ASUCI JUDICIAL BOARD

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## ***Preliminary Restraining Order: JB045-O-03***

## ***Ref: JB045-O-02***

The following restraining order concerns the inclusion of the constitutional amendments of the Constitution of the Associated Students of the University of California, Irvine on the Spring 2010 ASUCI elections ballot.

A previous restraining order (JB045-O-02) forbade the inclusion of the amendments on the upcoming ballot due to a lack of publicity in the week prior to elections.

It has, however, been made known that expunging the amendments from the Spring 2010 ballot is practically impossible for technological reasons. Considering this the Judicial Board Chair, along with two other Justices, orders a preliminary restraining order forbidding any votes on the constitutional amendments from being valid, pursuant to the reasons cited in JB045-O-02.

The Judicial Board acts within full Constitutional authority granted to it in Article VI, Section B, Clause 7 and in the Judicial Board Policies and Procedures Section VI, Subsection A, Clause 4.

The Elections Commissioner, being housed under the Executive Branch, is subject to decisions and restraining orders issued by the Judicial Board. Further, Article VI, Section B, Clause 6-7 gives the Judicial Board authority to order the cessation of any ASUCI actions that are deemed unconstitutional, including actions by the Elections Commission. The inclusion of the constitutional amendments constitutes an action by the Elections Commission.

Because the inclusion of the constitutional amendments on the Spring 2010 ballot is a clear and explicit violation of Article X, Section B of the ASUCI Constitution, the Judicial Board must order the cessation of any further efforts to amend the constitution during the Spring 2010 elections.