

# Student Government Association

## Student Court

No. EA03062007(1)

Filed by: Seleskie/Duginske Campaign

*Received: March 6, 2007*

*Decision Released: March 8, 2007*

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The Seleskie/Duginske ticket alleges that the SGA election candidate contract is in violation of UWS Regent Policy because it fails to offer another venue of remedy beyond the Student Court to resolve matters of dispute that may arise in the election process.

The court defers on the question of whether UWS Regent Policy 86-4, Sect. B, Sub Sect. 1 applies to this situation.

The Court proposes the following clarification and action in response to the requested remedy:

- 1) In accordance with Article 3, §1(5) of the SGA Constitution, the Court is subject to the Senate's will. Further, in Article 1, §2(9), the SGA Constitution provides for the Senate to hear appeals to the Court on election matters and overturn Court decisions with a  $\frac{3}{4}$  majority vote. Therefore, an appeals process outside of the Student Court has always existed. The Court will append the candidate contract with a statement to this effect to clarify the role of the Senate in the resolution of election disputes. The appendix must be initialed by a Justice of the Student Court and the candidate prior to the finalization of the ballot to acknowledge that both parties understand and agree to the addition.
- 2) A clarifying statement will be permanently added to the candidate contract to clarify the jurisdictions of the Court and the Senate for future elections.
- 3) The Senate will be informed of this action at its next meeting.
- 4) The election rules will not be amended to include this clarification, since the authority of the Senate in these matters is clearly defined in the SGA Constitution.

Voting in support of this action: Justice Lund, Justice Rieckmann, Justice Ruud, Justice Schmidt and Chief Justice Krambs.