



ASUA SUPREME COURT
Special rules of Procedure for Election Disputes Only

- RULE 1. Scope of rules.** Because election disputes require prompt special resolution in order for the election to proceed, the following rules govern special actions in the election context only.
- RULE 2. Commencement of the action.** Within 24 hours of a decision by the Election Commissioner, or his or her delegate, any party may contact the Clerk of the Court by telephone or in person to inform the Court of intent to appeal the Election Committee's decision.
- 2a. The Clerk of the Court shall inform the justices, that a party is appealing a decision by the elections commission.
 - 2b. The Clerk of the Court shall immediately contact the Election Commissioner or his or her designee and request a brief written report of the proceeding.
- RULE 3. The written report.** The Election Committee's report shall be prepared and delivered to the Clerk of the Court within 24 hours of notification. The Clerk of the Court shall issue a signed receipt.
- 3a. The written report shall contain the following:
 - 1. Factual basis of the dispute;
 - 2. Names, addresses, email addresses and telephone numbers of the parties;
 - 3. Disposition of the dispute;
 - 4. Rationale for the disposition, including any constitutional or election code basis.
 - 3b. Along with the report, the Election Committee shall include any and all written or printed materials upon which it based determination.
 - 3c. The Clerk of the Court shall prepare and furnish copies of the Elections Committee's report to each of the Justices.

RULE 4. Notice to parties.

- 4a. The Court shall determine who is a party and notify all parties of the hearing. This may be accomplished in person, by telephone, or in writing via email.
- 4b. If the party is absent from the hearing despite reasonable efforts to obtain its presence, a majority of the Justices may elect to proceed without that party.

RULE 5. The hearing.

- 5a. In the interest of prompt adjudication, no written pleadings shall be required. Instead, oral presentation will be heard at a venue determined by the Court within 24 hours of the Court's receipt of the Election Committee's written report.
- 5b. Each party will have 15 minutes to present its case to the Court. Either side may reserve 5 minutes of this time for later rebuttal.
- 5c. Parties may be represented by counsel. Only current University of Arizona law students may serve as counsel.
- 5d. Parties may bring witnesses. Parties may bring notarized statements witnesses who are unable to attend. A party bringing such a statement shall furnish a copy to the opposing party and six (6) copies to the Clerk of the Court for disbursement to the Court.
- 5e. The Court may question any parties and witnesses.
- 5f. The Court shall control the decorum of the proceeding.

RULE 6. Rules of Evidence. Only relevant evidence will be admissible.

- 6a. Any conversations that take place between the Clerk of the Court and the separate parties, may not be presented as evidence to the Court.
- 6b. The Clerk of the Court shall assist both parties in preparing any evidence for trial, including making evidence available to the opposing party and the Court.

RULE 7. Disposition of the case.

- 7a. The parties shall be notified within 24 hours of oral argument of the Court's decision.
- 7b. The Court's decision shall be determined by a majority of the Justices.
- 7c. The Clerk of the Court shall notify the parties verbally within 24 hours of the deliberation of the Court's decision.
- 7d. A written decision shall follow within ten (10) business days. The Clerk of the Court shall assign the writing of the opinion to any Justice, including him or herself.
- 7e. Concurring Justices may attach a written concurrence to the majority's opinion.
- 7f. Dissenting Justices may attach a written dissent to the majority's opinion.
- 7g. The decision of the Court is final, and binding on all parties.

RULE 8. The Court shall be the sole interpreter of these Rules of Procedure, and shall have the discretion to prospectively revise or amend them.