ASUCI JUDICIAL BOARD

"All Judicial authority of ASUCI shall be vested in the Judicial Board. The Judicial Board's authority shall extend to all judicial cases arising under the [ASUCI] Constitution; the various by-laws of ASUCI; all official actions of the Executive Officers, Legislative Council Members, and ASUCI Commissioners; and any matters delegated to the Judicial Board by the Legislative Council"[1]

The ASUCI Judicial Board would like to express concern over the following language in Bill 48-09, "Reallocation of Judicial Board Budget" (B48-09):

Let if [sic] *be finally resolved, that no money shall be allocated to the Telephone account (7500-6102-Telephone) of Judicial Board in the future (unless a need is expressed by Judicial Board) and let that money be allocated to Staff Development Fund (7500-6408 – Training & Staff Development) instead.*

A reasonable person might conclude that the Legislative Council is resolving that any funding "allocated to the Telephone account" in the future shall, instead, be automatically "allocated to Staff Development Fund". However, the language used does not make it clear if this is the case.

Article IV, Section B, Subsection 2 of the ASUCI Constitution reads in part:

No legislative council may commit funds of any future administration

While the Judicial Board does not find cause to issue an injunction on B48-09 at this time, as no "funds of any future administration" are being explicitly "committed", the Board recommends that the Legislative Council use caution and clearer language when dealing with issues of future ASUCI monies.

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[1]With regard to which governing documents the Judicial Board is allowed to enforce to serve as future precedent in all cases pertaining to the Associated Students, University of California, Irvine (ASUCI). First and foremost the power invested in ASUCI is granted from the Regents of the University of California (the Regents), the President, and the Chancellor of the University of California, Irvine (UCI).

The applicable laws, regulations, and policies adhere to the following hierarchy. The United States and State of California laws, regulations, and statutes provide the first level of authority. The Regents promulgate policy for the University overall, leaving certain policy making duties to the Office of the President. University wide policy manuals and guidelines are issued and maintained by the Office of the President and can be referenced here: www.ucop.edu/ucophome/coordrev/ucpolicies. While University policies primarily govern system wide policies, UCI's office of the Chancellor is charged with developing campus specific policies. Under Appendix A and pursuant to Section 61.00, the UC authorizes that the Associated Students (AS) of their respective campuses, has the ability to advocate on behalf of the students. To reiterate the hierarchy for clarification: Federal Law -> State Law -> the Regents Policies -> Presidential Orders -> UCI's Chancellor's Policies -> ASUCI governing documents. Thus, let it be resolved that any complaint, related to elections or otherwise, arising under authority of ASUCI, shall be subject to scrutiny of the UC system wide policies. In this regard, while ASUCI cannot and does not hold authority over any other University entity, ASUCI does have the ability to hold each and every member of the community and each department or entity of the UC to policies implement by the UC. – Authored By Judicial Chair Abdullah Siddiqui

The Judicial Board of the Associated Students of the University of California, Irvine, with a majority, on this day, May 7, 2012, has issued the preceding judicial memorandum.

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Rahul Chopra, Chair

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Kayvon Hosseini, Vice- Chair

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Christopher Barclay, Justice

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Stephanie Chukwu, Justice

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Seena Forouzan, Justice