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 Petrosyan v. Elections Commission ex rel. Aldoghmi, et. al.

Justice Anderson writing of the majority, in which, Justice Shantharaj, Justice Menter and Justice Bokaei join. Justice Shin abstains.

In the case of *Petrosyan v. Elections Commission,* petitioner Robert Petrosyan has requested the ASUCI Judicial Board to review and overturn the decision reached by the ASUCI Elections Commission which rejected Petrosyan's complaint requesting for the following candidates to be disqualified: Murad Aldoghmi, Gissel Enriquez, Jeanine Erikat, Qoodseya Afredi, Sara Baggia, Jessica Gabra, Zainab Khan, Celine Ton, Ashar Khan, Rayan Galaidos, Gurneel Boparai, and Lydia Natooloo. Petrosyan contends that, "the defendants, whom were all on the same slate or slate's working together, used materials that were not disclosed in their financial forms." Petrosyan brings up the following violation against Aldoghmi et. al.: Article XVI, Section B(2) which states that candidates must disclose all amounts and sources of funds used through the duration of their campaigns. Petrsoyan claims that the accused candidates did not report a canopy on their financial statements. The canopy was purchased and subsequently reported by Internal Vice Presidential candidate Brittany Nguyen, to where the candidates in question borrowed the canopy for their own campaigns during the election cycle. The prior mentioned candidates did not disclose this usage on their respective financial statements.

Article XVI, Section B(1) of the ASUCI Constitution states that, "Candidates for ASUCI elected office must promptly disclose all amounts and sources of funds received, all material donations received, and all spending, by their campaign." Borrowing a canopy does not constitute a fund received, nor does it constitute a "donation," as the canopy was returned to the original purchaser after use. The ASUCI constitution does not make reference to guidelines and procedures regarding borrowed goods, which is an important point to note for reform.

Petrosyan v. ASUCI Elections Commission has called important attention to the lack of clarity and specificity in the ASUCI Elections Code and constitution. ASUCI Judicial Board has carefully considered the arguments and evidence of both parties involved in this case. The Judicial Board has also considered its role as a judicial branch that must exercise caution and restraint when interpreting laws to ensure that the law-making process is reserved to the

appropriate branches as dictated by the ASUCI constitution. We have found that the violation, when applied to the aforementioned candidates' canopy use, do not merit grounds for disqualification for the candidates in question. The Elections Code and ASUCI constitution do not lay out clear guidelines as to what processes warrant disclosure of use of goods "borrowed" for the purpose of campaigning.

With more clear and deliberative edits or additions to the elections code, the next ASUCI elections will be grounded on a new ASUCI founded on clarity and standards to effectively manage elections by providing detailed guidelines.

Therefore, the ASUCI Judicial Board majority upholds the Elections Commission's decision in *Petrosyan vs. Aldoghmi, et. al.* for the ASUCI Spring 2017 elections.

IT IS SO ORDERED

Suchith Shantharaj, Chief Justice

Laura Anderson, Vice Chair

Roxana Bokaei, Associate Justice

Aviel Menter, Associate Justice