

**THE JUDICIARY OF THE LAW STUDENT GOVERNMENT,
STUDENT BAR ASSOCIATION OF THE
WILLIAM S. RICHARDSON SCHOOL OF LAW**

**In the Matter of LSG President acting as Moderator for Student
Organization Event**

Per curiam

No. 2014-2

1. The LSG President Makana Paris has asked the Judiciary for our opinion on whether or not the President can moderate an event co-hosted by two student organizations, the American Constitution Society and ‘Aha Hui ‘o Hawai‘i, to be held on September 2, 2014.
2. The LSG has general obligations enumerated by the SBA Constitution that include providing a forum for the expression of student views, § 1.9.2, encouraging services for the benefit of students, § 1.9.4, and promoting academic freedom, § 1.9.5. The President, in acting solely as a moderator and limiting his remarks to those consistent with this advisory opinion, would be acting within these constitutional obligations.
3. The SBA Constitution has a specific section governing public comments made by LSG Executive Board members. It states that “The LSG and its Executive Board members must limit public comments only to matters directly pertaining to the William S. Richardson School of Law, unless such comment is academically required.” SBA Const. § 1.10.
4. Because the event is hosted by student organizations and not the Law School itself, this event does not fall under public comments that are “academically required.”
5. Black’s Law Dictionary defines “moderator” as “one who presides at a meeting or assembly.” Black’s Law Dictionary 1095 (9th Ed. 2009). Merriam-Webster defines “moderator” as “someone who leads a discussion in a group and tells each person when to speak” or “someone who moderates a meeting or discussion.” Merriam-Webster Online Dictionary, <http://www.merriam-webster.com/dictionary/moderator> (last visited Sept. 1, 2014). Merriam-Webster defines “to moderate” as follows: “to guide a discussion or direct a meeting that involves a group of people.” Merriam-Webster Online Dictionary, <http://www.merriam-webster.com/dictionary/moderate> (last visited Sept. 1, 2014). This is in line with the common conception that moderators do not offer opinion or commentary on the discussion at hand. Their purpose is to ensure others have a fair chance to speak and to guide discussions.
6. WE CONCLUDE that no issue will arise under Section 1.10 if the President strictly confines his remarks at the event to those consistent with his role as moderator of the event, as defined above. We express no view, at present, on whether issues will arise should the President’s comments stray from mere moderation.