# 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."**

## *JUDICIAL RULING ON R49-73*

***Per curiam***

Upon reviewing ASUCI legislation on Friday, March 14, 2014, the ASUCI Judicial Board has found fault with Resolution 49-73, "ASUCI Endorsement of SOAR" (R49-73). The Board therefore issues this ruling regarding the resolution.

The Judicial Board possesses the authority to "interpret all parts of [the ASUCI] Constitution"[1]. All legislation passed by the Legislative Council must be "necessary and proper … according to [the ASUCI] constitution"[2]. The Constitution goes on to grant the Legislative Council the authority to "establish[] ASUCI By-laws, ASUCI Elections Code [*sic*], and the Judicial Board Policies and Procedures for the conduct of its business"[3]. Legislation passed by the Council is part of the conduct of the Council's business. Therefore, the Board finds that any ASUCI legislation that violates any proper procedure or regulation in ASUCI By-laws, the Elections Code, or the Judicial Board Policies and Procedures, cannot be considered proper according to the Constitution.

According to the ASUCI Elections Code, "the use of ASUCI and/or University equipment purchased or funded by student funds allocated to ASUCI [...] or any other property not available to the entire student population for campaigning is prohibited."[4] R49-73 reads, in part:

> *Let it be further resolved that, ASUCI Legislative Council, as well as all of the executive offices of ASUCI hereby declare their support and endorsement of the SOAR initiative; and,*
>
> *Let it be further resolved that, these offices shall allocate supplies and taskforce to support the SOAR funding referendum campaign during the spring 2014 elections; and,*
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> *Let it be further resolved that, ASUCI Legislative Council and each executive office will have one representative in charge of leading the allocation of these supplies and taskforce.*

The Board has determined that the allocation of ASUCI "supplies and taskforce" [*sic*] in support of a

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[1] ASUCI Constitution, Article VI, Section B(1.)
[2] *Id.*, Art. IV, Sec. B(1.)
[3] *Id.*, Art. IV, Sec. B(9.)
[4] ASUCI Elections Code, Art. XX, Sec. G.

referendum is a "use of ASUCI equipment for campaigning" within the meaning of the Elections Code. Such action is prohibited by the Elections Code.

Due to the aforementioned violation of the Elections Code, R49-73 does not meet the requirements of the ASUCI Constitution. Utilizing the authorities vested in it by the Constitution, the Board hereby declares that Resolution 49-73, "ASUCI Endorsement of SOAR", is not in effect and its implementation is barred. When feasible, any action taken pursuant to this legislation shall be reversed. In addition, any campaign material published, posted, or otherwise shared pursuant to this legislation shall be removed, taken down, or otherwise hidden from public view. Furthermore, the Legislative Council is reminded that it has a Constitutional duty to "review and approv[e]"[5] the various ASUCI bylaws at least once per academic year.

**IT IS SO ORDERED**

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| Oluwatobi Agbelemose, Vice-Chair | Christopher Barclay, Justice |
| _____ | _____ |
| Seena Forouzan, Chair | Annette Lee, Justice |
| _____ | _____ |
| Myron Lozano, Justice | Kevin Tanaka, Justice |

[5] ASUCI Constitution, Art. IV, Sec. B(9.)