



THE UNIVERSITY OF TEXAS AT EL PASO™
STUDENT GOVERNMENT ASSOCIATION

STUDENT TRAFFIC COURT PROCEDURES
OF THE STUDENT GOVERNMENT ASSOCIATION
OF
THE UNIVERSITY OF TEXAS AT EL PASO

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ARTICLE I
DEFINITIONS

- Section 1. Justices: The Chief Justice and four Associate Justices.
- Section 2. Voting Justices: The Chief Justice and the Sitting Justices.
- Section 3. Term: The Justice shall serve one year according to the terms set forth in Article II Section 3 of the Constitution of the Student Government Association.
- Section 4. All Parties: Includes Justices, Student Defendant, and Student Assistant
- Section 5. Case: Electronic appeals brought forth to the Justices.
- Section 6. A Pending Case: A case that has not yet been reviewed by the Traffic Court.
- Section 7. Verdict: Decision made by the Justices regarding the appeal.

ARTICLE II
GENERAL

- Section 1. The Student Traffic Court will consist of:
- a. One Chief Justice
 - b. One Pro-Tempore
 - c. Three Sitting Justices
- Section 2. To qualify for Student Traffic Court Justice, the student must:
- a. Be enrolled in the Fall and Spring semesters for a minimum of twelve (12) undergraduate hours or nine (9) graduate hours per semester (the student need not attend the Summer Semester to hold the position);
 - b. Have and maintain a minimum of 2.5 G.P.A. during the Justice's term;
 - c. Have completed at least twelve (12) undergraduate or nine (9) graduate credit hours at UTEP at the time the Justice takes office; and
 - d. Not be on disciplinary or scholastic probation of any kind.
- Section 3. Justices shall remain in their position until the end of their term unless they are impeached, convicted or resign.
- Section 4. If any member of the Student Government Traffic Court is accused of being negligent in the performance of her/his respective duties, or of having excessive absences, by a majority of the other members of the court, a memorandum shall be written to schedule a meeting with the Vice-President of Internal Affairs.

- Section 5. The Chief Justice shall be elected by a majority of the votes cast during a scheduled meeting. The term of Chief Justice shall run from this meeting up until re-nomination and confirmation by the Student Government Association Senate. The Chief Justice shall remain in that position until the end of his/her term, unless impeached, convicted, or resigned. For an election to be official, all Justices must be present.
- Section 6. The Chief Justice shall be responsible for ensuring that each Justice has a copy of these procedures, a copy of the Parking and Traffic Regulations, a campus map, and all other pertinent information (such as amendments to these procedures).
- Section 7. The Chief Justice shall name a Sitting Justice as pro tempore. If the Chief Justice cannot be present for a court session, then the pro tempore shall assume the duties of Chief Justice for that court session.
- Section 8. Allow the Chief Justice to recommend a thirty-day temporary Traffic Court appointment to be reviewed by the normal SARC procedures within those thirty days and has to be approved by the SGA President.

ARTICLE III

DAYS AND HOURS OF THE TRAFFIC COURT

- Section 1. The days and hours of the Traffic Court will be determined by the Chief Justice during the first two weeks of each semester.
- Section 2. The Traffic Court shall not meet during:
- a. The week of finals of any semester.
 - b. Days when the university is closed.

ARTICLE IV

OPTIONS UPON RECEIPT OF A TRAFFIC CITATION

- Section 1. At the time a student receives a traffic citation, the student has the following options:
- a. Pay the fine(s) at the cashier's office or through "Pete's Payment Options" within eighteen calendar days from the date of issuance.
 - b. Submit an electronic appeal per citation to the Parking and Transportation page, under "My Parking Account", within eighteen days from the date of issuance.
- Section 2. Students serving in the executive, legislative, or judicial branches of the Student Government Association must appeal all tickets to the Office of Student Life.

ARTICLE V
SCHEDULING OF APPEALS

- Section 1. The Parking and Transportation Assistant Director will update the Excel sheet within the first two weeks of each semester (Fall, Spring, and Summer) or once their staff emails the verdicts to the students. The Defendant may appeal the decision to the Student Supreme Court within eighteen calendar days as long as the traffic fines have been paid.
- Section 2. Appeals should be distributed by the Traffic Court Chief or Traffic Court Pro-Tempore to each justice equally within the day the Excel sheet has been updated with new appeals.
- Section 3. The Student Defendant has the right to write an excuse, under the notes section, to defend themselves on their case and include a photo for evidence.
- Section 4. The Justices of the Student Government Association Traffic Court reserve the right to ask for the Traffic Court chief and/or Parking and Transportation Assistant Director for more insight on a case if they ever come to an issue of giving a verdict to the case.

ARTICLE VI
DUTIES OF JUSTICES, DEFENSE TO THE UNIVERSITY, AND ITS STUDENTS

- Section 1. Upon the Excel sheet being updated. The Traffic Court Chief Justice or Pro-Tempore must assign an equal amount of appeals and have them done within seven (7) working days.
- a. This applies to first and second verdicts
 - b. If at any time a case has two different verdicts, the third verdict must be completed by the Traffic Court Chief Justice on the day or day after verdicts are completed.
- Section 2. If a Student Defendant requests for the status of their case, the Student Government Association Student Assistant or the Traffic Court Chief Justice must do wither the following options:
- a. If the case only has one verdict, the Student Defendant must be let know that their case is still in review and give an approximate date of two weeks for their case to be resolved
 - b. If the case is not on the Excel sheet, the Student Government Association Student Assistant or Traffic Court Chief Justice must let the Student Defendant know that their case is yet to be listed on the Excel sheet.
 - c. If the case has been resolved but have not gotten the email, the Student Defendant must be let know of their status.

- Section 3. If a Student Defendant has more than three (3) citations within four (4) years, it is under the Justices discretion if the verdict is Guilty-Uphold or Guilty-Reduce Fine.
- a. Excuses such as late for class, sport practice, or overflow parking, are an automatic Guilty-Uphold
 - b. If the excuse includes evidence of injury or any valid excuse, the “Not Guilty” or “Guilty- Reduce Fine” is an option.
- Section 4. If the Student Defendant has citations that were given to them five (5) years ago or longer, those won’t be taken into record and will start as a new cycle if they get a new citation
- Section 5. If the Student Defendant does not agree with their verdict, the Student Defendant has the right to appeal the verdict to the Student Government Association Supreme Court, if the case is valid. Otherwise, the Parking and Transportation Assistant Director will email the Student Defendant explaining their verdict.
- a. The Student Defendant will have eighteen (18) working days to submit an appeal to the Supreme Court. Otherwise, their appeal will not be considered for review.
 - b. The Student Defendant will still have to pay the fee given based on their verdict within eighteen (18) working days. Otherwise, a late fee will be charged to their account and if they appeal with a late fee, the original amount will only be taken into consideration.

ARITCLE VII

PROCEDURES FOR ELECTRONIC APPEALS

- Section 1. All justices including the Traffic Court Chief Justice shall adjudicate in online appeals.
- Section 2. Student Government Association Student Assistant, Traffic Court Chief Justice, or Pro-Tempore will assign appeals to each Traffic Court Justice.
- Section 3. After each Justice makes his/her own verdict, the appeal will be sent to the “Second Verdict” tab. All appeals shall be reviewed with a two verdict minimum. If the first two verdicts are contradictory the appeal will be sent to Chief Justice for a final verdict. It is the responsibility of all Justices to keep track of the number of verdicts and to whom the appeal should go next.
- Section 4. Once a final verdict has been rendered, it will be reviewed by the Parking and Transportation Staff members and will email the students of their verdict.

Section 5. All Justices are responsible for their own “First Verdict” and the “Second Verdict” appeals. Also, any other appeal on the Excel sheet must be completed. All appeals should not exceed two weeks from the current date.

Section 6. If the Student Government Association Traffic Appeals is back logged priority will be given to the oldest appeals.

ARTICLE VIII **JURISDICTION AND SANCTION**

Section 1. The Attorney General shall be responsible for ensuring that all members of the Student Government Association, in all three branches, are performing their duties as prescribed by the Constitution Student Government Association. The Attorney General shall have the power to file formal impeachment charges against any member of the Student Government Association, for failure to perform their prescribed duties, to the Student Government Association Senate.

Section 2. The Student Government Association Traffic Court shall only review cases that involve university parking and/or traffic citations.

Section 3. The Student Traffic Court shall have original jurisdiction over all contested student campus vehicular violation citations.

Section 4. The Traffic Court may find the following verdicts with these imposed:

- a. Not guilty: The Student Defendant is not charged with the violation.
- b. Guilty- Reduce Fine: The Student Defendant is charged with the violation, but is required to pay a fine albeit a smaller amount than the original fine.
- c. Guilty- Uphold: The Student Defendant is charged with the violation and is required to pay the fine.

Section 5. The verdict and/or sanction agreed on by unanimous consent shall be the decision of the court. In the case where a verdict and/or sanction cannot be agreed on, the Chief Justice shall make the decision of the court.

Section 6. The Traffic Court does not have the authority to impose sanction(s) that are more severe than those stated on the citation.

Section 7. The Justices shall set a policy of courtroom decorum at the beginning of each semester. The courtroom questioning procedures should be described to newly appointed Traffic Court officials upon their appointment and before they begin service.

Section 8. Any responsibilities, duties, and rights not specifically designated to the Justices of the Student Traffic Court, or to any member of the court by these procedures shall not be denied to them when deemed necessary by the Justices for the fairness and efficiency of the Court, until such time as the ratification of an amendment, or until the effect has been approved by the Student Government Association Senate and the Dean of Students.

Section 9. Accountability System for violations of Traffic Court Bylaws are as follows:

- a. Verbal Counseling with Attorney General and Chief Justice
- b. One half pay deduction per month
- c. Request for letter of resignation from Vice President of Internal Affairs and Attorney General