

IN THE STUDENT JUDICARY
FOR THE UNIVERSITY OF ALABAMA

No. 22-009

SARAH SHIELD, GARRETT BURNETT;
STUDENT/S

Complainant,

versus

CALEB THOME;
CHIEF JUSTICE, STUDENT GOVERNMENT ASSOCIATION

Defendant,

Appeal for Judicial Review

OPINION

ASSOCIATE JUSTICE RODI delivered the opinion of the Court, which was joined in full by the Panel of Justices present on the case. Associate Justice Rodi served as the Chair of the Panel, as Chief Justice Thome recused himself in order to maintain the integrity of the Judicial Process.

I

Upon receiving Judicial Appeal No.22-009, the panel for the special appeal convened at 5:30 pm on Thursday, September 22nd, 2022, the meeting officially started at 5:34 pm.

Complainants cite Article 5, Section 8 of the Student Government Association Constitution:

“ARTICLE V- JUDICIAL BRANCH

Section 8: Duties and Responsibilities of justices. The justices of the Judicial Board shall:

E. Recuse themselves from participating in any proceeding in which their impartiality may be compromised, in which they have knowledge of a disputed fact, or in which they have interest, other than as a student, in the outcome.”

Using this citation, Complainants assert that Chief Justice Caleb Thome demonstrated involvement which exhibited a conflict of interest regarding the opinion of Judicial Appeal No. 22-004. The Complainants argue that Chief Justice Thome should have recused himself due to his involvement as Director of Paint the Town Red for the 2021 Homecoming Executive Board, member of the Homecoming Task Force, and upcoming Director of Pep Rally & Bonfire for the 2022 Homecoming Executive Board.

II

The Appeal 22-004 concerned the constitutionality of Bill B-01-22, an amendment to the Student Government Association Code of Laws authored by Senator John Richardson. The Bills constitutionality was questioned due to its endorsement by Bailey St. Clair, Parliamentarian. The opinion of the Appeal 22-004 was that the Constitution provides no opposition to the Senate Parliamentarian endorsing any piece of legislation.

The Appeal in question that Chief Justice Thome wrote the opinion for was concerning the legality of endorsement of a bill by the Senate's Parliamentarian. Regarding the conflict of interest in Chief Thome having "knowledge of a disputed fact" it was concluded by the court that Chief Thome had no greater knowledge of the endorsement than any student at the University of Alabama. Chief Thome's participation and involvement in Homecoming had no effect on his judgement in this case since it was concerning endorsement and not the details of homecoming.

III

Concerning the allegation that Chief Justice Thome was paid for his position within the Judiciary during his involvement with homecoming, that claim has been refuted and proven false, as Chief Justice Thome has still not received any payment for his position.

IV

Through a unanimous vote, the Court found that defendant Chief Justice Thome had no conflict of interest in Appeal 22-004 due to the appeal concerning the endorsement of the Senate's Parliamentarian and not regarding the details of homecoming, therefore the appeal stands.

ORDERS

IT IS HEREBY ORDERED: That Appeal 22-004, chaired by Chief Justice Caleb Thome, contains no constitutional violations, and the opinion of the appeal should remain in good standing.

It is so ordered,

Brittany Rodi

Brittany Rodi
Associate Justice, Student Government Organization