



## 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.”

### *Addendum to “Comments and Clarifications on Constitution Article XII, Section 3.b.3 and Bylaws Article XII, Section A.2 - Membership of the Joint Committee on Governance and Internal Policy”*

VU, K.; NAZARI, T.; BOLEK, C.; MENG, S.; and MARIN, R. approve of what is written.

#### I

This addendum applies to the legislative opinion published on May 9th, 2023 and titled “Comments and Clarifications on Constitution Article XII, Section 3.b.3 and Bylaws Article XII, Section A.2 - Membership of the Joint Committee on Governance and Internal Policy.” The interpretation was regarding the composition of joint committees and the rights held by members of joint committees as determined in the governing documents, particularly pertaining to the Joint Committee on Governance and Internal Policy.

#### II

In this interpretation, the Board found that all members of constituent committees are to be included on joint committees, the membership of which is established in the governing documents as including said constituent committees. The Board also found that the roles of members on the joint committee are to be maintained as they are on their constituent committees. In the specific circumstance of the Standing Senate Committee on Rules and Oversight and the Joint Committee on Governance and Internal Policy, Article XII, Section 3.b.3 of the Constitution establishes the Joint Committee as including “all other members of the [Senate Rules Committee],” the chair and vice chair of the Senate Rules Committee being given membership on the Joint Committee in Section 3.b.3 of the same article. As Article XII, Section A.2 of the Bylaws establishes the Senate Rules Committee as including the Senate Secretary, the Senate Parliamentarian, the External Vice President, the Internal Vice President, and the Student Advocate General in non-voting roles, the Board ruled that the non-voting members of the Senate Rules Committee listed in this clause are to be included on the Joint Committee, “but only in [the] non-voting, ex officio role” to which they are entitled on their constituent committee.

### III

The Board writes this addendum to address the effect this ruling has on the rights of the External Vice President and Internal Vice President on the Joint Committee on Governance and Internal Policy, and consequently on the rights of all officers of ASUCI whose entitlements to positions on ASUCI committees are established multiple times within the governing documents. Article XII, Section 3.b.4 of the Constitution states that “All Executive Officers, as needed” are to be members of the Joint Committee, evidently entitled to voting rights on said committee by contrast with the “advisory” role provided to the Chief Justice and the Vice Chief Justice in Article XII, Section 3.b.5 of the same document. The External Vice President and Internal Vice President, as Executive Officers under Article VII, Section 1.a of the Constitution, are therefore entitled to membership on the Joint Committee by virtue of both their status as Executive Officers and their membership on the Senate Rules Committee.

In general, the voting capacity granted to ASUCI officers by their membership on a joint committee under the direct construction of that committee shall take precedence over their position maintained in the constituent committee. That is, if an officer has voting rights on a constituent committee, but is included on a joint committee in an advisory role under the clause that establishes that joint committee, their role remains advisory; if, as in this instance, an officer is included in a constituent committee in an advisory role but is afforded a voting role on the joint committee under the clause that establishes that joint committee, their role on that committee maintains a voting capacity.

Consequently, the Board finds that the voting capacity afforded to the External and Internal Vice Presidents by the formulation of the Joint Committee under Article XII, Section 3.b.4 of the Constitution takes precedence over the non-voting, ex officio capacity afforded to them on the same committee by the formulation of the constituent Senate Standing Committee on Rules and Oversight under Article XII, Section A.2 of the Bylaws. Therefore, the External and Internal Vice Presidents have the right to vote on the Joint Committee on Governance and Internal Policy.