



The Judicial Code of Marian and Speros P. Martel College

Accepted by vote on March 27th, 2024

TABLE OF CONTENTS

Article 1: Process of Amendment	2
Article 2: Composition of the Court	2
Article 3: Investigation Procedures and Verdicts	3
Article 4: The Extent of Penalties	6
Article 5: Responsibilities and Culpability	8
Article 6: Behavior	11
Article 7: Property	13

Article 1: Process of Amendment

1. Amendments
 - 1.1. An amendment to the Judicial Code may be proposed by any member of the College and should be submitted to the Chief Justice.
 - 1.2. Amendments shall be reviewed by the College Court and the College President, then passed into a meeting of Parliament for approval as outlined in the Constitution, members of the College Executive Council may optionally attend the College Court meeting with the President.
2. Revision
 - 2.1. In order to ensure the maintenance of the Judicial Code and its alignment with the views of Martelians, the Judicial Code must be reviewed and revised at least once every five years.
 - 2.1.1. This examination will be conducted through a series of meetings consisting of at least half of the College Court. At least one member of each class (freshman, sophomore, junior, and senior) must be present at all meetings.
 - 2.1.2. After the Judicial Code has been thoroughly examined, appropriate revisions should be proposed.

Article 2: Composition of the Court

1. Justices
 - 1.1. The Chief Justice
 - 1.1.1. The duties of the Chief Justice are outlined in the Constitution.
 - 1.1.2. The Chief Justice shall select four to nine Associate Justices, one of which shall be designated as the Vice Justice, to constitute the College Court. The President and Magisters of Martel College shall approve the selection of the College Court.
 - 1.2. The Vice Justice
 - 1.2.1. In the absence of the Chief Justice, the Vice Justice shall assume all of the Chief Justice's duties and responsibilities.
 - 1.2.2. The Vice Justice shall serve as a voting member of the College Court when not assuming the duties of the Chief Justice.
 - 1.3. The Associate Justices

- 1.3.1. Associate Justices are voting members of the College Court and must be present at all Martel events that are registered with Student Judicial Programs at the discretion of the Chief Justice.
- 1.3.2. Associate Justices are responsible for the daily security of Martel property
- 1.3.3. If the Chief Justice and Vice Justice cannot be reached, a noise complaint can be made with any of the Associate Justices.
- 1.3.4. At least three Associate Justices must live on campus at Martel.
- 1.4. The New Student Justice
 - 1.4.1. An application for the position of New Student Justice must be sent out no later than one week after the conclusion of O-Week
 - 1.4.2. The Chief Justice must select one applicant for the position of New Student Justice
 - 1.4.3. The New Student Justice is entitled to all rights and responsibilities of an Associate Justice
 - 1.4.4. The New Student Justice must be in their first year of attending Rice University
 - 1.4.5. The New Student Justice position is vacated at the end of the Chief Justice's term
2. Meetings
 - 2.1. The Chief Justice must convene a meeting of the College Court once every 60 days
 - 2.2. These meetings are to be separate from any hearings held by the Court

Article 3: Investigation Procedures and Verdicts

1. Procedures
 - 1.1. All hearings shall be conducted in accordance with the Rice University Code of Student Conduct. The final interpretation of this article's procedures lies with the Chief Justice in consultation with the President.
 - 1.2. If at any point in the proceedings a Justice is determined to be involved in the case at hand such that they will be unfairly biased, they shall be excused from the case and the Chief Justice shall appoint a temporary replacement with approval by the

President. If the Chief Justice is excused from the case, the Vice Justice shall assume their duties during the proceedings.

2. Initiation of Proceedings

2.1. The Court Procedure initiates when a Justice of the College Court has probable cause to believe that an infraction of the Martel Judicial Code, Bylaws, or Constitution has occurred within the College or at a College function or when a written complaint is submitted to the College Court.

2.2. The Chief Justice will inform the Accused that the incident has been referred to the College Court for consideration.

2.3. The Chief Justice must then select four Justices, herein referred to as the Court, to preside over the proceedings with them.

3. Determination of Charges

3.1. A closed meeting of the Court shall be convened to discuss the charges.

3.2. A majority vote of the Court shall confirm the charges and enter the Court into determination of penalties.

4. Determination of Penalties

4.1. The Court shall decide what sanctions and/or fines will be imposed, as governed by this Judicial Code and the Rice Code of Student Conduct.

4.2. A three-fifths vote of consent by the Court shall confirm the penalties.

4.2.1. In the event that the Court cannot reach a three-fifths consent, the minimum penalty outlined in this Code shall be applied.

5. Presentation of Charges and Penalties

5.1. The Chief Justice shall inform the Accused of the Court's decision as to the validity of any charges made and what penalties have been approved.

5.2. The Accused may plead "Guilty," "No Contest," or "Not Guilty." The Accused must submit their Plea to the Chief Justice within three class days of the Presentation of Charges. Failure to submit a plea shall be construed as a plea of "Guilty."

5.2.1. A plea of "Guilty" by the accused party indicates acceptance of the charges and penalties approved by the Court. The Judicial Process

concludes on the matter when any and all penalties (e.g. sanctions and/or fines) have been fulfilled.

5.2.2. A plea of “No Contest” indicates acceptance of the charges approved by the Court, but not of the penalties. A plea of “No Contest” to the Court should contain an explanation of why the penalties proposed are excessive or otherwise inappropriate. Penalties will be reconsidered as outlined in Article 3, Section 4 of this Judicial Code and a four-fifths vote of the Court will confirm the reconsidered penalties.

5.2.3. A plea of “Not Guilty” calls the Court to begin the process again, starting with the Determination of Charges. If the Court decides that the charges are valid, a hearing shall be held to reach the Court’s final decision.

6. Hearings

6.1. A hearing will be scheduled within ten class days of receiving the Accused’s plea of “Not Guilty.” The Chief Justice shall preside in Hearings of the College Court unless they have been removed from a case as outlined in Article 3 Section 1.1 in this document.

6.2. Procedure in Hearings

6.2.1. A hearing will begin with the Chief Justice’s presentation of evidence against the Accused.

6.2.1.1. At all times the anonymity of Accusers will be maintained unless otherwise waived by the Accuser

6.2.2. The Accused may then present evidence in defense, including the calling of witnesses.

6.2.2.1. The Court shall have the right to question the Accused and any witnesses called.

6.2.3. When the Accused has presented all evidence, the hearing will adjourn for the Court to confer.

6.3. Decisions of the Court

6.3.1. The Court’s decision must be returned to the Accused within two class days.

- 6.3.2. The Accused may request that the Court convene immediately to confer on the decision of the case.
 - 6.3.2.1. In this event, the Court has two hours to return its final decision on the charges and penalties relevant to the case.
- 6.3.3. All decisions of the Court are made by a four-fifths vote.
- 6.4. Perjury in Hearings
 - 6.4.1. All witnesses in Court Hearings are trusted to act in faith to the College. Any witness found to be in collusion with the Accused to deceive the Court in any manner shall share equally in all penalties determined by the Court in the case (including sanctions and any fines).
- 7. Termination of College Court Proceedings
 - 7.1. Proceedings of the College Court conclude when all penalties determined by the Court — and accepted by the Accused — have been fulfilled.
 - 7.2. If, after a full Hearing of the Court, the Accused wishes to appeal the decision, they may request that the Chief Justice refer the case to the Official of Student Judicial Programs for consideration in the University Court.

Article 4: The Extent of Penalties

- 1. General Rules
 - 1.1. Individual penalties will be made at the decision of the College Court.
 - 1.2. Penalties must follow the guidelines and restrictions enumerated in this Judicial Code according to the specific infraction charged.
 - 1.3. The restrictions described in this article apply to all penalties determined by the College Court, regardless of the nature of the infraction, with the exception of some extreme cases as outlined in Article 4, Section 4 of this document.
 - 1.4. All penalties must abide by the Rice Code of Student Conduct, even in Extreme Cases.
- 2. Restrictions on Monetary Penalties
 - 2.1. Monetary penalties for infractions shall be considered in two categories: punitive and restorative.
 - 2.1.1. Punitive Fines

- 2.1.1.1. A punitive fine may be levied for any infraction.
- 2.1.1.2. The amount of a punitive fine is associated with the severity of the infraction relevant to repetition, disrespect, location, or other factors, and does not apply to the cost of any property damage assessed.
- 2.1.1.3. Punitive fines shall never exceed \$200.
- 2.1.1.4. Funds collected from punitive fines shall be deposited into the Martel College savings account.

2.1.2. Restorative Fines

- 2.1.2.1. A restorative fine is levied in a case where damage to Martel property has taken place.
- 2.1.2.2. Restorative fines may not exceed the amount required to replace or repair the damaged property.
- 2.1.2.3. There is no limit on the amounts of restorative fines, but in the event that a restorative fine exceeds \$500, no punitive fine may be levied for the same infraction.

3. Non-Monetary Sanctions

- 3.1. A broad range of non-monetary sanctions may be imposed by the Court, including restricted use of Martel property and loss of Room Draw points.
- 3.2. Such sanctions must never interfere with a student's academic performance. If a student believes the sanctions placed violate this directive, they may appeal to the Magisters.
- 3.3. Sanctions may affect a student's standing in Room Draw, but may never affect standing in Eligibility Jack.

4. Extreme Cases

- 4.1. Any and all of these rules may be overturned in an Extreme Case.
- 4.2. If the Court determines that an Extreme Case has come before it, the proceedings of the Court run as usual in determining the guilt of the Accused.
- 4.3. If the Court wishes to apply penalties above the restrictions of this Article, a written report must be presented to the President and a closed meeting of Parliament will be called to decide on the punishments in the case.

4.3.1. A three-quarters vote of Parliament in favor shall approve the penalties proposed by the College Court.

5. Penalty Collection

5.1. Any monetary penalty incurred by a student must be paid within three class days.

5.2. After this time, unpaid fines shall be submitted to the Cashier's Office to be collected by the University.

Article 5: Responsibilities and Culpability

1. Visitors to Martel

1.1. Visitors to Martel are the responsibility of their hosts with respect to any punishment and fines, and in further dealings that may arise with the College Court, U Court, or Student Judicial Programs.

1.2. Hosts are responsible for acquainting themselves of any restrictions on visitors imposed by Martel or the University.

1.3. Visitors to Martel who are not Rice students are not afforded any of the privileges reserved for Rice students and may be treated as trespassers if unaccompanied at Martel or around the campus at large.

1.4. Should a visitor cause any property damage or incite an infraction at Martel — or another College — the host is fully responsible for such damage and fines, and it is their responsibility to collect the amount from their guest if they see fit.

2. Cleanliness of Public Spaces

2.1. General Rules

2.1.1. Use of space at Martel for a public gathering is allowable with the understanding that it constitutes an agreement to clean up after the event.

2.1.2. The space should be left in a clean condition, regardless of what condition it was found in.

2.1.3. A grace period of one day (24 hours) will be given unless there is a need for haste.

2.1.4. A request on the part of the President, Vice President, or Chief Justice will constitute an official request on behalf of Martel in the case of any delay in post-event cleanup.

- 2.1.5. A public gathering will be considered as any pre-planned, advertised event in any public space (as defined in the By-Laws), whether or not approved by the Vice President or a vote of Parliament.
- 2.1.6. In the event that a member (or members) of the College disrupts the cleanliness of a public area for any other reason, the same principles shall apply.
- 2.1.7. The fines for failure to clean a public area, following an official request, shall be \$20 per day, and shall be levied by the College Court in the manner outlined in this document.
- 2.2. The Laundry Room
 - 2.2.1. The Martel laundry room is a public space and should, therefore, be treated with respect.
 - 2.2.2. Clothes found sitting idle in a washing machine should be placed on the shelf directly above the washing machine, and no articles of clothing should be left on the floor.
 - 2.2.3. Clothes found sitting idle in a dryer may be placed in the wire baskets.
 - 2.2.4. Clothes should not be left in the laundry room for longer than 24 hours.
- 2.3. The Weight Room
 - 2.3.1. Use of the Martel College Weight Room by anyone not a member of Martel College is prohibited.
 - 2.3.2. For the safety and convenience of others, equipment must be returned to its proper storage place after use.
 - 2.3.3. The hours between 10:00 pm and 8:00 am are designated “weight-room quiet hours”, and, out of consideration for the rooms adjacent to the weight room, dropping weights or watching the TV at an excessively loud volume is prohibited during this time.
 - 2.3.4. Repeated violations of the rules governing the use of the weight room may result in fines and/or loss of weight room privileges.
- 3. Vehicles
 - 3.1. Parking and safety regulations of the University must be obeyed at all times.

- 3.2. The College Court does not provide special protection from RUPD for any traffic or parking citations.
 - 3.3. Martel has several temporary parking spots which have been set aside for a specified amount of time.
 - 3.3.1. Failure to comply with the posted time limits can result in a parking ticket (including a fine) from RUPD or the Chief Justice.
 - 3.3.1.1. Excessive violators will be fined doubly.
 - 3.3.1.2. Further violation may result in parking sanctions by the College Court or, in extreme cases, by RUPD.
 - 3.3.2. Parking in spots reserved for the Magisters and the RAs will also lead to parking tickets and fines.
 - 3.4. Gasoline-powered vehicles are not to be driven through the quad or stored in any Martel public space.
 - 3.4.1. Storage of vehicles in public spaces is at the discretion of the Vice President, and fines may be levied if a violation of such privileges is apparent.
4. Parties
- 4.1. Residents of Martel College are expected to follow all guidelines in the Rice Alcohol Policy and to abide by all State and Federal laws.
 - 4.2. The Alcohol Policy differentiates between “public” and “private” parties.
 - 4.2.1. Public Parties
 - 4.2.1.1. Public parties, as defined in the Rice Alcohol Policy, must be overseen by the Socials Committee or other members of Martel government, and must be registered with the Office of the Assistant Dean of Student Judicial Programs.
 - 4.2.2. Private Gatherings
 - 4.2.2.1. Private gatherings, hosted by Martel residents in their own rooms, must be registered with the Chief Justice if there will be a keg or more than 10 guests present.

- 4.2.2.1.1. Registration of a gathering — of any size or duration — provides a measure of protection from intrusion by RUPD, and is highly encouraged.
- 4.2.2.2. Upon registration, the following information must be given to the Chief Justice:
 - 4.2.2.2.1. Location of gathering
 - 4.2.2.2.2. The hours during which the event will occur
 - 4.2.2.2.3. The name and phone number of the Host or Hosts who will be responsible for the event.
 - 4.2.2.2.3.1. Hosts are responsible for maintaining the cleanliness of public spaces surrounding their room after a gathering and are liable for any damage caused to public property as a result of their gatherings.

Article 6: Behavior

1. Noise Complaints

1.1. Quiet Hours

- 1.1.1. “Quiet Hours” are defined as the hours between 12:00 am and 8:00 am Monday through Friday, and between 2:00 am and 8:00 am Saturday and Sunday.
- 1.1.2. During these times, no resident may engage in activities that involve excessive noise or cause undue disturbance to other College residents.
- 1.1.3. Should this occur, the offended party may contact the Chief Justice, who will then resolve the issue with those who caused the disturbance.
 - 1.1.3.1. In keeping with the community of respect that is fostered at Martel, residents are encouraged to attempt to resolve issues with their neighbors personally, if possible, and to contact the Chief Justice only as a secondary measure.
 - 1.1.3.2. Residents should not contact RUPD for any noise complaints.

1.2. Excessive Disturbances

- 1.2.1. If more than three noise complaints are reported against a single room within a span of two weeks, fines shall be levied against the offending room.
 - 1.2.1.1. At the fourth complaint, a \$25 fine will be levied against the offending room, with each additional complaint following increasing the fine by \$25 (\$50 for the fifth, etc).
 - 1.2.1.2. If six valid noise complaints are filed against a room in a month, a consultation with the Magisters and College Court will be arranged to consider more severe penalties.
 - 1.3. Unfounded Complaints
 - 1.3.1. Care will be taken to ensure that unfounded noise complaints do not count towards a room's total noise complaint count, and those who report false noise complaints may be fined \$25 per incident.
2. Public Decency
 - 2.1. Public indecency is not tolerated and may result in disciplinary action by the College Court or a citation by RUPD.
 - 2.1.1. This includes public urination, sexual activity in any public place, or any other act deemed to be indecent by the college court.
 - 2.2. Fines will be assessed on an individual basis.
3. Littering
 - 3.1. Martelians and their guests are expected to respect the cleanliness of Martel's public spaces.
 - 3.2. Any individual caught littering may be fined \$10 and will be required to clean up whatever he or she has littered.
4. Smoking and Vaping
 - 4.1. Smoking and vaping are strictly prohibited in all indoor spaces of Martel College, including suites, public areas, and the Commons.
 - 4.1.1. A warning will be given for the first violation of this policy, a \$25 fine will be levied upon the second violation, and with each additional violation the fine amount will be increased by \$25 (\$50 for the third, etc).

- 4.2. Students are free to smoke and vape anywhere outside, including balconies, the quad, the sundeck, etc.
 - 4.3. In the spirit of civility, those who smoke and/or vape should take care to avoid smoking in areas that might cause some annoyance to those who do not enjoy the aroma of inhalants (i.e. outdoor stairwells).
 - 4.4. Martelians are encouraged to resolve smoking/vaping-related issues with each other rather than pursuing action with the Magisters or the University.
5. Fire Alarms
- 5.1. Intentional activation of the fire alarm system without the knowledge of a fire or emergency is strictly prohibited and severely punished.
 - 5.1.1. Intentional activation of the fire alarm is a very serious offense that will be investigated by RUPD and will result in a \$600 fine from RUPD.
 - 5.2. Fire hoses, fire extinguishers, and other fire or emergency equipment shall not be used for any purpose other than its designated use.
 - 5.2.1. Misuse of Emergency Equipment will result in a fine of no less than \$25.
 - 5.3. Unintentional activation of the fire alarm, such as by candles, smoking, etc., will result in a \$25 fine, and with each additional violation the fine amount will be increased by \$25 (\$50 for the second, etc.)

Article 7: Property

1. General Rules
 - 1.1. Any member of Martel may use Martel property at any time that it is available — this excluding, obviously, times when it is officially reserved (as recorded by the Vice President) — providing that it is not an unreasonable disruption to other students.
 - 1.2. Use of property is allowed with the understanding that it should be treated with appropriate care and attention.
 - 1.3. Damage to property should be reported immediately to the Improvements and Properties Chair and the Vice President.
 - 1.4. Fines for property damage will only be levied after a complete investigation by the College Court, as outlined in this code.

- 1.5. Those responsible for damage or destruction of Martel property may incur restorative fines to replace or repair the item completely, and punitive fines of 50% of the cost to replace/repair the item (up to \$200).
 - 1.6. If the damage is found to be malicious or due to extremely irresponsible action, the punitive fines may be up to 100% of the cost of repair or replacement.
 - 1.7. In either case, it is at the discretion of the Improvements Chair, in consultation with the Vice President and Chief Justice, to determine which course of action — replacement or repair — should be taken in the best interest of Martel.
 - 1.8. Fines for damage or destruction of properties deemed irreplaceable will be considered as Extreme Cases and shall have no maximum amount, and will be determined by the College Court and approved by a three-quarters vote of the Parliament.
2. Furniture
 - 2.1. Indoor furniture should remain indoors at all times unless moved for an official Martel function or event.
 - 2.1.1. Anyone who moves indoor furniture outside is responsible for any and all damage to it, regardless of cause or timeframe — it is their responsibility to see it safely back indoors to the location in which it belongs.
 - 2.2. Outdoor furniture is considered public property and should be treated as defined in the By-Laws.
 - 2.2.1. While it is allowable for outdoor furniture to be placed around walkways, an effort should be made not to violate any fire codes or impede passage along the walkways.
 - 2.2.1.1. This applies to privately-owned furniture as well as Martel furniture.
 - 2.2.1.2. Should Martel receive a fine for the violation of a fire code due to improper placement of furniture, the amount of the fine shall be split evenly between the members of the offending suite.
 - 2.2.2. Members of Martel that place outdoor furniture in front of their rooms may be liable for damage caused to the furniture, as determined by an investigation of the College Court.

- 2.3. Furniture marked as “secure” should not be moved and a \$10 fine will be levied against any room placing “secure” furniture in front of their room.
- 2.4. At the request of the President, Vice President, or Chief Justice (which will constitute an official request on behalf of Martel), Martel furniture must be returned to the sundeck or the quad.
 - 2.4.1. A two-day period will be granted for this to take place.
 - 2.4.2. Any room (or individuals) demonstrating disregard for the treatment of furniture or the official requests of Martel may be banned from placing furniture in front of their room.
 - 2.4.2.1. This ban shall be decided by a unanimous vote of the College Court on a semester-by-semester basis.
 - 2.4.2.2. Should a room violate this ban, the fine shall be \$50 for the first infraction, with further fines decided by the College Court as described in this Code.
3. Destruction of Property
 - 3.1. No members of the college shall willfully be involved in the destruction of the property of another member of the college, of Martel College, or of Rice University.
 - 3.2. Any member of the college involved in the destruction of such property should report the damage to the proper authority and be charged for the replacement or repair of the property in question.
 - 3.3. A penalty will be assessed if the destruction is deemed by the Court to have been willfully done.
4. Carts
 - 4.1. Carts and/or dollies are available for use by any member of Martel College.
 - 4.2. Carts and dollies are to be stored in the Martel basement or main stairwell, access to which requires a common key.
 - 4.3. Carts and dollies are to be returned to the basement or main stairwell, immediately after use.
 - 4.3.1. After a person has been notified twice of failure to return carts and/or dollies, the third violation will result in a \$15 fine, with each additional

violation increasing the fine amount by \$10 (\$25 for the fourth violation, etc.).

- 4.3.2. Fines per person will also be up to the judgment of the Chief Justice and when and with whom they last saw the abandoned cart and/or dolly.