ASUCI JUDICIAL BOARD

"The Judicial Board has final judicial authority for ASUCI, which extends to all cases arising under the governing documents of ASUCI, all official actions of ASUCI officials and staff, and any matters delegated to the Judicial Board by the Senate or Student Advocate General."

JUDICIAL OPINION ON R54-115:
Amendments to Finance Committee Duties

VICE CHIEF JUSTICE ABUNDIS delivered the opinion of the Board, in which all other Members joined

In Re R54-115

Opinion of the Board

Senate Resolution R54-115 amends the ASUCI By-Laws by modifying the responsibilities of the ASUCI Senate Finance Committee to improve Senatorial knowledge of ASUCI budgets and spendings. This resolution is constitutional, and is approved by the Judicial Board. The Judicial Board is electing to produce a supplementary opinion to clarify how the By-Law amendments may be set in practice.

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R54-115 provides a clear addition to the responsibilities of the Finance Committee. Such duties added to the Committee include "holding mandatory bi-weekly meetings with the ASUCI Executive Director and/or Associate Director of Finance and Business Operations in order to learn about the budget in detail." The purpose of this supplemental opinion is to give clarification as to what obligation this fifth subsection imparts.

There is no question that the Finance Committee now has the responsibility of holding a meeting bi-weekly as opposed to at the beginning of every quarter as it had been before the amendment. There is an ambiguity as to whether the term bi-weekly means twice a week or every two weeks given that the term shares both definitions. The Judicial Board is willing to interpret this vagueness as the Senate Finance Committee chooses to implement the amendment.

Thus far interpreting the amendment as a change in the Finance Committee's responsibilities makes at first glance the suggestion that these meetings with the "Executive Director and/or Associate Director" must occur. There exists a disparity in this interpretation that would otherwise seem a prima facie reading. A

modification of the By-Laws Amendment to the responsibilities of the Finance Committee does little to justify the subtle implication of additional duties to the Executive Director and his or her office. Because R54-115 does not include a ASUCI Constitutional amendment to redefine the Executive Director's duties to add these bi-weekly meetings the implementation cannot ipso facto force these responsibilities on him or her. Thus, though this Senate legislation will mandate that the Finance Committee holds meetings, the attendance of the Executive Director and members of his or her office are up to his or her discretion.

In the absence of a Constitutional Amendment to Article 14, the Senate or the Finance Committee cannot require the attendance of the Executive Director absent of his or her willing and able decision to attend.

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It is so ordered.

Reece Disney, Chief Justice

Michelle Abundis, Vice Chief Justice

Quincy Gerald, Associate Justice

Benny Lin, Associate Justice