

**SUPREME COURT
Special Rules of Procedure**Advisory Opinions Only

**Rule 1. Scope**

(a) The following rules govern Advisory Opinions only.

(b) The Supreme Court shall issue Advisory Opinions in accordance with Article IV, Section 5 of the ASUA Constitution.

**Rule 2. Eligible Parties**

(a) The ASUA Supreme Court may issue an Advisory Opinion at the request of the following parties:

(1) Any ASUA Executive Officer, as defined in Article III, Section 1 of the ASUA Constitution.

(2) An ASUA Senator, as defined in Article II, Section 1 of the ASUA Constitution.

**Rule 3. Requesting an Advisory Opinion**

(a) An eligible party may submit a request for an Advisory Opinion by filling out an ASUA Supreme Court Complaint Cover Sheet (Cover Sheet), and

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

(2) delivering the Cover Sheet to the front desk of the ASUA office.

(b) The last day to submit a request for an Advisory Opinion in a given semester will be thirteen (13) business days[[1]](#footnote-1) prior to the first day of the College of Law final exams.

(c) Upon receiving a request, the Clerk of the Court shall:

(1) notify the party that submitted the request that the request has been received; and

(2) promptly forward the request to the Chief Justice of the Court.

**Rule 4. Sufficiency of a Request**

(a) The Chief Justice, upon receiving the request for an Advisory Opinion, shall review the request and determine if it contains enough information for the Supreme Court to issue an Advisory Opinion within three (3) business days; the Chief Justice may confer with other members of the Supreme Court, the Clerk of the Court, and the Student Legal Services Advisor when reviewing the request.

(b) If after reviewing a request for an Advisory Opinion, the Chief Justice determines that the request does not contain enough information for the Court to issue an Advisory Opinion, the Chief Justice shall instruct the Clerk of the Court to contact the party that submitted the request and ask for additional information or clarification.

(1) The Clerk of the Court must contact the party within two (2) business days.

(2) If the party does not provide the requested information within three (3) business days, then the Court is not required to issue an Advisory Opinion.

(c) If the request is received within seventy-two (72) hours of the last day upon which opinions are allowed, no revisions shall be allowed and the request must contain adequate factual information in it or it will be denied rather than given a chance for revision. The party will be free to renew the request the following semester.

**Rule 5. Determination of an Advisory Opinion**

(a) The Court may decide an Advisory Opinion with or without holding oral arguments.

(b) If oral arguments are not required, then the Court shall issue the Advisory Opinion in writing within ten (10) business days of receiving a sufficient request as described in Rule 4 above.

(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.

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

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

(3) 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 the same amount of time.

(4) Parties may call witnesses.

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

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

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

(iv) 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.

(5) In the event of 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 for oral arguments. If requested, the Chief Justice may grant leave to hire non-student attorney representation.

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

(7) The Clerk of the Court shall notify all parties of the outcome within five (5) business days of the oral argument.

(8) The Court shall issue and publish the Advisory Opinion in writing within ten (10) business days of the 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.

(d) Adverse parties are not necessary for the Court to hear oral testimony; the Court may require that the party requesting the Advisory Opinion provide testimony in order to render its decision. These Rules apply when such testimony is taken.

**Rule 6. 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.

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