

Recommended Judicial Board Practices



The information contained in this packet is derived from an undergraduate chapter's by-laws and stands as an exemplary example of a comprehensive definition of the make-up and function of a judicial board.

Judicial Board

A. *The Judicial Board has three purposes:*

- 1) Hold Brothers accountable to the expectations of the Sigma Chi Ritual.
- 2) Respond fairly and decisively to Brothers who have brought dishonor to the Chapter and the General Fraternity through their actions at any time while in or out of the Chapter.
- 3) Hold Brothers accountable for violating any Sigma Chi Governing Law and/or Chapter bylaw.
- 4) Hold Brothers accountable to the nine basic expectations of Fraternity members as outlined in the Sigma Chi Code of Conduct:

I will know and understand the obligations stated in the Jordan Standard, the Sigma Chi Creed, and the ideals expressed in the Sigma Chi Ritual and will strive to incorporate them in my daily life.

I will strive for academic achievement and practice academic integrity.

I will respect the dignity of all persons; therefore, I will not physically, mentally, psychologically, or sexually abuse or haze any human being.

I will protect the health and safety of all human beings.

I will respect my property and the property of others; therefore, I will neither abuse nor tolerate the abuse of property.

I will meet my financial obligations in a timely manner.

I will neither use nor support the use of illegal drugs; I will neither abuse nor support the abuse of alcohol.

I will acknowledge that a clean and attractive environment is essential to both physical and mental health; therefore I will do all in my power to see that the Chapter property is properly cleaned and maintained.

I will challenge all my Fraternity members to abide by these fraternal expectations and will confront those who violate them.

- 5) Discipline Brothers for other offences as called for by the Chapter Executive Committee or any Alumnus.



Judicial Board Structure

- A. The judicial board shall consist of:
 - a. the Pro Consul, who shall act as chairman
 - b. four Brothers, one from each of the freshman, sophomore, junior, and senior classes, who shall each be elected not by the Chapter as a whole but by the members of their respective class
 - c. the Chapter Advisor, who shall participate in all proceedings but who shall not have a vote.
- B. The members of the board shall be elected every six (6) months or as necessary in the case of membership resignation.

Judicial Process

A. *Accusation*

- 1) An accusation occurs when the Chapter Consul or member of the executive committee is informed of an infraction by a member of the community by:
 - a. A witness
 - b. Another Brother
 - c. The Interfraternity or Panhellenic Councils
 - d. The university
 - e. Another credible source
- 2) The executive committee, if appropriate, will automatically and immediately suspend from all Chapter activities (social events, intramurals, pledge interaction, etc.) the Brother(s) involved in the incident. The suspension shall not exceed fifteen (15) days and shall be pending the outcome of an investigation and decision by the Judicial Board.

B. *Investigation of incident*

- 1) The Consul shall contact the Pro Consul, who in his capacity as chairman of the judicial board shall notify the other board members, begin collecting facts and, if necessary, set a trial date. The trial must take place within the fifteen (15) day suspension period outlined above.
- 2) The Pro Consul shall notify the Brother(s) accused immediately and give him (them) forty-eight (48) hours to respond to the allegations. Responses should be given to the Consul and Judicial Board Chairman.
- 3) Failure of the Brother(s) to reply within the designated time period will result in a plea of no contest. (*"No Contest" does not imply guilt or innocence.*)

C. *Trial*

- 1) A trial shall be held on the date set by the Pro Consul unless the Brother admits guilt, in which case a trial is waived and the Judicial Board shall apply the appropriate punishment.
 - a. The date shall be set far enough in advance to provide participants and witnesses ample time and notice to make arrangements to attend.
- 2) The board shall be presented with all the facts and either
 - a. Make a ruling; or
 - b. Choose to hear further testimony from the witnesses, the accused Brother(s), and any other person(s) the board deems relevant. In this case, a decision will be rendered after the additional testimony.

- D. ***Punishments:*** If the Brother(s) is found guilty, the punishment shall be assigned according to a tier system. The judicial board will levy a first offense punishment from the first tier unless the incident is of a serious enough nature to warrant the initiation of General Fraternity trial board proceedings. On a second offense, the judicial board shall assign punishment from the second tier, and so forth. Each time a Brother is brought before the judicial board during his undergraduate membership he shall be given a higher tier of punishment without regard to the nature of the incident. (*Sanctioned Brother[s] are not exempt from normal fraternal obligations, including Chapter financial obligations and Chapter meeting attendance.*)



- 1) First tier
 - a. Ten (10) hours of service to the Chapter, university, or community, to be decided by the Chapter executive committee.
 - b. Five (5) hours of study time to be devoted to reviewing the Sigma Chi Ritual.
 - c. Verbal reprimand accompanied by a signed agreement which specifically states the guilty party(ies) will not engage in the prohibited activity again.
 - d. Loss of Chapter voting rights for a total of three consecutive, regular or special Chapter meetings.
 - e. If necessary, an acceptable letter of apology shall be written by the Brother(s) involved in the incident approved by the Consul and Judicial Board Chairman.

Note: a. above may be replaced and/or supplemented by voluntary emotional or substance abuse counseling.

- 2) Second tier
 - a. Fifteen (15) hours of service to the Chapter, university or community to be decided by the executive committee.
 - b. Ten (10) hours of study time devoted to the Sigma Chi Ritual, to culminate in a presentation on the Ritual to the active Chapter.
 - c. Verbal reprimand accompanied by a signed agreement which specifically states the guilty party(ies) will not engage in the prohibited activity again.
 - d. Loss of Chapter voting rights for a total of three consecutive, regular or special Chapter meetings.
 - e. If necessary, an acceptable letter of apology shall be written by the Brother(s) involved in the incident approved by the Consul and Judicial Board Chairman. Verbal reprimand accompanied by a signed agreement which specifically states the guilty party (or guilty parties) will not engage in the prohibited activity again.

- 3) Third tier
 - a. Twenty (20) hours of service to the Chapter, university or community to be decided by the executive committee.
 - b. Fifteen (15) hours of study time devoted to the Sigma Chi Ritual, to culminate in a presentation on the Ritual to the active Chapter.
 - c. Verbal reprimand accompanied by a signed agreement which specifically states the guilty party(ies) will not engage in the prohibited activity again.
 - d. Loss of Chapter voting rights for a total of three consecutive, regular or special Chapter meetings.
 - e. If necessary, an acceptable letter of apology shall be written by the Brother(s) involved in the incident approved by the Consul and Judicial Board Chairman.

- 4) Fourth tier
 - a. The Chapter will initiate conduct expulsion proceedings pursuant to Statute No. 7.01 of the Sigma Chi Governing Laws and Executive Committee Regulations 7.01-1 through 7.01-8.

E. ***Appeals***

- 1) Any appeal shall be heard by the Chapter Advisor within fifteen (15) days of the decision by the judicial board. To file an appeal, the Brother(s) must make a written request to the Pro Consul and Consul, who will forward within three (3) days all relevant information, including transcripts from the trial, to the Chapter Advisor.
- 2) Before an appeal is heard, the Chapter Advisor must agree that due process was not served due to a deprivation of one or more of the following rights:
 - a. The right to face one's accuser
 - b. The right to be privy to all evidence
 - c. The right to an appeal
 - d. The right not to testify against oneself

