

STRUCTURE OF THE ANU JUDICIAL BOARD

The Board shall be composed of five Alpha Nu Omega active members: a Chief Justice and four **fraternity** representatives, all of who must be in good academic standing.

JUSTICES

Justice Eligibility

Any person who is a member of Alpha Nu Omega (at the time of selection) and who is an initiated member in good standing (academic and otherwise) with the University is eligible (to be appointed justice).

Exceptions to this include the following:

1. Persons acting as Officers of Alpha Nu Omega at the time of application are not eligible to be appointed.

Justice Selection

The Alpha Nu Omega Board of Directors, including the elected Chief Justice, will select the four brothers to be on the Judiciary Board. New justices will be chose to fill the positions of retiring justices or those who are not re-appointed. Justices shall be appointed on the basis of objectivity, integrity, and maturity.

Terms of Justice

Justices will serve one full academic year (Jan-Dec) with the possibility of reappointment.

Reappointment is to be done by the Chief Justice and the newly elected Alpha Nu Omega Board. If a Justice plans to graduate in May he is ineligible to begin a term in January, prior to his graduation; all Justices are expected to complete the term for which they are chosen.

Voting

Each justice shall have a vote with the exception of the Chief Justice, who shall only vote in case of a tie.

Duties of Justices

1. Justices will attend all Judicial Board informational sessions and familiarize themselves with the Judicial Board duties.
2. Justices will attend all Judicial Board meetings and forums.
3. Justices will treat alleged violators with courtesy and treat students with fairness and have the utmost concern for their rights.
4. Justices must be prepared to arrive at a fair decision and impose appropriate sanctions.
5. Justices must uphold the confidentiality of the case, the proceedings, and the outcome. Failure to do so could result in removal from the Judicial Board.
6. It is mandatory for all Justices to attend **any and all trainings** for the Board, including returning Justices.

CHIEF JUSTICE

Eligibility

Any person who is an initiated member is eligible to become Chief Justice. It is highly recommended that the Chief Justice has served one full term as a Justice on the Judicial Board.

Selection

Selection of the Chief justice will be done using the same process as the rest of the Alpha Nu Omega Board of Directors.

Duties

The Chief Justice is subject to all criteria, duties, and responsibilities of a Justice on the Judicial Board, and in addition, the following responsibilities:

1. The Chief Justice serves as a spokesperson for the board. In this capacity, the Chief Justice notifies members of the charges brought against them, their rights to fairness and due process, the Judicial Board process, and the appeal process.
2. At judicial sessions, the Chief Justice serves as a moderator for the Board's activities, including supervision of the Justices' responsibilities.
3. The Chief Justice is responsible for maintaining an effective and reasonable schedule of sessions.
4. The Chief Justice will submit a report (to the Advisor) of the Board's activities at the end of the each semester. The report will include, but is not limited to the following:
 - a) A summary of the judicial Board's activities (number of cases heard, decisions reached, etc.)
 - b) Problem areas
 - c) Areas that need improvement or clarification and suggestions for improving the overall operation of the board.
 - d) This information will be confidential.

ETHICAL STANDARDS AND REMOVAL

Guidelines regarding discipline must be observed by all members of the Board. Violation of these standards is cause for an individual's removal from the Board.

Standards

It is the responsibility of each Judicial Board member to observe the following ethical standards:

1. Information regarding the disciplinary status of any student is not to be discussed with anyone outside the Board. Likewise, any information given in confidence at a judicial session shall not be discussed with anyone outside the Board.
2. When talking with a student, Judicial Board members should refrain from making accusations or statements of any kind that cannot be supported.
3. In cases involving discipline, the vote of each Board member is confidential. The vote of the entire Board, however, is shared with the chapter(s) when the Board's decision is announced.
4. All members of the Board must uphold all decisions of the board, even though there may be dissenting opinions. The confidentiality of the Judicial Board proceedings under these standards must be stressed.
5. All members must follow University and Student Code of Conduct policies and regulations, state and federal law and existing **Greek** codes and guidelines as stipulated by the IFC or otherwise.

Removal

A Judicial Board member may be removed by the remaining Board membership for breach of any of the aforementioned standards or any actions or circumstances that are considered to be substandard and damaging to the integrity of the Board.

FORMAL PROCEDURES

Initiation of a Case

A case may be referred to the Judicial Board from any source. Anyone filing a report should be prepared to present such evidence or testimony to the Board.

Conduct Policies

Any action by a member of Alpha Nu Omega casting an unfavorable reflection on the fraternity or the **Greek** Community as a whole may be considered to be sufficient reason for a conduct case. All conduct cases shall come under the heading of one or any of the combination of the following:

1. Violation of The University of Dayton Student Code of Conduct.
2. Violation of IFC resolutions, guidelines, or policies.
3. Conduct that may be considered harmful to the **Greek** system, or the community.

Procedures

All cases, from the initial receipt of a complaint, shall take no longer than thirty-one (31) days (including weekends) to complete, including investigations, hearings, and notice of sanction/appeal. To protect the rights of the accused, the Judicial Board will follow the procedures outlined below when conducting an investigation:

PROCEDURE

Chief Justice shall notify the president of Alpha Nu Omega of the complaint against the accused. Included in this notice will be:

1. A description of the actual complaint received by the Board.
2. Notification that the Chapter President has five business days to respond in writing to the Board regarding the complaint.
3. Description of the date/time/location of the forthcoming hearing. Chief Justice shall also notify the complainant of receipt of his/her complaint and of the forthcoming procedure in writing.

The President shall serve as the official representative and respondent for the organization. The entire Board will be presented with the case, hear from the complainant(s), member representative(s), and any witness(es), and make a decision regarding responsibility and any applicable sanctions or referrals.

Chief Justice shall inform the Chapter via a letter to the President within two business days of the hearing of:

1. The Board's decision.
2. The member's right of and process for an appeal.
3. Chief Justice shall inform the complainant that the hearing has taken place and that the Board has reached a decision.

The member has up to three business days to appeal the Board's decision. All appeals must be submitted in writing to the advisor. If no appeal is submitted, the Board's decision is final, and the member forfeits his right to an appeal.

Upon completion of any assigned sanctions, the Chief Justice will notify the member with a letter officially closing the case. If a member does not complete sanctions without making previous arrangements with the Board, the case is automatically referred to Melissa Flanagan and asked to be removed.

Appeal

An accused member may appeal the decision of the Alpha Nu Omega Judicial Board in writing within three business days of the date of the decision letter. A member not appealing within that time period will lose its appeal rights, and all action on the matter shall be considered closed. A case for appeal must be made in writing to advisor within three business days as outlined.

Conditions for Appeal

Appeals may be granted for one or more of the following reasons:

1. Proper procedure was followed by the **Alpha Nu Omega** Judicial Board.
2. Further evidence has been found since the decision was rendered which may affect or change in the Board's decision.
3. The penalty or sanction imposed was excessive.

Appeal Procedures

1. All appeals must be submitted in writing to the Advisor within three (3) business days of the date of the decision letter.
2. The appealing member must indicate what condition(s) for appeal (see above) he thinks support the request for an appeal. The member must also indicate whom he wants to review the appeal and make a final decision. Members may elect for a three-person student panel comprised of officers and the adviser to review the appeal.
3. Alpha Nu Omega will request any necessary materials it needs to make a decision from the Chief Justice, accused party, and /or complainant(s).
4. Once the appeal is reviewed and a decision is made, the member will be notified in writing.
5. All appeals are final.
6. Sanctions assigned from the Alpha Nu Omega Judicial Board will not become effective until the appellate process has been exhausted.

Action of the Appeal

An appeal may (1) approve Judicial Board decisions (2) void a decision rendered by the Judicial Board, or (3) modify or change the Board's decision.

RATIFICATION AND AMENDMENT

Ratification

Initial ratification of this document will require the unanimous approval of advisor, president and Chief Justice

Amendment

The above means of ratification apply to all amendments. Any member of Alpha Nu Omega may propose an amendment. Furthermore, the advisor as well as any Alumni may propose an amendment.

JUDICIAL BOARD DECISIONS

Dismissal of Case

A violation did not occur.

Reprimand

Indicating that a party's actions were inappropriate and subsequent sanctions shall not occur.

Formal apologies may be requested.

Restitution

Payment of any damages incurred including property and physical injury.

Monetary Fine

A fine not in excess of \$250.00 is to be paid within a period of time to be determined by the Judicial Board. This does not include reimbursement for property damage. This money shall be used for educational programming within the Alpha Nu Omega Community at the discretion of the Council.

Conduct Probation

Shall not exceed one year and may include the following:

1. Alcohol Probation: Shall consist of restrictions to an extent to be determined by the Board for a specified amount of time. Members subject to alcohol probation may not be permitted to host or participate in ANU events (parties, exchanges), or any other social formal or informal, either on campus or off campus, involving alcohol.
2. Activities Probation: Shall consist of prohibiting a party from participating in some or all **Greek** events and/or all-University events.
3. Intramural Probation: Shall prohibit a chapter from participation in any portion of the University intramural program as determined by the Judicial Board.

Educational Sanctions

Shall include and require participation in an organization of constructive projects. Examples are social service projects, neighborhood clean-ups, leadership workshops and assistance with University events. May also include required study hours in order to help raise academic standing.