



**Student Government Association of the University  
of Kentucky (UKSGA) Supreme Court**

**Judicial Handbook**

## Section I – GENERAL

### Rule 101 – Professionalism

- (a) IN GENERAL - All parties and counsel appearing before the Supreme Court shall conduct themselves in accordance with the highest standards of professionalism.
- (b) REDRESS FOR VIOLATIONS – Actions to address incidents of unprofessional conduct shall be undertaken at the complete discretion of the Chief Justice, or other presiding officer in the absence of the Chief Justice

### Rule 102 – Definitions

All words, terms, and phrases used herein reflect the same meaning as defined in the UKSGA Governing Codes, unless otherwise provided. Should a term not be defined in the Governing Codes, they shall be interpreted using their common meaning.

## Section II – APPELLATE PROCEDURES

### Rule 201 – Briefs

- (a) LENGTH OF BRIEFS – Briefs may be any length, unless the Chief Justice determines otherwise.
- (b) CONTENTS OF BRIEFS – Appellate briefs should contain all legal arguments and evidence which the parties seek to discuss at oral argument.
- (c) MODIFICATION – Once submitted, briefs will not be able to modified.

### Rule 202 – Service of Briefs

- (a) Briefs must be submitted to the Chief Justice, unless another recipient is specified, at least three (3) business days prior to the scheduled date of oral argument.
- (b) Upon receipt of both briefs, the Chief Justice or their designee shall exchange the briefs with the opposing party at the earliest possible convenience.

### Rule 203 – Amicus Briefs

An amicus brief may be submitted by any individual or group and must be submitted at least three (3) business days prior to oral argument to be considered alongside the case. Such briefs will not be considered for purposes of establishing evidentiary facts related to the claim or appeal before the Court and will be considered only for the purposes of policy implications related to a pending case.

### Rule 204 – Counsel

- (a) IN GENERAL – Any party appearing before the Court may retain student counsel to represent them before the UKSGA Supreme Court.
- (b) QUALIFICATIONS – Any student serving as counsel to a party must:
  - i) Be a student in good standing at the University of Kentucky;

- ii) Not be an active member of UKSGA.
- (c) CONCURRENT REPRESENTATION – A party serving as counsel may only represent a single party before the court. A student election campaign which contains more than one student shall be considered a single party for these purposes. Additionally, a multi-person appellant or appellee shall also be considered a single party for these purposes.
- (d) CONFLICTS OF INTEREST – A person serving as counsel may not do so if the representation is adverse to a party the same counselor has previously represented before the Supreme Court.

#### **Rule 205 – Exhibits and Evidence**

- (a) EVIDENCE – The only evidence considered by the Supreme Court in appellate proceedings is that which is contained in the briefs. Unless otherwise provided, this is the full scope of evidence to be considered.
- (b) EXHIBITS – Any exhibit to be discussed must be contained in the briefs submitted. Should a party wish to bring a physical exhibit to the oral argument, they may do so as long as the same exhibit was also included in the submitted briefs.
- (c) WITNESSES – No witnesses shall be permitted to testify during the appellate process.

#### **Rule 206 – Oral Argument**

- (a) TIME – Unless otherwise provided, each party before the Court (appellant and appellee) shall have ten (10) minutes to deliver their oral argument.
- (b) STRUCTURE – The appellant will argue first followed by the appellee.
- (c) REBUTTAL – The appellant may reserve up to two (2) minutes of time for rebuttal, but is not required to do so. During rebuttal the appellant may not discuss new information, evidence, or arguments and may only respond to, or re-emphasize points previously raised.

#### **Rule 207 – People Permitted in Room During Oral Argument**

Each party is permitted to bring their counsel and no greater than two (2) support people into the hearing room at the time of oral argument, unless otherwise provided by the Chief Justice or designee.

#### **Rule 208 – Election Slip Opinions**

Following oral argument on cases involving an SGA election, the Supreme Court shall convene to consider the totality of all appealed claims. At the conclusion of this meeting, the Chief Justice, or other designee of the Court, shall compile a slip opinion declaring the winner of the election(s).

## **Section III – JUDICIAL ETHICS**

### **Rule 301 – Conflict of Interest Defined**

- (a) IN GENERAL - A conflict of interest is any situation or circumstance which calls the impartiality of a Justice into question including, but not limited to:
  - (i) Personal bias or prejudice concerning a party or personal knowledge of disputed evidentiary facts;
  - (ii) Prior work with or on the campaign of any party;
  - (iii) A familial relationship with a party.
- (b) STUDENT ORGANIZATION MEMBERSHIP - Merely being a member of the same student organization as a party or counsel before the Court, such as a fraternity or sorority, DanceBlue, or other student organization is not sufficient, considered alone, to be a conflict of interest.
- (c) AFFIRMATIVE DUTY – Justices are under an affirmative duty to report any conflict of interest regarding themselves as soon as it arises.

### **Rule 302 – Voluntary Recusal**

A Justice may recuse themselves from any case before the Supreme Court, either due to a conflict of interest or any other reason. A Justice seeking to recuse shall notify the Chief Justice prior to the beginning of oral argument of the case-in-question.

### **Rule 304 – Confidentiality of Deliberations and Meetings**

The deliberations and meetings undertaken by the Court shall be handled with the utmost discretion and confidentiality. The contents of deliberations shall not be shared with any person, party, or counsel unless specifically required in order to comply with University rules and regulations.

### **Rule 305 – Penalties for Violations of Confidentiality or Conflicts of Interest**

Penalties for failure to comply with the rule regarding confidentiality, or a failure to self-report a conflict of interest may be dealt with at the discretion of the Chief Justice. Especially egregious violations should be submitted by the Chief Justice to the President of the UKSGA Senate to be dealt with according to proper oversight practices as prescribed in the UKSGA Constitution and Governing Codes.

### **Rule 306 – Opinion Writing**

The Chief Justice shall assign opinion writing at their discretion.

## **Section IV – PROCEDURES FOR ORIGINAL JURISDICTION**

[Rules proposed but not yet enacted]

## **Section V – AMENDMENTS & ALTERATIONS**

### **Rule 501 – Amendments to the Judicial Handbook**

The Supreme Court may meet to consider changes to the Judicial Handbook upon request made by any sitting Justice. Any changes to the Judicial Handbook require a majority of all sitting Justices.<sup>1</sup>

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<sup>1</sup> Therefore, it requires the affirmative vote of four (4) Justices to pass any changes to the Judicial Handbook. Even if less than seven Justices are in attendance at the meeting, it will still require four (4) affirmative votes to enact a change.