

**BYLAWS OF THE
Interfraternity Council and Panhellenic Association
FRATERNAL JUDICIAL BOARD
PURDUE UNIVERISTY
West Lafayette, Indiana
April 2011**

ARTICLE I
Name

- A. The name of the judicial body of the Interfraternity Council and Panhellenic Association organizations established in these bylaws shall be the Fraternal Judicial Board. The rules and procedures will be governed by the principle of “Fair Play”.

ARTICLE II
Purpose

- A. It shall be the purpose of the Fraternal Judicial Board to cultivate loyalty and understanding of the ideals and principles of the Purdue University among all member chapters and officers of the Interfraternity Council and Panhellenic Association. The Fraternal Judicial Board shall fulfill all requirements of a judiciary branch of government by upholding and interpreting the Constitution, legislature, and policies of the Interfraternity Council and Panhellenic Association, and adjudicating these bylaws by the principles of “Fair Play”.

ARTICLE III
Composition

- A. Fraternal Judicial Board shall consist of the following officials:
1. Interfraternity Council Vice President of Administration and Panhellenic Association Vice President of Administration
 2. 1 Interfraternity Council Chief Justice and 1 Panhellenic Association Chief Justice
 3. 1 Interfraternity Council Justice and 1 Panhellenic Association Justice
 4. 1 Interfraternity Council Clerk and 1 Panhellenic Association Clerk
 5. Representative from the Office of the Dean of Students will sit in during the hearings.
 6. The Interfraternity Council and Panhellenic Association Presidents may sit in during the hearing by the request of the Fraternal Judicial Board.

ARTICLE IV
Appointment & Eligibility

- A. Vice Presidents of Administration
 - 1. Appointment
 - a. The Vice President of Administration shall be appointed as delineated in Article IV of the Interfraternity Council bylaws and Article V of the Panhellenic Association bylaws.
 - 2. Eligibility
 - a. The Vice Presidents of Administration shall be held accountable to the standards as delineated in the Interfraternity Council bylaws Article VII, Section B, and the Panhellenic Association bylaws Article VI, Section A - 4.
- B. Chief Justices
 - 1. Appointment
 - a. Chief Justices shall be appointed at the discretion of Interfraternity Council and Panhellenic Association executive board.
 - 2. Eligibility
 - a. Chief Justices shall fulfill all eligibility requirements of Justices.
 - b. 1 Chief Justice shall be a member of the Interfraternity Council Associate Board Vice President of Administration and 1 Chief Justice shall be a member of Panhellenic Association Associate Vice President of Administration.
 - c. Chief Justices shall not belong to the same chapter as any member of the Fraternal Judicial Board.
- C. Justices
 - 1. Nomination & Appointment
 - a. Justices shall be nominated at the discretion of Interfraternity Council and Panhellenic Association executive board and Chief Justices
 - b. Justices shall be appointed by a 75% vote among Interfraternity Council Presidents Council and Panhellenic Association Presidents Delegates Council chapters in good standing with their respective councils and eligible to vote.
 - 2. Eligibility
 - a. Justices shall be active members within member chapters of Interfraternity Council and Panhellenic Association.
 - b. Justices shall maintain a minimum of 2.5 graduation index
 - c. Justices shall not serve on the Interfraternity Council or Panhellenic Association Board of Directors, Executive Council, or in any other capacity within the Fraternal Judicial Board.
 - d. Justices shall not belong to a member chapter to which any other Fraternal Judicial Board member belongs unless there are not enough applicants that meet the standards of the Fraternal Judicial.
 - e. Justices shall serve for twelve months from the date of appointment. At this time Justices are eligible for reelection with a maximum number of years of service of three years.
- D. Alternate Justices

1. In the event of a chapter affiliation conflict with one of the Justices, a member of the Panhellenic Judicial Board or a member of the Interfraternal Judicial Board alternate pool will serve as the sitting Justice for that case.
 2. Justices may also recuse from the hearing if they find conflict of interest between themselves and the chapter(s) in question. A member of the Board of Directors from the respective council shall take their place and serve as a sitting Justice.
- E. Clerks
1. Appointment
 - a. Clerk shall be appointed at the discretion of the Vice Presidents of Administration and Chief Justices.
 3. Eligibility
 - a. Clerk shall fulfill all eligibility requirements of Justices with exception of requirement “d”.

ARTICLE V
Removal & Vacancies

- A. A vacancy in any office of Fraternal Judicial Board with exception of the Vice President of Administration shall be filled through the appointment process delineated in article IV of these bylaws.
- B. Any officer of Fraternal Judicial Board with exception of the Vice President of Administration may be removed from his position by a unanimous vote among the Chief Justices and Justices for failure of duties described in this document or interference with the procession of justice.
- C. Any officer of Fraternal Judicial Board with exception of the Vice President of Administration shall be removed from his/her position if he/she does not fulfill any or all eligibility requirements as delineated in article IV of these bylaws.

ARTICLE VI
Jurisdiction

- A. Fraternal Judicial Board shall have jurisdiction to interpret all forms of legislature and written or standing policy of Interfraternity Council, Panhellenic Association and Fraternal Judicial Board and to adjudicate and resolve discrepancies between these policies and legislature.
- B. Fraternal Judicial Board shall have jurisdiction to investigate any allegation of noncompliance with these standards, adjudicate such allegations, and to sanction any Interfraternity Council or Panhellenic Association member chapter as a result of such adjudication.
- C. Fraternal Judicial Board shall have parallel jurisdiction over all University Policy as it applies to Interfraternity Council and Panhellenic Association except in cases where explicitly preempted by the Office of the Dean of Students.
- D. Fraternal Judicial Board has nominated the independent student organization Caliber to serve as the Interfraternity Council and Panhellenic Association peer

- observation team. This organization observes member chapters and reports the observations to the Interfraternity Council and Panhellenic Association.
- E. Recruitment violations will be dealt with individually in accordance with council bylaws, respectively.

ARTICLE VII
Administration

- A. Administrative Duties
1. Chief Justices
 - a. Shall serve as chief administrative officers of Fraternal Judicial Board by appropriating funding, establishing group communication, and calling regular meetings of Fraternal Judicial Board.
 - b. Shall educate and determine qualifications for all Justices and Clerks.
 - c. Shall spend at least three hours with the new Chief Justice advising in transition.
 - d. Shall serve as liaison between Fraternal Judicial Board, Interfraternity Council and Panhellenic Association Presidents' Council and Boards of Directors.
 - e. Shall coordinate any other programs or special planning of Fraternal Judicial Board.
 - f. Shall maintain hearing records.
 - g. Shall fulfill all administrative duties of Justice.
 2. Justices
 - a. Shall attend all meetings and training coordinated by the Chief Justices.
 - b. Shall maintain proficiency set by Chief Justices.
 - c. Shall serve as liaison between Fraternal Judicial Board; member chapters of the Interfraternity Council and Panhellenic Association and shall support any programs or special planning coordinated by the Chief Justices.
 - d. Clerks
 - e. Shall aid the Chief Justices in maintaining hearing records
 - f. Shall complete or file any official correspondence as requested by the Chief Justice or Justices
 - g. Shall record minutes of all Fraternal Judicial Board meetings
 - h. Shall fulfill all administrative duties of Justice with exception of "c".
- B. Finance
1. Fraternal Judicial Board shall function under a minimal budget appropriated from Interfraternity Council and Panhellenic Association. All requests for funding shall be supported by Interfraternity Council and Panhellenic Association, reviewed by the Directors of Finance and approved as any other budget item.
- C. Liaison duties

1. Fraternal Judicial Board shall conduct and promote education and awareness of its policies and actions to officers and member chapters of Interfraternity Council and Panhellenic Association through liaison duties.

ARTICLE VIII
Adjudication Duties

- A. Vice Presidents of Administration shall be the primary executors of Mediation and auxiliary officers of investigation procedures as delineated in article IX of these bylaws and shall fulfill the following duties per these procedures.
 1. Shall conduct Mediation.
 2. Shall coordinate and serve as primary officers at hearings.
 3. Shall keep confidential all information regarding hearing and evidence gathered from Mediation except from Chief Justices.
- B. Chief Justices shall be the primary executor of adjudication procedures delineated in article IX of these bylaws and shall fulfill the following duties per these procedures.
 1. Shall conduct Legislative Review.
 2. Shall conduct investigation.
 3. Shall disclose all evidence from investigation to the Vice Presidents of Administration.
 4. Shall offer judicial counsel to accused party.
 5. Shall appoint all sitting, alternate, and investigating Justices.
 6. Shall coordinate and serve as prosecutor of hearings.
 7. Shall keep confidential all information regarding hearing.
- C. Investigating Justices shall be auxiliary officers of the investigation procedures delineated in article IX of these bylaws and shall fulfill the following duties per these procedures.
 1. Shall conduct investigation under the Chief Justices.
 2. Shall keep confidential all evidence gathered from investigation except from the Chief Justices and Vice Presidents of Administration.
 3. Shall offer deposition or testimony at hearing regarding evidence if requested.
- D. Sitting Justices shall be the primary adjudicators and jurors at hearing or review as delineated in article IX of these bylaws and shall fulfill the following duties per these procedures.
 1. Shall hear hearings brought before Fraternal Judicial Board.
 2. Shall request such evidence necessary to reach a decision in any hearing.
 3. Shall aid in drafting any opinions or decisions of guilt that Fraternal Judicial Board may release.
 4. Shall keep confidential all information regarding hearing.
- E. Alternate Justices shall be auxiliary adjudicators and jurors as delineated in article IX of these bylaws and shall fulfill the following duties per these procedures.
 1. Shall act as a sitting Justice should a sitting Justice be removed.
 2. Shall keep confidential all information regarding hearing.

- F. Clerks shall be the auxiliary officers of adjudication procedures as delineated in article IX of these bylaws and shall fulfill the following duties per these procedures.
1. Shall deliver all hearing correspondence on behalf of Chief and sitting Justices.
 2. Shall file and organize all evidence and records of hearing
 3. Shall deliver decisions of guilt and Fraternal Judicial Board opinions to accused party.
 4. Shall keep confidential all information and materials regarding all hearings.
 5. Shall draft Fraternal Judicial Board opinion of case and decision of guilt.

ARTICLE IX
Adjudication Procedures

- A. Legislative Review
1. The Chief Justices shall receive all new or proposed legislature, written or standing policies, and executive action within Interfraternity Council and Panhellenic Association.
 - a. The process of legislate review must occur within one week (7 days) of the legislation being written or proposed by the Interfraternity Council or the Panhellenic Association.
 2. The Chief Justices shall appoint 2 sitting Justices as reviewers in addition to themselves, if they determine any possible discrepancy between said item and current legislature or policy. Sitting Justices shall be free of conflict of interest Assigned Justices and Chief Justices shall review and interpret said item and current legislature for discrepancy. The reviewers may call for additional evidence or testimony at this time.
 - a. The Chief Justices and 2 sitting Justices shall have one week (7 days) to determine if a discrepancy exists between the proposed legislation and the bylaws of the respective councils.
 3. If majority of reviewers determine discrepancy exists, said item is “struck down” and shall not be incorporated into legislature, enforced, or proposed again in its current form.
 4. The reviewers shall deliver their opinion to the council(s) that proposed the legislation and offer guidance in resolving any discrepancy.
- B. Requirements for Judicial Action
- At least one of the following shall be required for Judicial Action:
1. A grievance may be submitted by any chapter member in good standing with the Interfraternity Council and Panhellenic Association. In addition, a grievance may be submitted by a university official including but not limited to the Office of the Dean of Students (hereafter known as ODOS). A grievance may also be submitted anonymously.
 2. A Caliber Observation Form may be submitted by any member of Caliber from a chapter in good standing with the Interfraternity Council or

Panhellenic Association. The Caliber member is required to have been assigned specifically to visit the chapter in question. The Caliber and Chapter representatives must sign this form on the date of the function.

3. A Police Report may be submitted to the Interfraternity Council or Panhellenic Association via the Police Department or through the ODOS.
4. An Inquiry by the Office of the Dean of Students (ODOS) shall be considered an official request for investigation and warrant any judicial action deemed appropriate.
5. Serious violation or continuing minor violation of Interfraternity Council and Panhellenic Association Joint Social Policy, Purdue University Regulations or Indiana State Law.
6. Violations must be submitted to the Fraternal Judicial Board in a timely manner or upon received alleged violation.

D. Hearing

1. The Clerk shall appoint two (2) Sitting Justices who will provide a fair and even handed review of a situation and render an impartial verdict.
2. A representative of the Fraternal Judicial Board shall coordinate all aspects of hearing including time, date, location, and setup. The Chief Justices shall notify the Interfraternity Council and Panhellenic Association Presidents, Vice Presidents of Administration, the accused party, prosecution witnesses, sitting Justices, Clerks, Director of Fraternity and Sorority Life and Assistant Dean/Director of Fraternity and Sorority Life in a timely manner.
3. The hearing will be conducted in a formal manner following the procedure set forth and visitors shall be permitted only at the approval of the Vice Presidents of Administration and the accused party.
4. All evidence from both parties should be submitted to the Vice Presidents of Administration up to the scheduled time before the start of the hearing.

E. Hearing Procedure

1. Chief Justices shall provide all information, evidence or otherwise, gathered during preliminary procedures to sitting Justices.
2. Vice Presidents of Administration shall call board to order, read charges, and explain procedure.
3. All parties present shall introduce themselves and identify their affiliation.
4. The Chief Justice followed by the Accused Party may present opening statements.
5. Fraternal Judicial Board shall become the recognized party and the Chief Justices shall present prosecution's case including evidence and testimony.
6. The accused party shall become the recognized party and present their case including evidence and testimony.
7. Hearing proceedings shall adjourn for a 15 minute recess when all evidence, testimony, and examination are exhausted. After such time, the Chief Justices and accused party may deliver a closing statement, with the Chief Justices following the accused party.

8. Vice Presidents of Administration shall close proceedings and dismiss the accused party, Chief Justices, and visitors.
9. Post-Hearing procedures shall begin if sitting Justices do not require further evidence to decide responsibility.
10. If Justices require more evidence, case shall be extended to such time when said evidence is available. Extended hearings behave like continuations of the preceding hearing, following the same procedures. If required evidence cannot be obtained and Justices require said evidence for decision, case is declared mishearing.
11. All chapters involved with the situation shall remain outside the hearing room until a decision is made regarding the Fraternal Judicial Board Hearing. This deliberation shall not progress beyond a two (2) hour time limit.

F. Hearing Rules

1. Vice Presidents of Administration shall dismiss any person present at hearing for violating hearing rules.
2. The chapter president shall be present at the hearing along with the option of one advisor and one other individual. The Risk Manager is recommended by the Fraternal Judicial Board.
3. Only recognized parties may speak after board is called to order. The president of the alleged chapter shall speak on behalf of the chapter.
4. Approved witnesses may only be present during their testimony.
5. The Vice Presidents of Administration shall rule on all points of procedure.

1. Evidence Rules

- a. Accused parties are required to offer first-hand testimony of charges. All other burdens of evidence fall on the prosecution. The burden of proof that shall be used will be preponderance of the evidence.
- b. Vice Presidents of Administration shall rule on the admissibility of all evidence and testimony not submitted before hearing as it is presented.
- c. Previous hearing records are admissible for determination of responsibility.
- d. Mediation records are admissible as is any evidence generated during mediation.

2. Examination Rules

- a. The Fraternal Judicial Board, being represented by the Chief Justices, shall first present all evidence, call witnesses, and have the first examination of witnesses. Following the Chief Justices evidence and witnesses, the accused party shall have the opportunity to cross-examine, or ask for further explanation of evidence. Next, the accused party shall introduce evidence and call witnesses. After all evidence is presented and cross-examined by both parties the Sitting Justices may examine, cross-examine, or ask for further explanation of evidence.

- b. Witnesses may be called until The Vice Presidents of Administration decide that sufficient evidence has been presented or that the witnesses present no new evidence to the hearing.
3. Vice Presidents of Administration may declare a mishearing if at any time for a significant deviation from procedures or justice.
4. Fraternal Judicial Board may hear mishearings one additional time. If mishearing results a second time, charges are dropped.
5. If a chapter fails to comply with the order and procedures of the Fraternal Judicial Board this could result in the party being charged with obstruction of justice. If the Vice Presidents of Administration finds a party to be acting in a clear, intent manner prohibiting the outcome of the hearing they also shall be charged with obstruction of justice. This charge shall be taken into consideration during deliberation and in decision of sanctions. Additionally, such conduct may be referred to the Office of the Dean of Students.

G. Deliberation

1. When sitting Justices feel they have sufficient evidence to decide responsibility, Clerks, Vice Presidents of Administration and sitting Justices shall meet to deliberate evidence and adjudicate the case.
2. The Vice Presidents of Administration shall direct all post-hearing proceedings.
3. Responsibility shall be determined by a majority vote of the sitting Justices. Justices shall vote culpable only if they believe that the preponderance of the evidence in the case signifies responsibility
4. Justices shall take note of any precedent, not including accused party's record, in hearing records when deciding responsibility.
5. Sanctions in respect to each decision of culpability shall be levied for charges by a unanimous vote amongst the sitting Justices if they believe that the evidence suggests probable cause. That is, responsibility must be probable in Justices' opinions in order to vote for sanctions.
6. Justices shall take note of any precedent, including accused party's previous record(s), when deciding sanctions.

H. Sanctions

1. Sanction Method

- A. Fines – Payment to the Interfraternity Council and Panhellenic Association pending on council membership.
- B. Restitution – Complete restitution for damages to property.
- C. Charitable Acts – Requiring the group to perform community service as defined by the Fraternal Judicial Board and to be completed by a specified date.
- D. Programming – Mandatory participation in relevant alcohol and other educational problems.
- E. Probation – Probation may be imposed for any length of time and may carry any combination of the following conditions:

- i. No use of University facilities for events or activities involving the said fraternity. The Fraternal Judicial Board may direct that the chapter may not participate in any event or only selected events.
 - ii. No participation in intramural athletics as an organization or by any member of the fraternity on behalf of the organization.
 - iii. No utilization of the University encumbrance procedure to aid in the collection of member debts to the fraternity.
 - iv. No functions or any and all Fraternity and Sorority life functions/programs (Social Probation).
 - F. Suspension – All possible sanctions of Article IX section “H” will be levied against an organization. The organization(s) will retain its right to all educational programming provided by the Interfraternity Council and Panhellenic Association, as well as retaining its voting rights on all matters brought before the Councils.
 - G. Expulsion – A recommendation will be made to the Interfraternity Council and Panhellenic Association who may in turn recommend such action to the Dean of Students for permanent loss of membership in the Interfraternity Council or Panhellenic Association.
- 2. Sanctions shall be imposed at the discretion of the sitting Justices and Vice Presidents of Administration with the following limitations.
 - a. Member Chapters shall not receive sanctions that directly cost in Excess of \$500.
 - b. The Office of the Dean of Students shall review any recommendation for full Interfraternity Council or Panhellenic probation or expulsion.
- 3. Finals week, Christmas break, Spring break, and Summer break will not count towards time served on a probation sanction.
- 4. Any violation of the sanctions that may be imposed by the Fraternal Judicial Board will result in a Fraternal Judicial Board hearing and may be subject to an investigation and possible action by the Dean of Students.

H. Appeals

- 1. Any party sanctioned by Fraternal Judicial Board may appeal to Director of Fraternity and Sorority Life Advisor of Interfraternity Council and Panhellenic Association.
- 2. After the Fraternal Judicial Board Clerks has delivered the findings to the chapter, the President of that chapter shall have 7 days to submit a written appeal to the Vice Presidents of Administration. The appeal must be a formal document, and must state all matters of deviation from proper procedure or judicial standards. The Vice Presidents of Administration shall not be present during any discussion or voting regarding the appeal. A unanimous vote is required by the remaining members of the Executive Board to modify any sanctions. The Fraternity and Sorority Life Advisor shall be invited to attend an appeal meeting and provide advice, but will hold no vote. No other appeals shall be permitted.

3. The decision of the Executive Council may not be appealed. The appeal must allege that there was a error in the hearing that justifies another hearing.

Article X

Joint Conflict Resolution Committee

A. Purpose

- a. The Joint Conflict Resolution Committee is designed to mediate disputes between fraternities and sororities in all affairs not handled by the Fraternal Judicial Board.

B. Composition

- a. The Joint Conflict Resolution Committee shall be composed of the Vice President of Administration of the Interfraternity Council and Panhellenic Association, the Chief Justices of the Fraternal Judicial Board and Fraternity and Sorority Life Advisor.
- b. In the event that there is a conflict of interest with either Vice President of Administration, he/she shall be replaced by another member of the executive council. If there is a conflict of interest with either of the Chief Justices, the President of the respective council shall serve as an alternate.

C. Powers and Processes

- a. The Joint Conflict Resolution Committee shall mediate disputes between fraternities and sororities in all areas not deemed to be under Fraternal Judicial Board jurisdiction. These areas include, but are not limited to philanthropy disputes, the pairings policy, and property disputes.
- b. Either the Interfraternity Council/Panhellenic Vice President of Administration starts a mediation process upon the receipt of a Joint Conflict form. These forms can be found on the website, or in the office of either organization. Upon receiving this form, a date will be scheduled and the plaintiff, and the defendant will have the chance to present their case. The Joint Resolution Committee will then deliberate for no longer than thirty (30) minutes before returning a verdict.
- c. In the event that the Joint Resolution Committee is not presented enough evidence to render a decision the case will be referred to the Office of the Dean of Students. Furthermore, if either party involved feels that the decision rendered by the Joint Resolution Committee is unfair or unsatisfactory, that party may appeal the case to the Office of the Dean of Students.
- d. In the event of property disputes, the Joint Resolution Committee shall not rule for the plaintiff a decision exceeding a reasonably acceptable value of the missing property. In all other cases the Joint Conflict Resolution Committee shall avoid imposing sanctions in the interest of peacefully resolving conflicts.

ARTICLE XI

Amendments

- A. Any member chapter in good standing may introduce an amendment to these bylaws.
- B. All proposed amendments shall be read at the session in which they are introduced and the following session. Amendments may only be adopted at the session following their introduction.
- C. Amendments shall be adopted by a 2/3 vote among the Interfraternity Council President's Council and Panhellenic Association President's Delegates Council.