



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.”

Opinion on Appointment Confirmation Thresholds for the Summer Senate

November 6, 2024

KARATAS, Z.; MALANI, A.; and RINGDAHL, N. delivered the opinion of the Judicial Board. BOLEK, C.; MARIN, R.; MENG, S.; and MOVAHEDI, N. approve of what is written.

I

On July 12, 2024, the Judicial Board was requested by Senate President Harshvardhan Rathore to review Article VII of the ASUCI Bylaws, specifically as it pertains to the special requirements imposed by the Bylaws on the conduct of certain of the Senate’s business during summer meetings of the legislature. The petition requested that the Board determine whether the Senate, during the Summer term, is required to have two-thirds of voting Senators present to pass measures requiring a two-thirds vote of all Senators. On review, the Judicial Board finds that the Senate must have two-thirds of the total membership of Senators present to pass any measures that require a vote of the same proportion to pass.

II

Article VII of the ASUCI Bylaws specifies the meeting requirements for the Summer Senate, stating that “a quorum and a minimum of three (3) Executive Officers must be present to conduct business.” ASUCI Bylaws Art. VII § D(1). However, the Bylaws further stipulate that “the Summer Senate shall not pass any measure requiring a two-thirds (2/3) vote of all voting Senators unless that proportion of Senators is present” during the summer meeting. ASUCI Bylaws Art. VII § D(1). To be clear, we read the “two-thirds (2/3)” metric as determined by the entirety of the number of filled Senate seats at the time of the meeting, not solely by those in attendance at that particular summer meeting. Hence, if fewer Senators attend a summer meeting, the quorum requirement of a two-thirds majority to successfully carry out a vote requiring a 2/3 majority may not be adjusted based on attendance at that time.

III

Therefore, the Judicial Board finds that two-thirds of the voting membership of the Senate is required to be present in order for the Senate to pass any measures that require the same proportion of votes.

It is so ordered.

Appendix
Relevant Sections of the ASUCI Bylaws

As of the writing of this opinion, Article VII of the ASUCI Bylaws read as follows:

Article VII

Section D. Summer Meeting

1. During the Summer, defined as starting from the last day of finals week of the Spring quarter to the first day of the Fall Quarter, the Senate shall vest its full authority in a Summer Senate. The members shall be those Senators who attend said Senate meetings. A quorum and a minimum of three (3) Executive Officers must be present to conduct business. The Summer Senate shall not pass any measure that requires a two-thirds ($2/3$) vote of all voting Senators unless those proportions are present.