

Chief Justice Keusch: All hearings in student government are recorded. I would like to ask that all the involved parties state their names and position.

Daniel Markovic  
Ben Klein

Chief Justice Keusch: Every senator can vote. If you are not a senator or a proxy you may not vote or ask questions. We will only take 10 minutes to ask questions. Each side will have 5 minutes for their closing statements.

Senator Jackson: Is there a limit for how long each question should be?

Justice Keusch: No but please be considerate of people's time.

Are there any questions regarding the order of the court of impeachment?

Ben Klein: Good evening, The defendant is being impeached for violating the judicial by-laws by over hiring the number of staffers in the JAC. I asked Markovic to send an apology email and dismiss the over-hired JAC commissioners. In line with the limits prescribed by the bylaws, Markovic reduced the size of the JAC back to 3 commissioners. The Judicial bylaws are in line with trying to provide guidance and credibility in the student government institution. Based on the evidence you are to hear, I ask you to remove Markovic from his position.

Markovic: There is a situation where I believe that I have a better understanding of the by laws. Last year I asked about how to improve student government through the JAC. There are some technical aspects that reveal to me an issue. I did not hire 6 staffers, I actually hired 9 staffers. You cannot hire someone into JAC as a commissioner, but rather I hired them as staffers. Then the senate would have to approve the Commissioner. We hired 9 staffers together. This means that there are more people who are implicated than just myself. There is no way for me to over-hire because the by-laws say that I have the right to hire 3 commissioners and staffers on a ratio to the staffers.

Justice Keusch: Please only senators can ask questions. Committee Chairs cannot ask questions.

Senator Mayappan: Why was 2-4 established when the by-laws say 1-3

Ben Klein: We were following a precedent that had been previously used. The 2-4 was a range we discussed, but ultimately agreed to the 1-3.

DiMaggio: Do you believe that that was an intentional violation?

Ben Klein: I think it was intentional. It has been discussed by the JAC previously.

Perkins: Were you aware of the 3 staffers limit? My question for you is, do you consider it your duty to make sure you are using the right documents? How do you feel using the old version to the new version?

Markovic: I don't know the proper by-laws. I am serious. I was not sure about this before but I tried very hard to find them but I could not find them in any of the repositories made available to me. I feel mis-led; I made my decision on the basis of the documents I was made available to. Because the documents I needed were not available online, I do not think I am responsible for a mis-interpretation of the by-laws.

Senator Shamsi: Where are the by-laws publicly accessible?

Ben Klein: I know that they are accessible to the chief justices, but I do not know where specifically in the drive the articles were.

Senator Mayappan: Assuming that the apology email was sent out, where is the evidence that the person at fault has the intention to mis-interperate the by-laws.

Ben Klein: After training he did not share with the staffers what was going on. I had to explain that not all of their spots were guaranteed. I don't believe that that email was sent willingly.

Senator DiMaggio: Was this a miscommunication?

Markovic: I think that there were misunderstandings that happened. I made assumptions throughout the year. If you look at the evidence there was very little structure as to what I should have been doing. That was perhaps because I did not have the proper knowledge as to what to do.

Senator Sullivan: Were you relying solely on verbal communication?

Klein: We had 2 staffers in the spring and I think that that sets a precedent. I think that that helps answer the question.

Senator Shamsi: You explain the ethos of the 1-3 rule? Why was this information important to us?

Klein: Originally I thought the purpose was to have some extra hands to do the archive work. I think that it is important to have helping hands and eventually have them graduate to become commissioners.

Senator Mayappan: It is stated you are aware of the limits of 3 in the interview process.

Markovic: The thing about human memory is that it is difficult to acquire an unbiased memory. There were talks about having a greater number of people but I do not recall there being a limit

set. That is something that was never made clear to me. I relied on Ben to give me the right number. I had a difficult time understanding how many people and how many commissioners I was allowed to hire.

Senator Lee: If Markovic is not removed how will you proceed in the branch?

Klein: I intend to continuously execute a mature professional relationship within my branch. It's evident now that I would have to conduct more oversight over his leadership to make sure errors like this won't happen again.

Senator Jackson: Despite the miscommunication, why was that not concrete? Why do you think you decided to do what you did?

Markovic: We hired 9 staffers because he had not hired the commissioners. Either the hiring process was flawed or the by-laws are flawed.

Keusch: That is the end of the questioning period. We are going to flip it this time.

Markovic: It's funny because I spoke on this issue for multiple hours. I will point out the things I have in my documents in bold. So, I don't have access to the right bylaws – same thing with the other documents in student government. We talked about the numbering issues, and I did notify in the exhibit the number of staffers before Klein. The 23rd of September was my birthday. I was spending the time with my immediate family. Do you want to be in a student government where your personal life is questioned to the point that it is used against you and your possible involvement in student government? I spoke to Harry before the email, and told him about the situation that happened. As an RA, it was my moral responsibility to ensure the mental health of my students. I did not know that I was supposed to respond to their emails, rather than talk to them directly. I am obliged to follow my responsibilities as RA before Student Government.

Klein: It is my hope that my evidence will help establish the following facts beyond reasonable doubt: Mr Markovic over-hired too many staffers in violation of the by-laws. The argument that this is a miscommunication fails to take into account various steps that were taken to clear the confusion. Mr Markovic was aware of the rule change that occurred in the JAC as he was a member of the JAC by the time. Mr Markovic made a continuous choice that operated under the rule of law could be evaded. In conclusion I hope you find Markovic culpable for his violation of the by-laws.

Keusch: That concludes this hearing. Senate Chair Dworkin will take over and begin a discussion period.