

**SUPREME COURT**

**Rules of Procedure**

**Rule 1. Filing an Action**

(a) An action begins by filling out an ASUA Supreme Court Complaint Cover Sheet (Cover Sheet), and

(1) attaching a Complaint, as described in Rule 2(c); and

(2) emailing the Cover Sheet and Complaint to the Clerk of the Court at ASUA-SupremeCourt@email.arizona.edu; or

(3) delivering the Cover Sheet and Complaint to the front desk of the ASUA office.

(b) The last day to file any action in a given semester is thirteen (13) business days[[1]](#footnote-1) prior to the first day of the College of Law Final Exams.

(c) Once the Clerk of the Court receives the Cover Sheet and Complaint either by email or from the front desk of the ASUA Office, the Clerk of the Court shall promptly inform the Chief Justice of the action via email. The Clerk of the Court shall serve the opposing party a copy of the Cover Sheet and Complaint within five (5) business days.

(1) If the opposing party is an organization, the Clerk of the Court shall serve a copy of the Cover Sheet and Complaint to the president, vice-president, secretary, or equivalent official of the organization.

(d) Once the Clerk of the Court has served a copy of the Cover Sheet and Complaint to the opposing party, the Clerk of the Court shall email both parties that an action has commenced.

(e) Upon receiving an email from the Clerk of the Court notifying the parties that an action has commenced, the parties may begin filing pleadings.

**Rule 2. Pleadings**

(a) Pleadings shall not exceed five (5) pages, typed, double spaced, using 12-point font on standard 8.5- by 11-inch paper, with 1-inch margins on all sides.

(b) Pleadings are limited to the Complaint, Answer, and Reply to the Answer (for a total of two (2) pleadings from the Plaintiff, and one (1) pleading from the Defendant); the Clerk of the Court will not consider any additional pleading, except that

(1) The Chief Justice may allow a party to supplement a pleading. The Chief Justice may consult with the Student Legal Services Advisor and the Clerk of the Court to determine if a supplemental pleading is necessary.

(2) The Clerk of the Court and the Chief Justice have discretion to reject a Pleading that does not contain required information.

(i) In the event of a rejection, with the exception of a complaint or request for advisory opinion, the rejected party will be given twenty-four (24) hours to amend and resubmit the pleading.

(c) Complaint

(1) The person or organization filing the Complaint shall be known as the Plaintiff.

(2) The Complaint shall contain as much of the following information as is known to the Plaintiff:

(i) the name, email address, and phone number of the Plaintiff, each Defendant, and any witnesses;

(ii) a short and plain statement of the facts upon which the Complaint is based, including the time, place, and location of the alleged violation(s);

(iii) Any evidence of the alleged violation (e.g., photographs, emails, signed statements);

(iv) the specific section(s) of the ASUA Constitution, Bylaws, or Election Code provision that the Plaintiff believes the Defendant(s) violated;

(v) a demand for relief (i.e., what the Plaintiff wants the Court to do); and

(vi) the signature of the Plaintiff and the date signed.

(3) Legal arguments that are not included by the Plaintiff in the Complaint are not waived and may be included later as facts develop, but any argument deliberately withheld to gain an unfair advantage is waived.

(4) Once the Clerk of the Court receives the Complaint from the Plaintiff, the Clerk of the Court shall email the Complaint to the Defendant within two (2) business days.

(d) Answer

(1) The person or organization upon whom the Complaint is served shall be known as the Defendant.

(2) The Defendant shall file an Answer with the Clerk of Court within two (2) business days of receiving the Complaint.

(3) The Answer shall contain as much of the following information as is known to the Defendant:

(i) a short and plain statement of the facts;

(ii) a denial or admission of each and every claim contained in the Complaint;

(iii) any counterclaims relating to the same facts or violations described in the Complaint, including the specific section of the ASUA Constitution, Bylaw, or Election Code provision that the Defendant believes the Plaintiff violated;

(iv) a demand for relief for any counterclaim (i.e. what the Defendant wants the Court to do); and

(v) the Defendant’s signature and the date signed.

(4) Legal arguments or counterclaims that are not included by the Defendant in the Answer are not waived and may be included later as facts develop, but any argument or counterclaim deliberately withheld to gain an unfair advantage is waived.

(5) Once the Clerk of the Court receives the Answer from the Defendant, the Clerk of the Court shall email the Answer to the Plaintiff within two (2) business days.

(e) Reply

(1) Once the Plaintiff receives the Answer from the Clerk of the Court, the Plaintiff may file a Reply to the Answer with the Clerk of the Court within two (2) business days.

(2) A Reply may address any counterclaims contained in the Answer, or may include additional information not known to the Plaintiff at the time of filing the Complaint.

(3) Once the Clerk of the Court receives the Reply from the Plaintiff, the Clerk of the Court shall email the Reply to the Defendant within two (2) business days.

**Rule 3. Determination of the Case**

(a) The Court may decide any case with or without holding oral arguments; oral arguments shall be held if a majority of the Justices agree that they are necessary.

(b) If oral arguments are not required, then the Court shall issue the Opinion in writing within ten (10) business days of the close of pleadings, except if the Court is handling concurrent matters requiring written opinions, regardless of organizational source of the matter, in which case the written opinions shall be issued accordingly:

 (1) The Court shall deliver the written opinion for the earliest matter within ten (10) business days of the oral arguments for that matter;

 (2) The Court shall deliver the written opinion for each following matter in chronological order and within three (3) business days of the deadline for written opinion associated with the previous matter.

(c) If oral arguments are required, the Clerk of the Court shall notify all parties involved within five (5) business days of the location and time for oral arguments.

**Rule 4. Oral Arguments**

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

(b) The plaintiff, movant, or appellant shall argue first.

(c) Each party shall have twenty (20) minutes to present its case to the Court, and the plaintiff may reserve up to five (5) minutes for rebuttal. The Court may extend time for oral argument and shall provide all parties with roughly equal the amount of time.

(d) Parties may call witnesses.

(1) The Clerk of the Court shall administer an oath of truthfulness to all witnesses before testimony begins.

(2) The Court may question parties and witnesses; the time for such questioning does not count against any party.

(3) The Chief Justice may allow counsel to examine witnesses, but such time counts against a party’s allotted twenty (20) minutes.

(4) Parties may present statements from witnesses who are unable to attend. The party must provide six (6) copies to the Clerk of the Court, five (5) for dissemination to the court and one (1) to be furnished to the opposing party.

(e) During oral arguments, parties may be represented by any law student from the University of Arizona College of Law who is currently a Juris Doctor candidate and has completed a bachelor’s degree. The Court highly recommends representation by counsel. If requested, the Chief Justice may grant leave to hire non-student attorney representation.

(f) The Court shall control the etiquette and behavior of the parties.

(g) The Clerk of the Court shall notify all parties of the outcome within five (5) business days of the oral argument; and shall issue its written opinion within ten (10) business days of the oral argument.

**Rule 5. Evidence**

(a) Evidence is governed by the Federal Rules of Evidence, except that no conversation between the Clerk of the Court and any party may be presented.

(b) The Chief Justice shall resolve all evidentiary issues, unless the Chief Justice has not taken the Evidence Course, in which case the Chief Justice shall delegate the responsibility to the most senior Justice that has taken the Evidence Course.

(c) Before oral argument begins, the Clerk of the Court shall assist all parties in preparing evidence needed for oral argument.

**Rule 6. Adjudication**

(a) The Court’s decision in any matter shall be determined by a majority or plurality 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, supplements to pleadings, courtroom decorum).

(b) The Clerk of the Court shall notify all parties of the outcome within five (5) business days of the oral argument; and shall issue its written opinion within ten (10) business days of oral arguments, except if the Court is handling concurrent matters requiring written opinions, regardless of organizational source of the matter, in which case the written opinions shall be issued accordingly:

 (1) The Court shall deliver the written opinion for the earliest matter within ten (10) business days of the oral arguments for that matter;

 (2) The Court shall deliver the written opinion for each following matter in chronological order and within five (5) business days of the deadline for written opinion associated with the previous matter.

(c) The Chief Justice shall assign the responsibility of writing a majority or plurality opinion to any Justice; additionally

(1) Any Justice may write a concurrence or dissent.

(2) Any Justice writing an opinion shall submit the written opinion to the Chief Justice in electronic form within forty-eight (48) hours of conclusion of oral arguments and upon concurrence of each of the Justices joining that opinion.

(3) Each opinion shall be signed[[2]](#footnote-2) by all the Justices joining it.

(4) 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:

(i) majority;

(ii) plurality;

(iii) concurrence(s);

(iv) concurrence(s) in judgment; and

(v) dissent(s).

 (d) The Court’s decision is final, and is binding on all parties to the case.

**Rule 7. Interpretation of the Rules**

(a) The Supreme Court retains the authority to interpret these Rules during any proceeding.

(b) The Supreme Court may amend the Rules from time to time, with the concurrence of the ASUA Senate.

**Rule 8. Discretionary Docket**

(a) The Supreme Court retains the authority to decide any dispute based on the pleadings of any party without hearing oral arguments.

(1) If the Supreme Court decides any dispute without oral arguments, it shall issue written findings that include, at a minimum, a short and plain statement of its conclusions.

(b) If actions before the Court involve a common question of law, the Chief Justice may:

 (1) join for oral argument any or all matters at issue in the actions; or

 (2) consolidate the actions.

1. Business days are days on which regular classes are scheduled. Business days end at 5:00 p.m. (GMT – Arizona). [↑](#footnote-ref-1)
2. Signatures may be electronically affixed. [↑](#footnote-ref-2)