

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

**In re: Petition to Senate for Entering Class Photo  
Resolution, 2015-2016 Academic Year**

*Batzer, Magistrate*

*No. 2015-1*

1. Senator Robert Zane has requested that the Judiciary address questions regarding the Senate's ability to modify petitions received from the Student Bar Association (SBA). The question requests review of the Senate's ability to modify the language of a resolution attached to the submitted petition. Justice Michener, author of the petition and resolution, has recused himself from this matter. *See* Richardson's Rules of Procedures 13(a)(1), (2).

2. This case appears to revolve around issues not specifically addressed in the SBA Constitution [hereinafter the Constitution], the Richardson Rules of Procedure [hereinafter RRP] or the Senate bylaws [hereinafter the bylaws]. Thus, the Judiciary will need some additional time to issue

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a full opinion. In the interim, in order to allow the Senate to address the Petition to Senate for Entering Class Photo Resolution [hereinafter the Petition], we are issuing this ruling in advance of our full opinion.

3. As a matter of first impression, we hold that the SBA may petition the Senate Chair for a resolution or by-law, provided that the petitions bear the signatures, student ID numbers, and e-mail addresses of ten percent of the members. *See* SBA Constitution § 2.4.4.

4. As a matter of first impression, we hold that the Senate Chair must introduce the petition for hearing and voting by the Senate within ten business days from the date of receipt of such petition. *Id.*

5. We hold that although the Judiciary must strike an unsigned pleading, Senator Zane corrected this issue promptly when notified by the Magistrate. *See* RRP 6.

6. When acting to respond to a short notice action, the Judiciary must consider whether the action was filed in a timely manner. *See* RRP 5.

Despite the fact that the petitioner required an expedited decision to six

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days prior, the issues at hand are such that the Judiciary feels compelled to address the request for an opinion.

7. We take notice of the Petition filed with Senate Vice President Jeremy Butterfield on October 20, 2015, calling on the Law School Administration to produce and give to the Law School Library the entering class photos 2011, 2012, 2013, 2014, and 2015; and, to ensure the timely production and exhibition of future classes.

8. We take notice that the Senate By-Laws, adopted on October 16, 2014, do not address whether the Senate has the right to modify petitions received from the SBA. *See* Senate By-Laws, §1.

9. We take notice of the Creation of the Rules of Order For the Senate's [hereinafter Creation of the Rules] definition of "resolution" to mean "any written, official stance promulgated by the Senate on behalf of the [SBA];" and that "[a]ny resolution [being] subject to [the Rules of Order], LSG By-Laws, and LSG [C]onstitution. *See* Creation of the Rules, § III.G.

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10. We take notice of the fact that when a written motion to propose a decision or action by the Senate is required, the matter must be presented to the Senate in the form of a written resolution. *See* Creation of the Rules, § III.B.

11. We take notice that there is no guidance in the Creation of the Rules regarding amending the language of resolutions forwarded to the Senate by the SBA. *Id.*

12. The SBA Constitution was created, put out to vote amongst the law students, and ratified in 2013. The Constitution specifically requires that the Law Student Government act as a “responsive body” that serves as a “forum for the expression of student views and interests.” *See* SBA Constitution § 1.9.

13. The SBA Constitution §§ 2.4.2, 2.4.3, and 2.4.4 specifically set out the unique rights of the student body to petition a Senator, the Judiciary, and the Senate Chair for action. § 2.4.2 is the clearest in execution.

Under § 2.4.2, a Senator may bring forward a petition and/or resolution to the Senate body, where it is adopted, amended and adopted, rejected,

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or withdrawn. The sponsoring Senator has a voice, and is able to represent his/her intentions, and actively advocate for its passage.

14. There are no protections provided under § 2.4.4 of a similar nature.

As the SBA Constitution specifically provided for initiatives such as this now being submitted, it is important that it is introduced in the spirit intended.

15. We therefore hold that petitions and resolutions submitted under § 2.4.4 should be heard in their original language, and subjected to adoption or rejection in order to protect the rights of the SBA members.

16. The Senate may consider amending its rules of order to provide clear guidelines for future petitions