# ASSOCIATED STUDENTS OF UCI

Judicial Board

Temporary Injunction on Senate Legislation

BY ORDER OF THE ASUCI JUDICIAL BOARD

Dated: February 4, 2023

Article 6, Section 2(m), subsection 1 of the ASUCI Constitution states that the Senate is responsible for confirming or rejecting Executive nominations for the Judicial Board. On Thursday, February 2nd, the Senate adjourned without approving any appointments to the Judicial Board. Today, on February 4th, Associate Justice Giovanni Longino's term officially passed two years after his Senate appointment (R56-70).

According to Article 5, Section 2(e) in the Constitution, the terms for Judicial Board members are "two academic years beginning immediately on confirmation by the Senate and ending when their successor is confirmed." Five justices apply to this definition: Chief Justice Kai Ferragallo-Hawkins, Vice Chief Justice Kaitlin Vu, and Associates Justices Giovanni Longino, Tawab Nazari, and Nima Movahedi. However, because of Article 8, Section 1(b) and Article 8, Section 2(c) in the Constitution, the Judicial Board considers there to be a clear difference between justices who serve within two academic years of their appointment and those who continue to serve outside those two years. It is therefore the opinion of this board that as the latter waits for their successor to be confirmed, they may still function officially as part of the Judicial Board and vote in its proceedings, but they do not count towards quorum for running meetings or holding votes. The Judicial Board recommends clarification on this in the Judicial Board Policies.

Consequently, only three seated justices on the Board count towards a quorum: Vice Chief Justice Kaitlin Vu, and Associate Justices Tawab Nazari and Nima Movahedi. Article 8, section 2(e) of the Constitution requires that the Judicial Board is to "put a temporary injunction on all ASUCI legislation when its membership drops below four justices," while Judicial Board Policies, Article 2, section D(2), states that this membership is based on a quorum of seated justices.

Therefore, as per the ASUCI Constitution and Judicial Board Policies, the Judicial Board shall place an injunction on any Senate legislation not related to the appointment of a Judicial Board Justice. This injunction is automatically lifted when a four-person quorum has been established on the Judicial Board.

BY ORDER OF THE JUDICIAL BOARD,

Kai Ferragallo-Hawkins

Kai Ferragallo-Hawkins
Chief Justice