



JP 23-24:01 Special Elections Implementation

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The Supreme Court, in accordance with Section 102.1 of the Bylaws, hereby notifies the ASUOP of amendments to Chapter 608 of the Judicial Bylaws, as they appear in Appendix A. These changes have been made in conjunction with Senate Bill 23-24:01 to create the necessary policies and procedures for fall special elections.

These changes shall take effect immediately upon passage.

All laws in conflict with this legislation are hereby declared null and void.

Respectfully Submitted,

Ainsley Berryhill, Chief Justice of the ASUOP Supreme Court

Namorrah Ward, Associate Justice of the ASUOP Supreme Court

Bailey Baer, Associate Justice of the ASUOP Supreme Court

09/28/23
Date



APPENDIX A

Chapter 608 – Elections

608.1 Participation in Elections

- (i) Members of the Judicial Branch may not under any circumstances endorse a candidate running for office.
- (ii) Members of the Judicial Branch may not take part in any candidate's campaign.
- (iii) In the event a Justice is a candidate in general elections, and therefore recuses themselves, the Judicial Apprentice may fill their position as stated in Subsection 601.2.ii.2.b.a.ii.

608.2 Judicial Representative on the Special Elections Committee

- (i) For the special elections season, one (1) of the Associate Justices shall be selected by the Supreme Court during the committee formation process, and approved with a simple majority by the Senate to be designated as the Interim Elections Coordinator.
 - (1) It is recommended that the most senior Associate Justice, as defined in section 602.3, serve in this capacity.
 - (2) If necessary, the Associate Justice shall step into the role of the Interim Elections Coordinator in the event that the Elections Coordinator position is vacant for any reason.
 - a) In accordance with the Constitution, the Interim Election Coordinator shall recuse themselves from Court business until a replacement is found.
 - (3) The designated Interim Elections Coordinator shall be a volunteer Committee member until such time as they are required to step into the role of Interim Elections Coordinator, at which time they will be compensated according to their employment agreement for their role as Associate Justice. While serving as a volunteer member, the Justice does not need to recuse themselves from matters relating to the Court.

608.3 Challenges to the Outcome of an Election

- (i) Any member of ASuop may submit a written challenge to the outcome of an election to the Supreme Court within two (2) business ~~school~~ days after the official election results are announced.
 - (1) The written challenge must include the complaint being made and any additional information relevant to the election contestation.
 - (2) The Supreme Court reserves the right to request additional information from the Elections Committee.

608.4 Reviewing Election Contestations

- (i) A quorum of Justices will meet to review the complaint no more than two (2) **business school** days after the complaint has been filed. Voting will take place at this time.
- (ii) In the interest of expedient certification of results, Justices may not choose to postpone voting.
- (iii) The Supreme Court shall determine whether the election was conducted within the policies of Article VII and the ASuop Constitution.

608.5 Certification of Election Results

- (i) The Supreme Court has the constitutional authority “to certify election results” (Art. VI, § 5, Cl. 4).
- (ii) In the event that the Supreme Court determines that the results of an election cannot be certified, the Supreme Court has the authority to mandate a new election take place.

608.6 Appeals of Elections Committee Decisions

- (i) Any decision of the Election Committee may be appealed by the Respondent to the ASuop Supreme Court within four (4) **business** days after the Elections Committee has announced its decision. ~~If the fourth day should fall on an academic holiday or on a weekend, the deadline shall be extended to noon of the next school day.~~
- (ii) A quorum of Justices shall meet no more than four (4) **business school** days after the appeal has been filed. Voting may take place at this time.
 - (1) Justices may postpone voting to request more information from the respondent and/or the Elections Committee. A decision must be made by the Court within five (5) **business school** days of the original appeal filing date.
- (iii) The Court will review the written argument for appeal and the Elections Committee’s official decision.
- (iv) The Court has the authority to overturn the Elections Committee’s decision, mandate a new Committee hearing take place, or mandate the Committee impose a penalty appropriate to the Court’s findings.