



Alpha Judicial Board Starter kit:

Merriam-Webster: Self-governance – *control over one's own affairs*

Purpose of a Judicial Board:

Take a moment to ponder the structure of the U.S. government. Politics aside, our government is able to exist because it has a balance of power and responsibility between the Executive, Judicial, and Legislative branches. A successful Alpha will operate in a similar manner.

- The “Executive Branch” is not surprisingly the Executive Committee, the members who make the critical decisions and are responsible for setting goals and implementing policies for the Brotherhood.
- Likewise, an Alpha should have an up-to-date copy of their “By-Laws”, which serve as the “Legislative Branch” of an Alpha. A well implemented set of bylaws will leave little to question and will provide a written reference to the expectations of an active or new member of the Alpha. It will serve both as a constitution for the Alpha, as well as provide a baseline of expectations for each Brother to be aware of. Furthermore, active Brothers can propose amendments to the by-laws of the organization.

Where many Alphas fall short is on their third branch of administration, the Judicial Branch. Way too often Alphas lack any sort of judicial system in place, or it is handled exclusively by the Executive Committee. Because many of you reading a document like this are leaders, you can probably figure out that by having the Executives handle any judicial action, you are blurring the lines of leadership and concentrating power in the hands of few. The best way for Fraternity leaders to be effective is if they can be removed from that judicial process entirely. Someone brought in front of the Judicial Board for an offense, in front of an unbiased third party, completely removes the inherent connection between the decision and the person who handed it down. This will not only make the accused / offending Brother more likely to accept the punishment, but it will make it significantly easier for that individual to work with Alpha leadership moving forward.

But let’s take a moment to think about WHY an Alpha needs to be able to handle its own affairs.



~ Why do you think it is necessary to hold your own members accountable when you know the school/alumni/Central Office/Greek Life Office are going to do it anyway? ~

There are essentially two main reasons why it is imperative that an Alpha handles disciplinary actions as a group.

1. It is a testament to the strength not only of your leadership, but of the Brotherhood as a whole. If you think about it, the point of a Brotherhood in some regard is to hold each other accountable and push each other to be the best that you can be. But this does not exist if there are no consequences for your actions. By holding your members to the expectations and standards the Alpha has set forth in its By-Laws, you are not only preparing them for the real world, but you are having the necessary, difficult conversations as Brothers. If there is an issue, any problematic member is much more likely to listen to a fellow Brother than anyone else. In summation, it is easier to assist a Brother if he has a legitimate problem.
2. Holding your members accountable demonstrates to all stakeholders that you are able to handle internal issues and respond appropriately. If you have no judicial process, no implemented repercussions for bad actions, if the problem persists, you can expect one of the other numerous stakeholders to step in and make the decision FOR you.

Structure:

There are numerous different systems for a potential Judicial Board, all of which have their own pros and cons. The Alpha Visitors have compiled and analyzed the structures from all of our Alphas that have Judicial Boards, and the two below that have been the most effective. In either option, you will notice two constants:

- The number of people who sit on the Board is always odd, to avoid gridlock if anything comes down to a vote.
- There is a designated “Judicial Board Chairman” for each, a position that should be elected not appointed.

Option 1	Six general members (Brothers) randomly assigned at the beginning of each semester, with at least one from every year (Freshman, Sophomore, Junior, Senior) on the Board. One Judicial Board Chairman to oversee
Pros	Wide range of members with a high turnover so the burden of responsibility is not large
Cons	Burden falls primarily on the Judicial Board Chairmen, and randomization does not necessarily guarantee the most appropriate Board members
Recommended for	Larger Alphas, or those with an established list of accountability measures / sanctions



Option 2	Three general members with a year long term, appointed by corresponding position holders (#1 selects one, Risk Manager selects one, and Judicial Board selects one). The Risk Manager sits on the Board. One Judicial Board Chairmen to oversee
Pros	Appointments ensure members are always qualified. The Executive Committee is able to balance the Judicial Branch by having an appointment from the #1. Risk Management is a valuable voice on the Board and in judging accountability measures.
Cons	Smaller Board means more emphasis on attendance at hearings, occasionally conflict of interest between Risk Manager and Judicial Board Chairmen. Longer terms and greater responsibility may be isolating for Board members.
Recommended for	Smaller Alphas, or those looking to start a Judicial Board from scratch.

Implementation:

- Create a Google Poll to document offenses that asks pertinent questions like the Brother’s name, witnesses, whether or not intoxication was present, date, time, a description of the event, other details, etc. Make the responses document viewable only by the Judicial Board chairman. Have him check it periodically, and whenever there is a new submission that he deems worthy of a hearing, he should call a meeting of the Judicial Board.
- The Judicial Board Chairman **MUST** be an elected position, not one that is appointed. The reason for this is simple. Just like you want a #1 that is well liked and well respected, the same characteristics should exist for a Judicial Board chairman. In many instances, the Judicial Board Chairman will be the one having difficult discussions with members, it is imperative it is someone the entire or clear majority of the Brotherhood can agree is a fit for the job.
- Arguably just as important as the Board itself is the creation of a document that keeps track of Brothers’ offenses and the corresponding punishments. This should be a document passed from one Judicial Board Chairman to another. While it is not necessary to keep this document secret, you should avoid publicizing punishments if you can help it. The reason this document is essential is that you want congruence with your Judicial Board. You do not want the punishments to differ based on the individual, or based on the Board, so by writing down a history of the infractions and punishments, you can make sure every punishment is fair comparatively. This will also make the job of future Judicial Board Chairman's significantly easier.
- During the closed-door meeting, the Judicial Board Chairman is responsible for leading the meeting and maintaining proper decorum. The Judicial Board Chairman should keep the other members, and the accused, calm and open-minded. He should focus on showing members and the accused cause-and-effect relationships and should avoid purely accusatory statements. Remember, this is someone who the Board will have to see in a personal manner, so make sure you treat everyone with the respect they deserve.



Agenda of a Typical Meeting:

1. *Introduction of Infraction* - This should be in a closed session, with only the Board present. Here they will discuss the charges at hand but avoid drawing any preconceived notions.
2. *Introduction of the Accused* - Following a brief conversation of the issue, the Board should invite the accused Brother in to hear his side of the story, and if necessary, ask him clarifying, relevant questions.
3. *Introduction of other Witnesses* - After the accused is introduced, any other pertinent members who were present for the issue may be asked to step in and give their recount.
4. *Deliberations* - After asking the accused to leave, the Board, led by the Chairman, will then decide an appropriate course of action and possible punishment. Settle any confusion with a vote.
5. *Follow-Up Conversation* - Finally, invite the Brother back in and explain to him the action being taken, and most importantly WHY you are doing what, and for what purpose. Any punishments decided should serve a purpose, they should teach a lesson, not victimize.

(Optional) Allow for Appeals:

- It would not be a fair judicial process if there was not some type of appeals process in place. The purpose of the appeals should be to keep punishments fair, and to keep the innocent free of blame. Take care not to allow members to abuse the additional time required for an appeal to avoid a particular punishment. Only the accused member is able to appeal.
- In the Central Office's experience advising Alphas, most effective appeal system is an 'OR' system. Either they are appealing the charges (claiming innocence when a charge is brought) OR they are appealing the punishment (if it is too harsh). An appeal meeting will be administered in a similar manner to the typical meeting itinerary above, except time and consideration is given to the member explaining why and how he didn't do it, or why the punishment for the particular action should be lessened. While it is a burden on the Board, try to ensure a speedy "trial", as to not hang up the Board, and to ensure that someone who deserves an infraction isn't left in limbo for weeks.



Tips:

- Even though everyone in the room will be friends, try to keep the meeting professional. It will show not only the accused Brother, but also Board members and the general Brotherhood that the process is being handled seriously.
- Try to make the punishments fit the crime. Way too often Alphas see punishments as a fine system, which may work for some Alphas. But, you want to avoid a purely financial punishment system, because it inherently skews favorability towards those who have the means to simply pay the fine and move on with no reflection of their actions.
 - If someone gets too drunk at a party, and detracted from someone else's enjoyment, instead of having him simply pay a fine, consider having him serve as a sober monitor at the next social event. This way, there is clear purpose to the punishment and is not seen as arbitrary.
- While you serve on the Judicial Board, you are ultimately powerless to enforce your punishments. For this, rely on the Executive Committee to help institute and enforce punishments if necessary.

Checklist for Establishing a Judicial Board:

- Elect a Judicial Board Chairman, either via special election or with the rest of the position holders. Remember the Judicial Board Chairman should not also serve on the Executive Board.
- Create a Google Docs poll for “write-ups” and share it with the Brothers and new members so they know where to find it. This should only be accessible to the Judicial Board Chairman.
- Keep the response document private only to the members of the Board.
- Appoint/Select the other members of the Board based on which type of Board you want to have.
- (Optional) Set specific times for the Board to meet.
- Talk as a group, and with the Executive Committee, on what type of infractions would warrant a meeting. Consider having this list officially added into the By-Laws, with the stipulation that it can be added to as necessary.
- Create a document of past infractions, begin writing down the infractions/punishments following the first hearing to keep record for consistency.
- (Optional) Depending on the circumstance, consider reporting at general meeting about what the Board did that last week (handed down this punishment for this infraction). This shows the Brotherhood you are being proactive, and doing your jobs. Names and incriminating details should be left out to respect the wishes of the punished.

Please contact your Alpha Visitor if you have further questions about how your Alpha could benefit from, or needs help implementing, a Judicial Board!

Thank you for reading this Chi Psi Academy Quick Guide.

