

Prairie View A&M University

Student Government Association - Judicial Branch

To: Jacolahn Dudley
Executive President
Student Government Association
Prairie View A&M University

WHEREAS, according to Section II Subsection B of the Judicial By-Laws, *“The Judicial Branch shall review and/or hold court on all Student Government Association legislation for constitutionality, fairness, proper procedure, and clarity... Proper procedure insures that all bills and resolutions passed are in accordance with these by laws.”*

WHEREAS, this court has reviewed all Student Government Association governing documents.

WHEREAS, the new Election Code was introduced to senate April 22, 2015, and enacted May 3, 2015 with proper signatures. It has been reviewed the following claims:

- I. The election code resides and is written under the authority of the legislative branch*
- II. The election committee resides in the legislative branch*
- III. The spirit of Executive Order seeks to circumvent the legislative process*
- IV. Executive Order 001 is a breach of separation of powers*
- V. There are no standing rules in any by-laws and/or the SGA constitution that underlines the applicability of Executive Order 001 to be implemented.*
- VI. Executive Order 001 violates section 4.5.1 of the SGA constitution*
- VII. The election committee chairperson resides in the legislative branch*

NOW, THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED as follows:

- I. The Executive Order 001 is not viewed by this court as a misconstruction or attempt by the President of the Student Government Association to dissolve separation of powers. Therefore, Executive Order 001 will still be in effect.*
- II. The Executive By-Laws have been amended to give the President the power to execute Executive Orders, referring to Article IV, Section A, Line V.*
- III. In accordance to line VI. that reads above, the constitution does not support that claim.*
- IV. In accordance to line VII. above, the Elections Commissioner is appointed by the President of the Student Government Association.*

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- V. Executive Orders will carry a time period of twenty-one school days until they are subject to the same by-laws as which passed bills are.
- VI. The twenty-one school days start the day the Executive Order is introduced to Senate.
- VII. Executive Orders carry the immediate weight of a bill until the twenty-one school days has expired.
- VIII. All Executive Orders must either be signed into a permanent bill through Senate after twenty-one days, if not the Executive Order must cease and desist effective immediately.
- IX. Please amend Article IV, Section A, Line A to adhere to the above judgments immediately.

LET JUDGEMENT BE ENACTED Accordingly.

DATED: September 24, 2015

Signature of Justice Smith

Chief Justice of the Student Government Student Court

