Witnesses during Trial. At the request of either party, and with the consent of the Trial Chair, all witnesses may be sequestered during the Trial, and shall, in such

cases, be instructed by the Trial Chair not to discuss the case among themselves.

7. Recess for Trial Panel Conference. The Trial Chair may excuse the parties, witnesses, and spectators at any time in order to call the Judges into conference.

8. Deliberations at Trial for Guilt. All parties, witnesses, and spectators shall leave the trial room while the Judges deliberate the verdict. In accordance with the UJC Constitution, the Accused Student or Accused Group shall be convicted if at least four-fifths (4/5) of the Judges find that the Accused Student or Accused Group is guilty of the offense charged in the Complaint beyond a reasonable doubt. If the Accused Student or Accused Group is acquitted, the Trial Chair shall recall the parties and announce the verdict. If the Accused Student or Accused Group is convicted, the Trial Chair shall recall the parties and announce the guilty verdict, and the Trial for Sanction shall commence immediately.

9. Deliberations at Trial for Sanction. Following the introduction of any character evidence, the Past Disciplinary Record of the Accused, if applicable, and any other applicable evidence of aggravating or mitigating circumstances, as provided in the UJC Constitution, the Judges shall determine the Sanction or Sanctions by at least a four-fifths (4/5) vote, in accordance with Article V of these By- Laws, and recall the parties to announce and explain such Sanction or Sanctions.

F. APPLICABILITY OF HONOR CODE

The University's Honor Code applies in all UJC Trials.

ARTICLE V SANCTIONS

A. PERMISSIBLE SANCTIONS

At the conclusion of the Trial for Sanction, the Judges may impose any Sanction or Sanctions they deem appropriate, without a breach of confidentiality. Appropriate Sanctions include, without limitation, the following:

1. Admonition: An oral admonition that the conduct in question violates or has violated

one or more of the Standards of Conduct.

2. Disciplinary Probation: Exclusion from participation in privileged or extracurricular University activities for a period not exceeding two (2) academic semesters.
3. Restitution: Reimbursement for damage to, or misappropriation of, property, or damage or harm to any person.
4. Community Service: Service to be performed for the benefit of the University community.
5. Suspension: Exclusion from classes, privileged or extracurricular activities, and/or from the University for a definite period of time. In such event, the UJC shall instruct the Registrar to place a permanent notation on the Sanctioned Student's transcript reading "Disciplinary Suspension."
6. Expulsion: Termination of student status for an indefinite period of time. The conditions for readmission, if any, shall be stated in the order of expulsion. In such event, the UJC shall instruct the Registrar to place a permanent notation on the Sanctioned Student's transcript reading "Disciplinary Expulsion."

B. SANCTION HELD IN ABEYANCE

In its sole discretion, the UJC may hold any Sanction "in abeyance," meaning that the Sanction in question shall be considered only upon the occurrence of further specified conduct. Each Sanction held in abeyance shall be issued together with:

1. An explicit description of the Sanction held in abeyance, AND
2. An explicit description of the conduct that will activate the Sanction, AND
3. Specification of the time period, which may be indefinite, in which the Sanction will be held in abeyance.

In the event that a subsequent Complaint is filed alleging the triggering conduct, the Sanctioned Student or Sanctioned Group ("Sanctioned") shall be entitled to a Trial for Guilt to determine whether or not, beyond a reasonable doubt, such conduct occurred, and a Trial for Sanction, to determine the nature and extent of the Sanction or Sanctions to be activated.

C. COMMENCEMENT OF SANCTION

The Sanction or Sanctions shall commence no later than the date on which the decision of the UJC has been finalized; provided, however, that the Sanctioned Student or Sanctioned Group in question may elect to commence the relevant Sanction or Sanctions prior to such time.

D. NON-COMPLIANCE WITH SANCTION

If the Vice Chair for Sanctions has reason to believe that the terms of a Sanction have been violated, they shall contact in writing the Sanctioned in question, together with any party or parties with relevant information about the status of the Sanction, to inquire about the status of the Sanction.

1. The Vice Chair for Sanctions shall then recommend a new Sanction to the Voting Members, who shall affirm the new Sanction by a majority vote. Grounds to reject the proposed new Sanction shall include but are not limited to: (1) the proposed new Sanction is unduly harsh, (2) the Sanctioned has been unresponsive to UJC communication, (3) the proposed new Sanction is not educational or does not promote the health and safety of the University or the Sanctioned. The new Sanction may include the extension of deadlines for Sanction completion, the revision of the terms of the Sanction, and/or imposition of additional measures for violations of the terms of the Sanction.

2. If the Sanctioned does not comply with the new Sanction, then the Vice Chair for Sanctions may pursue a trial against the Sanctioned alleging violation of Standards of Conduct 6 and 11. The trial shall proceed as described in Article IV, Section D.

3. If a majority of the Voting Members cannot agree on any of the recommendations, then the Vice Chair for Sanctions may pursue a trial against the Sanctioned alleging violation of Standards of Conduct 6 and 11. The trial shall proceed as described in Article IV, Section D.

ARTICLE VI

POST-TRIAL PROCEDURES

A. UJC TRIAL: AUTOMATIC REVIEW BY VICE PRESIDENT

Except for cases appealed directly to the JRB, as provided in Section B below, every decision by the UJC Trial Panel is subject to automatic review by the Vice President, who may affirm the decision of the Trial Panel or, if they feel that the decision is not in the best interests of the University, (1) remand the decision to the UJC for review, reconsideration, or retrial, or (2) refer the decision directly to the JRB.

B. UJC TRIAL: APPEAL TO JRB

The Sanctioned may appeal the guilty verdict and/or the Sanction directly to the JRB within fourteen (14) days of the date of the UJC Trial. If the Sanctioned appeals the verdict or Sanction to the JRB, the Sanctioned must also send a copy of the appeal to the UJC through the Trial Chair.

1. Appeal of Guilty Verdict. The grounds for appeal of a guilty verdict are as follows:

- a. A procedural error during the Trial for Guilt caused the Sanctioned to be deprived of the procedural protections afforded by Article IV of the UJC Constitution, and such error very likely affected the outcome of the UJC Trial, and/or
- b. The Sanctioned has obtained new evidence, the existence of which would very likely have affected the outcome of the UJC Trial. "New evidence" means evidence of which the Sanctioned was unaware, and could not reasonably have been aware, prior to the UJC Trial.

The JRB may affirm the outcome of the UJC Trial or, alternatively, grant the appeal, in which case the JRB may remand the case for a new Trial for Guilt or, in appropriate circumstances, dismiss the case, in its sole discretion.

2. Appeal of Sanction. The grounds for appeal of a Sanction are the same as the grounds for appeal of a guilty verdict, as set forth above in B, 1, a-b (where the alleged errors or new evidence relates to the Trial for Sanction phase rather than the Trial for Guilt phase), together with the following additional grounds:

- a. Such Sanction was unduly harsh; and/or
- b. Such Sanction was clearly excessive; and/or
- c. Such Sanction was grossly inappropriate to the offense charged.

The JRB may affirm the outcome of the UJC Trial for Sanction or, alternatively, grant the appeal, in which case the JRB may remand the case for a new Trial for Sanction, or impose a substitute Sanction, in its sole discretion.

3. Final Decision. The decision of the JRB is final, and may not be further appealed, except that, in the case of the Sanction of expulsion, the Sanctioned may submit a final appeal to the Board of Visitors within fourteen (14) days from the date that the JRB has rendered its decision.

c. APPEAL FROM FYJC TRIAL

1. Automatic Review by UJC Chair. Except for cases appealed directly to the UJC, as provided in Section C.2 below, every decision by the FYJC Trial Panel is subject to automatic review by the Chair, who may either affirm the decision of the FYJC Trial Panel or convene an FYJC Appellate Panel, comprised of the Chair (or one of the other Voting Members and two other UJC Representatives. The FYJC Appellate Panel may (1) affirm the decision of the FYJC Trial Panel, (2) impose a different or additional Sanction, or (3) order a new trial before the UJC. A member of the FYJC Trial Panel shall be present in order to provide information, if requested, by the FYJC Appellate Panel. Following review by the Chair, all FYJC decisions are ultimately reviewed by the Vice President.
2. Appeal to UJC. The Sanctioned may appeal the guilty verdict and/or the Sanction directly to the UJC within fourteen (14) days of the date of the FYJC Trial. The grounds for appeal of the verdict in the Trial for Guilt and the Trial for Sanction are the same as the grounds for appeal of UJC verdicts to the JRB, as provided in Section B above. Such appeals shall follow the University Judiciary Committee Procedures for First Year Judiciary Committee

Appeals, outlined on the UJC website. The UJC may, in turn, (1) affirm the decision of the FYJC Trial Panel, (2) impose a different or additional Sanction, or (3) order a new trial before the UJC. A member of the FYJC Trial Panel shall be present in order to provide information, if requested, by the FYJC Appellate Panel.

D. RECORDS RETENTION

The UJC shall retain all files and records relating to a case for ten (10) years after the date the Complaint was filed, regardless of whether the Complaint was dropped and regardless of whether the Accused was found guilty or not guilty. However, that the UJC shall retain all such files and records for twenty (20) years in cases in which the Sanctioned was found guilty of a violation of Standard 1 or Standard 2 of the Standards of Conduct, and in cases in which a Sanction of suspension or expulsion was imposed.

Following the applicable retention period, case files and records shall be destroyed. Case files and records include the signed Rights and Responsibility form, the signed Investigator's Report, any evidence, and the audio recording of the trial.

ARTICLE VII TRIAL ALTERNATIVES

Where certain criteria are met, a UJC Trial or an FYJC Trial may be replaced by the less formal alternative of a "Hearing Panel," as described in further detail below.

A. HEARING PANELS

1. Criteria. At least seventy-two (72) hours prior to a UJC Trial or an FYJC Trial, the Complainant or the Accused may request a Hearing Panel, provided that:
 - a. The Accused admits guilt and is a first-time offender (that is, the Accused has not been adjudicated "guilty" at any prior UJC Trial or FYJC Trial), and
 - b. The Voting Members deem, by majority vote, that the offense is minor, and

c. Both the Complainant and the Accused agree, in accordance with the UJC Website, to have the case heard by a Hearing Panel.

The Voting Members (or the FYJC Chair and FYJC Vice Chair, in consultation with the Voting Members, if applicable) may nevertheless deny any request for a Hearing Panel if they determine that a regular UJC Trial or FYJC Trial, as applicable, is appropriate.

2. Composition of Hearing Panel. The Hearing Panel shall be comprised of one (1) Voting Member, acting as Hearing Panel Chair, and two (2) other UJC Representatives. In the case of an FYJC Hearing Panel, the Panel shall be comprised of the FYJC Chair or the FYJC Vice Chair and any two (2) FYJC Representatives.
3. Proceedings of Hearing Panel. Because the Accused has already admitted guilt, the purpose of the Hearing Panel is solely to decide on a Sanction. The Sanction decision, made solely on the basis of the Investigator's Report, together with any written statements that may be submitted by the Accused. Neither the Complainant nor the Accused may address the Hearing Panel or introduce witnesses or other evidence of any kind. At any point during the Hearing Panel, the Hearing Panel Chair may order a regular UJC Trial or FYJC Trial, as applicable, if they determine that a regular Trial is necessary in order to clarify facts or ensure fairness.
4. Review and Appeal of Hearing Panel Decision. The decision of the Hearing Panel shall be subject to review and appeal in the same manner as the decision of a regular UJC Trial or FYJC Trial, as applicable, as stated in Article VI.B and C.

Article VIII

UJC-IFC Joint Judicial Panel

A. Selection and Training of UFP representatives

The IFCJC Representatives will undergo training at the start of the term by the Vice Chair of

Trials of the UJC to ensure adherence to certain standards and knowledge of procedures. Such training shall be equivalent to that of UJC representatives.

B. Complaints

Submitting a complaint shall follow the same procedures as all other UJC complaints. The Voting Members of the UJC will vote on whether a complaint should be heard by UFP based on the initial report. The UJC statute of limitations applies.

C. Composition of Trial Panel

Each University and Fraternity Trial Panel shall be comprised of six (6) Representatives, three (3) UJC and three (3) IFCJC, sitting as Judges, including the Trial Chair, who must be one of the Voting Members of the Executive Committee. The Accused Student or Accused Group may challenge any Judge on the basis of bias or conflict of interest. If such challenge is made prior to the commencement of the Trial, the challenged Judge may withdraw or may be asked to withdraw by the remaining Judges, in which case the Trial Chair may appoint an alternate Judge. If such challenge is made during the Trial, and if the challenged Judge decides, or is asked by the remaining Judges, to withdraw, the Trial shall be recessed until a new Judge is appointed and has had time to review a record of the proceedings to that point; provided, however, that if the withdrawing Judge is the Trial Chair, a new Trial shall be ordered.

D. Rights of the Accused

The Accused shall have the rights set forth in Article IV.C. of the UJC bylaws.

E. Duty of Complaint

The Complainant shall have the responsibilities set forth in Article IV.D. of the UJC bylaws.

F. Trial Procedure

- a. Initial Trial Procedure shall follow the Trial Procedure set forth in Article IV.E. 1-7
- b. Deliberation at Trial For Guilt. All parties, witnesses, and spectators shall leave the trial room while the Judges deliberate the verdict. In determining guilt for the CIO or

other University group, they shall be convicted if at least four-sixths (4/6) of the Judges find that the group is guilty of the offense charged in the Complaint beyond a reasonable doubt. In determining guilt for the IFC group, the UJC chair will not have a vote, and the IFC group shall be convicted if at least four-fifths (4/5) of the Judges find that the group is guilty of the offense charged in the Complaint beyond a reasonable doubt. If either Accused Group is acquitted, the Trial Chair shall recall the parties and announce the verdict. If either of the Accused Groups is convicted, the Trial Chair shall recall the parties and announce the guilty verdict, and the Trial for Sanction shall commence immediately.

- c. Deliberations at Trial for Sanction. Following the introduction of any character evidence, the Past Disciplinary Record of the Accused group, if applicable, and any other applicable evidence of aggravating or mitigating circumstances, as provided in the UJC Constitution, the Judges shall determine the Sanction or Sanctions. For the CIO or other University group, sanctions shall be determined by at least a four-sixths (4/6) vote. For the IFC group, sanctions shall be determined by at least a four-fifths (4/5) vote, with the Trial Chair recusing themselves. All parties shall be recalled to announce and explain such Sanction or Sanctions.

G. Applicability of Honor Code

The University's Honor Code applies in all UJC Trials.

H. Sanctions

At the conclusion of the Trial for Sanction, the Judges may impose any Sanction or Sanctions they deem appropriate, without a breach of confidentiality. Such sanctions shall abide by Article V of the Bylaws.

I. Post-Trial Procedures

Automatic Review by UJC Chair. Except for cases appealed directly to the UJC, as provided in Section C.2 below, every decision by the UFP Trial Panel is subject to

automatic review by the Chair, who may either affirm the decision of the UFP Trial Panel or convene an UFP Appellate Panel, comprised of the Chair (or one of the other Voting Members), one UJC Representative, and one IFCJC Representative. The UFP Appellate Panel may (1) affirm the decision of the UFP Trial Panel, (2) impose a different or additional Sanction, or (3) order a new trial before the UJC. A member of the UFP Trial Panel shall be present in order to provide information, if requested, by the UFP Appellate Panel. Following review by the Chair, all UFP decisions are ultimately reviewed by the Vice President.

Appeal to UJC. The Sanctioned may appeal the guilty verdict and/or the Sanction directly to the UJC within fourteen (14) days of the date of the UFP Trial. The grounds for appeal of the verdict in the Trial for Guilt and the Trial for Sanction are the same as the grounds for appeal of UJC verdicts to the JRB, as provided in Section B above. Such appeals shall follow the University Judiciary Committee Procedures for the First Year Judiciary Committee Appeal, outlined on the UJC website. The UJC may, in turn, (1) affirm the decision of the UFP Trial Panel, (2) impose a different or additional Sanction, or (3) order a new trial before the UJC. A member of the UFP Trial Panel shall be present in order to provide information, if requested, by the UFP Appellate Panel.

J. Trial Alternatives

Hearing panels shall not be permitted in UFP complaints.

ARTICLE IX CONFIDENTIALITY; INDEPENDENCE

A. CONFIDENTIALITY OF UJC PROCEEDINGS

Except as otherwise provided in these By-Laws, or as required by applicable law, the UJC will not disclose information relating to a UJC Trial or FYJC Trial unless the Accused (through their official representative) has waived their right to confidentiality, either by signing a written waiver for that purpose or through public disclosure of matters that would otherwise be held to be confidential. The Accused (through their official representative) may elect to discuss their

respective UJC cases with any person or persons, except where the Complaint itself involves a breach of confidentiality. A Complainant may discuss the UJC case with the UJC Executive Committee, Trial Panel, and/or Support Officers (or other counsel of the parties' own choosing) assigned to the case, and University officials. A complainant may not discuss the UJC to any other persons, except upon appropriate request to the Trial Chair.

Questions about confidentiality and/or the status of a waiver should be directed to the Chair.

B. INDEPENDENCE OF UJC PROCEEDINGS

All UJC and FYJC proceedings are conducted independent of the existence and outcomes of any civil or criminal proceedings relating to the same underlying conduct. Subject to the rules of evidence set forth in Article IV.E of these By-Laws, the Trial Chair retains sole discretion in determining whether and to what extent evidence of related civil or criminal proceedings is admissible in a UJC Trial or FYJC Trial. The Accused may, because of ongoing civil or criminal proceedings or otherwise, opt not to testify; however, the exercise of that option will not preclude the Trial Panel from proceeding and determining the Complaint on the basis of the Investigator's Report and other evidence and information.

ARTICLE X SPECIAL PROCEDURES

A. CONTRIBUTORY HEALTH IMPARMENT

Complaints against University Students with health impairment concerns shall be handled pursuant to the Procedures for Student Disciplinary Cases Involving Contributory Health Impairments, which is accessible through the UJC Website.

ARTICLE XI AMENDMENT

These By-Laws may be amended by a vote of two-thirds (2/3) of the Representatives, four-fifths (4/5) of the Representatives in attendance. Minor grammatical and/or administrative changes may be implemented as provided in Article III.C.4.d above.

ARTICLE XII DEFINITIONS

“Accused” shall mean Accused Student or Accused Group.

“Accused Group” shall mean the University Group named in a Complaint. “Accused Student” shall mean the University Student named in a Complaint.

“Board of Visitors” shall mean the Rector and the Visitors of the University of Virginia. “Chair” shall mean the Chair of the UJC.

“Complainant” shall mean the person, persons, or group who file a Complaint.

“Complaint” shall mean an allegation of the violation of one or more of the University’s Standards of Conduct, filed in accordance with the requirements of the UJC Website.

“Counselors” shall mean the University Students who are selected each year by the Senior Counselors to advise Complainants and Accused through the UJC or FYJC process.

“Dean of Students” shall mean the University’s Dean of Students, and their designee.

“Educators” shall mean the University Students who are selected each year by the Senior Educator to educate the University community regarding UJC policies and procedures and to perform outreach events for the UJC.

“Executive Committee” shall mean the UJC Chair, the Vice Chair for Trials, the Vice Chair for Sanctions, the Vice Chair for First-Years, and the Vice Chair for Graduate Students (collectively, the “Voting Members”), together with the following non-voting members: one (1) Senior Investigator, two (2) Senior Counselors, one (1) Senior Educator, one (1) Senior Data Manager, one (1) FYJC Chair and one (1) FYJC Vice Chair. (Additional non-voting and voting members may be added upon a majority vote by the Representatives.)

“First-Year Student” shall mean any University student who has finished high school and has commenced their first year of college. This may include international students, but does not include transfer or graduate students.

“First-Year Living Area” shall mean any University residence hall that houses any First-Year Students, together with any related common or adjacent areas.

“FYJC” shall mean the First-Year Judiciary Committee.

“FYJC Appellate Panel” shall mean the panel comprised of one (1) of the Voting Members of the Executive Committee and two (2) other UJC Representatives who may be convened by the Chair to

review the outcome of an FYJC Trial.

“FYJC Chair” shall mean the Chair of the FYJC, elected by the FYJC Representatives from among themselves.

“FYJC Representative” shall mean any of the twelve (12) members of the FYJC, each of whom shall be a First-Year Student, selected as determined by the Chair and the Vice Chair for First-Years, and subject to approval by the Chair.

“FYJC Vice Chair” shall mean the Vice Chair of the FYJC, elected by the FYJC Representatives from among themselves.

“Hearing Panel” shall mean the panel comprised, in the case of a UJC Hearing Panel, of one (1) Voting Member, acting as Hearing Panel Chair, and two (2) other UJC Representatives and, in the case of an FYJC Hearing Panel, the FYJC Chair or the FYJC Vice Chair, acting as Hearing Panel Chair, and two (2) other FYJC Representatives.

“Investigator’s Report” shall mean the document compiled by the Investigator that sets forth the facts of the incident or incidents underlying the Complaint and which is signed by both parties.

“Investigators” shall mean the University Students who are selected each year by the Senior Investigator to investigate Complaints.

“JRB” shall mean the University’s Judicial Review Board, or its successor body. “Judges” shall mean the UJC Representatives, acting in their capacity as Trial Judges. “Judiciary System” shall mean the system and procedures administered by the UJC.

“Minimum Trial Number” shall mean the minimum number of trials for which each Representative must sign up and be available each term, and shall be determined by the Vice Chair for Trials in consultation with the UJC Representatives at the beginning of each term. Unless and until such vote is taken, the Minimum Trial Number shall be the same as the Minimum Trial Number then in effect from the prior term.

“Past Disciplinary Record of the Accused” shall mean any record of the UJC or any other record or information relating to the prior conduct of the Accused (other than the conduct alleged in the Complaint at issue in the Trial), but not including evidence of any criminal conviction relating to

the offense alleged in such Complaint.

“Representatives” shall mean each of the twenty-seven (27) members of the UJC, as the same shall be duly elected (or appointed, if applicable) from time to time.

“Sanctioned” shall mean Sanctioned Student or Sanctioned Group.

“Sanctioned Group” shall mean a University Group, which has been found guilty following a Trial for Guilt or admittance of guilt and has been sanctioned following a Trial for Sanction.

“Sanctioned Student” shall mean a University Student who has been found guilty following a Trial for Guilt or admittance of guilt and has been sanctioned following a Trial for Sanction.

“Sanction(s)” shall mean any of the sanctions set forth in Article V of these By-Laws.

“Senior Support Officers” shall mean, collectively, the two (2) Senior Counselors, the Senior Investigator, the Senior Educator, and the Senior Data Manager selected each year by the Chair.

“Standards of Conduct” shall mean those standards of conduct describing behavior generally prohibited to enrolled University Students, as the same may be amended from time to time. The Standards of Conduct are written and revised only by the Board of Visitors. The text of the current Standards of Conduct can be accessed through the UJC Website.

“Support Officers” shall mean University Students who are selected by the Senior Support Officers to serve as Investigators, Counselors and Educators for the UJC and the FYJC.

“Trial Chair” shall mean the person who chairs a Trial. In the case of a UJC Trial, the Trial Chair must be one of the Voting Members of the UJC. In the case of an FYJC Trial, the Trial Chair must be either the FYJC Chair or the FYJC Vice Chair.

“Trial for Guilt” shall mean the first phase of a UJC Trial or FYJC Trial, in which the Trial Panel adjudicates the guilt or innocence of the Accused who is the subject of the Complaint.

“Trial for Sanction” shall mean the second phase of a UJC Trial or FYJC Trial, in which the Accused who has been found guilty in the Trial for Guilt or admittance of guilt, is sanctioned by the Trial Panel.

“Trial Panel” shall mean the five (5) Judges who adjudicate at the Trial. In the case of a UJC Trial, the Judges shall be Representatives of the UJC. In the case of an FYJC Trial, the Judges shall be Representatives of the FYJC.

“UJC” shall mean the University Judiciary Committee.

“UJC Constitution” shall mean the Constitution of the UJC. The text of which can be accessed through the UJC Website. [http://www.student.virginia.edu/~judic/ujc_constitution.php]

“University Group” shall mean a group within the University Community, excluding those over which the UJC lacks jurisdiction under Article II of the UJC Constitution

“University Student” shall mean any student who was registered or enrolled in an academic course of study at the University at the time that the conduct alleged in the Complaint occurred.

“UJC Website” shall mean the website created and maintained by the UJC and located at: www.virginia.edu/ujc

“Vice President” shall mean the University’s Vice President of Student Affairs and Chief Student Affairs Officer, and their designee.

“Voting Members” of the Executive Committee shall mean, collectively, the Chair, the Vice Chair for Trials, the Vice Chair for Sanctions, the Vice Chair for First-Years, and the Vice Chair for Graduate Students.

Appendix A

UJC Support Officers: Professionalism, Removal

Professionalism. All UJC Support Officers are expected to maintain an appropriate level of professionalism at all times.

Any act or behavior that is, in the reasonable discretion of the Chair, unbecoming a UJC Support Officer, shall be deemed to be a violation of professionalism. Such violations shall include, without limitation:

(a) Violating established attendance policies;

- (b) Excessive tardiness;
- (c) Failure to wear appropriate attire to UJC Trials or FYJC Trials and meetings;
- (d) Failure to complete assigned work in a timely manner;
- (e) Failure to comply with the confidentiality policies of the UJC; and/or
- (f) Conviction by the UJC of a violation of any of the Standards of Conduct. Violations of Professionalism.

1. When the Support Officer in question is *not* also facing UJC charges for a violation of any of the Standards of Conduct, the relevant Senior Support Officer shall investigate the alleged violation of professionalism and meet with the Support Officer to discuss such alleged violation. If such Senior Support Officer determines, in their reasonable discretion, that the alleged violation of professionalism occurred, one or more of the following sanctions may be imposed:

- a. Oral admonition;
- b. Written warning;
- c. Suspension from the UJC (during which time the Support Officer may not participate in any UJC Trial or FYJC Trial, and may not attend any UJC meetings or events except for General Body meetings which are open to the public);
- d. Removal from the UJC.

The sanctioned Support Officer may appeal the finding of a violation of professionalism or the sanction imposed by submitting a written petition to the Chair within seven (7) calendar days, which petition shall be considered by the Voting Members of the Executive Committee, who may, by majority vote, affirm, overturn, or modify the decision of the Senior Support Officer. This decision shall be final.

2. When the Support Officer in question is also facing UJC charges for a violation of any of the Standards of Conduct, such Support Officer shall be suspended immediately from the

relevant Support Officer pool until such charges have been fully resolved. If such Support Officer pleads guilty or is found guilty of any of the underlying charges, the Voting Members of the Executive Committee shall decide, by majority vote, whether or not the conduct warrants permanent removal from the Support Officer pool. This decision shall be final. If the Support Officer does not plead guilty and is acquitted of such underlying charges, the alleged unprofessional conduct shall be evaluated under the procedure described in paragraph (1) above.