



## Supreme Court Rules of Procedure

**STATEMENT OF JURISDICTION.** Pursuant to Article IV, Section I of the ASUA Constitution, the Supreme Court shall have jurisdictions over all appropriate matters concerning, but not limited to, campus organizations, election disputes, and ASUA governmental affairs.

**RULE 1. Commencement of Action.** A suit commences with the filing of a complaint with the Clerk of the Court. When the position of Clerk of the Court is vacant, the complainant shall deliver the complaint to the front desk of the ASUA office, and the suit will commence when the Chief Justice receives the complaint. The last day to file a complaint; in a particular semester will be three (3) week prior to the first day of Law School Finals.

1a. Eight (8) copies of the complaint shall be filed in person and two (2) copies will be conformed (dated and initialed) by the-Clerk of the Court and returned to the complainant.

1b. Within five (5) days\* of filing, the complainant shall notify the defendant(s) of the action by delivering to each defendant, in person, one (1) conformed copy of the complaint to-each defendant. The filer shall make reasonable efforts to obtain from the defendant written acknowledgment of the defendant's receipt of the complaint. Service upon organization may be accomplished by delivering one (1) conformed copy of the complaint to the president, vice-president, secretary, or equivalent official of the organization. Failure to serve in person may be cause for dismissal of the complaint; however, reasonable attempts at service may be deemed sufficient depending on the circumstances. Business days are days on which regular classes are scheduled.

**RULE 2. Forms of Pleadings.** All pleadings shall be limited to five (5) typewritten double spaced pages in 12-point font. Paper shall be 8 1/2 by 11 inches with top, bottom and side margins of no less than 1 inch.

2a. **The complaint.** The person or organization filing the complaint shall be known as the plaintiff. The plaintiff shall detail in the complaint all of the claims and issues pertaining to the Clerk of the Court. Failure to do so may result in forfeiture of related claims. The complaint shall contain-~~all~~ as much of the following as is known to the plaintiff:

1. The name, address, email address, and phone number of the plaintiff;
  2. Each defendant's name, email address, phone number, and the address where complaint was delivered;
  3. A statement of jurisdiction (why the Court has the power to hear the case under the ASUA Constitution, Bylaws, or other source of jurisdiction);
  4. A short, plain statement of the facts of the case;
  5. A short, plain statement of the plaintiff's claim;
  6. Demand for relief (what plaintiff wants the Court to do);
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7. Signature of plaintiff and date signed; and
8. Names and addresses of all persons and/or organizations that will receive or have received copies of the complaint.

Failure to include paragraphs 3, 5, 6, or 7 may result in dismissal of the complaint sua sponte by the Court.

2b. **The answer.** The person(s) or organization(s) receiving the complaint shall be known as the defendant(s). The defendant shall prepare a response to the complaint, which shall be known as the answer. Eight (8) copies of the answer shall be delivered in person to the Clerk of the Court by the defendant within five (5) business days of receipt of service by the defendant. The Clerk of the Court shall conform (date and initial) two copies and return them to the defendant. The defendant shall deliver in person one copy of the answer to the plaintiff within five (5) days of filing. A defendant shall make reasonable efforts to obtain from the plaintiff at the time of delivery written acknowledgement of plaintiff's receipt of the answer. Failure to answer the complaint or to serve the answer to the plaintiff or the Court may result in default judgment against the defendant.

The answer shall contain all of the following:

1. A short, and plain statement of the facts;
  2. Denial or admission of each and every claim made by the plaintiff;
  3. Any and all defenses the defendant has to plaintiff's claims. Failure to assert a defense in the answer may result in its forfeiture;
  4. Any counterclaims the defendant may have against the plaintiff relating to the same facts or incidents of the plaintiff's complaint. Failure to raise related counterclaims may result in their forfeiture whether the case is decided on the merits or by default;
  5. Defendant's signature and date signed;
  6. Names and addresses of all persons and/or organizations that will receive or have received a copy of the answer.
- 2c. The court may require supplemental pleadings from any party.

**RULE 3. Pre-trial Matters.**

3a. Within five (5) business days of receipt of any pleading (i.e., a complaint, answer or motion), any party may ask the Court to require a **more definite statement** of the case, if the pleading is too vague or ambiguous to respond to. If the Court grants the motion, the responding party shall prepare and serve the requested pleading within 5 days, in accordance with RULE 2.

3b. A motion to dismiss the case may be made within five (5) business days of the close of pleadings. A motion to dismiss shall be granted with the approval of a majority of justices.

**RULE 4. Determination of the Case.** At the close of pleadings, the Court will decide whether to hold oral argument. The Clerk of the Court shall then notify the parties of the Court's decision within ten (10) business days).

4a. If the Court decides to hear oral argument, the parties shall be notified in writing of the date and time set therefore.

4b. If the Court has reached a summary decision without oral argument, the parties shall be notified within ten (10) business days of that decision by a written opinion. The opinion shall be made available through the Clerk of the Court.

**RULE 5. Oral Arguments.**

5a. Oral arguments will take place at a venue determined by the Court.

5b. Each party shall each have 15 minutes to present its case to the Court. The party arguing first may reserve 5 minutes from this time for -rebuttal. The plaintiff, movant, or, in the case of an appeal from a lower court, the appellant, shall argue first.

5c. Parties may present witnesses. Parties may present notarized statements of from witnesses who are unable to attend. A party bringing such a statement shall furnish a copy to the opposing party and five (5) copies to the Clerk of the Court for dissemination to the Court.

5d. Parties may be represented by counsel. Unless a party obtains leave of the Court, only current University of Arizona law students may serve as counsel. The Court highly recommends representation by counsel.

5e. The Court may question parties and witnesses. The Chief Justice may allow counsel to examine witnesses. Time for examining witnesses shall normally count against a party for allotted argument time, but the Court has the discretion to extend time for oral argument, so long as the opposing party is awarded equal additional time.

5f. The court shall control the decorum of the proceedings.

**RULE 6. Rules of Evidence.** Only relevant evidence will be admissible.

6a. No conversation between the Clerk of the Court and a party may be presented as evidence to the Court.

6b. The Clerk of the Court shall assist both parties in preparing any evidence for trial, including making evidence available to the opposing party and the Court.

**RULE 7. Disposition of the Case.**

7a. The parties shall be notified of the Court's decision within five (5) business days of oral argument and the decision shall be published within ten (10) business days.

7b. The Court's decision in any matter shall be determined a majority of the Justices, but the Chief Justice shall determine procedural matters under these Rules that do not directly affect the disposition of a case (i.e., additional time at oral arguments, permission for non-law student counsel, and courtroom decorum).

7c. The Chief Justice shall assign the writing of ~~the~~ majority/plurality opinions to any Justice, including him or herself. Any justice may write a concurrence or dissent. Any Justice writing an opinion in a case shall submit the written opinion to the Chief Justice in electronic format within forty-eight (48) hours of conclusion of oral arguments and upon concurrence of each of the Justices joining that opinion. The Chief Justice, through the office of the Clerk of the Court, shall publish the case to the parties within five (5) business days of the majority approval.

7d. The published case presented to the Clerk of the Court by the Chief Justice shall consist of all written opinions in a single document, in the following order: majority (or plurality) opinion, concurrence(s), dissent(s). Each opinion shall be signed by all Justices joining it.

7e. The decision of the court is final, and is binding on all parties to the case.

**RULE 8.** The Court shall be the sole interpreter of the Rules of Procedure, and shall have the discretion to amend them, with the concurrence of the Senate.