Discussion and Judgment:

It is was claimed that Chief Justice Kraschnewski has violated the Student Judiciary Code of Conduct in two areas – under provision 1, section 1.3, which reads,

“Student Justices shall perform the duties of their offices impartially and diligently”.

It is also alleged that Chief Justice Kraschnewski has violated provision 1, section 1.6, which reads,

“Student Justices may not, while a proceeding is pending or impending before the Student Judiciary, make any public comment that may reasonably be expected to affect the outcome or impair the fairness of the proceeding. This rule does not prohibit Student Justices from making public statements in the course of her official duties or from explaining for public information the procedures of the Student Judiciary.”

The alleged violations occurred during a regular meeting of the Student Judiciary, in which a Justice of the Court motioned to suspend the Code of Conduct due to upcoming revision that are hoped to occur over Winter Break. During discussion of this motion, the Chief Justice expressed her wish that the Code of Conduct remain in place. It is alleged that the Chief Justice specifically stated that she wished the Code of Conduct to remain in place because “It would be useless for tomorrow” or a similar statement of that character. The Chief Justice than joined in the Majority Opinion of *McCabe v. Blair et al*, 2002 ASM SJ 15, by which the Court, *not* Chief Justice Kraschnewski, ordered that Representative Weiss be punished for a violation of the Student Judiciary Code of Conduct. Representative Horn was not punished by the panel using the Code of Conduct, and the compliant involving Representative Horn is therefore dismissed.

Pursuant to the Code of Conduct provision 3, section 3.1 – I, THE VICE CHIEF JUSTICE, shall rule exclusively on the issue at hand. I note that I have taken all evidence into account, and make my judgment based upon a solid foundation of reasoning, fairness, and with the obvious intent to uphold the character of the Student Judiciary by pursuing justice.

I find that THE CHIEF JUSTICE did not violate provision 1, section 1.3. It is pure speculation to assume that Chief Justice Kraschnewski had already determined how she would judge regarding *McCabe v. Blair et al*. Her statement could have implied any number of things. Chief Justice Kraschnewski may well have been referring to needing the Code of Conduct to maintain decorum during any upcoming trials or meetings before a new Code of Conduct could be promulgated. This need reflects Ms. Kraschnewski’s position as Chief Justice – and clearly does not in any way indicate that she had determined how she would vote. I find it impossible reasonably and concretely link THE CHIEF JUSTICE’S statement to any form of partiality and because of this, cannot find any guilty in it. It would be a discredit to the Court for THE CHIEF JUSTICE to have been found guilty under pure speculation without absolute and assured evidence that proved beyond any reasonable doubt that she had violated this section.

I find that THE CHIEF JUSTICE did not violate provision 1, section 1.6 – As it is impossible to successful determine what THE CHIEF JUSTICE’S intentions were in her statement, it would also be a violation against the basic foundations of fairness and justice to find THE CHIEF JUSTICE guilty under this particular section. Also, no link has been
presented within the compliant that in any way shows a connection between how the one particular comment said by Ms. Kraschnewski could possibly in any way have altered the findings of McCabe v. Blair et al. Representative Weiss was not found guilty of any matter within the case, and was only punished because of his violation of the Code of Conduct by the panel. To allege that a single comment made by the Chief Justice in the presence of Justices, none of whom were even sitting on the panel, about the Code of Conduct (which surely was in reference to the ability to maintain decorum within the Court) and that this reference in any way affected the outcome of McCabe v. Blair et al travels far too much into the world of fantasy for my tastes. Even if the individuals present may have misinterpreted the Chief Justice, the two other panel members that sat on McCabe v. Blair et al were not even present for the meeting where the comment took place. No reasonable link exists, and I find in favor of the Chief Justice.

By the Vice-Chief Justice, it is SO ORDERED.

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Vice-Chief Justice Jordan Green