

OPPORTUNITIES AFFORDED TO THE RESPONDENT

In any judicial hearing, the chapter being charged and appearing before the Judicial Board must be guaranteed certain rights and due process. These are as follows:

- I. The chapter must receive written notice indicating the date, time, and location of the hearing at least five (5) academic days prior to the scheduled hearing. It should also contain a summary of the allegations of the case and a copy of these opportunities;
- II. The chapter must be given the opportunity to read the written report stating the circumstances and allegations of the case;
- III. The chapter is afforded the opportunity to a closed hearing;
- IV. The chapter is afforded the opportunity to have an advisor present at the hearing;
- V. The chapter is afforded the opportunity to hear all testimony presented against them;
- VI. The chapter is afforded the opportunity to present witness and/or statements in accordance with Judicial Board procedures;
- VII. The chapter is afforded the opportunity to remain silent;
- VIII. The chapter must be informed of the right to appeal and the procedures for making such an appeal;
- IX. The chapter is afforded the opportunity to an expedient hearing;
- X. A quorum of at least two-thirds (2/3) of the justices must be present for all hearings. Since each Judicial Board contains one (1) Chief Justice and three (3) Justices, for a total of four (4) members, this would require three (3) out of four (4) members of the Fraternity or Sorority Judicial Board to be present for all their respective hearings. Any justice present at any hearing taking place after the first initial meeting (if required) must have attended the initial hearing in order to be a valid voting member; and
- XI. A chapter reserves the right to review its judicial record at any time.

Although these opportunities are guaranteed, everyone concerned should understand that Judicial Board proceedings differ from criminal or civil court proceedings. The purpose of these bodies is not primarily punitive in nature, and peers are expected to act in a constructive, educational manner whenever possible.