

IN THE STUDENT JUDICIARY
FOR THE UNIVERSITY OF ALABAMA

No. 22-004

SARAH SHIELD, GARRETT BURNETT;
STUDENT/S

Complainant,

versus

JOHN RICHARDSON;
SENATOR, STUDENT GOVERNMENT ASSOCIATION

BAYLEY ST. CLAIR;
PARLIAMENTARIAN, STUDENT GOVERNMENT ASSOCIATION

Defendant,

Appeal for Judicial Review

OPINION

CHIEF JUSTICE THOME delivered the opinion of the Court which was joined in full by the Panel of Justices present on the case.

In their original appeal, the complainants cite Chapter 301.4 of the Student Government Association Code of Laws which states that:

“The Parliamentarian of the Senate shall advise the Senate of all matters of parliamentary procedure according to the most current edition of Robert's Rules of Order and any rules of order adopted by the Senate. The Parliamentarian may not be a Senator and may have no vote.”

The complainants also cite Chapter 200.3 of The Senate Rules and Regulations which states that:

“Chapter 200.3 The Senate Parliamentarian shall have the following powers:

Chapter 200.3.1 The ability to rise to a point of order.

Chapter 200.3.2 If a Senator rises to a point of parliamentary inquiry, the Parliamentarian shall be authorized to give direct consultation regarding such points.

Chapter 200.3.3 If a Senator rises to a point of inquiry regarding the SGA Code of Laws or of the SGA Constitution, the Parliamentarian shall be authorized to give direct consultation regarding such points.

Chapter 200.3.4 The Parliamentarian must be henceforth consulted, and shall be authorized to give such consultation, before any changes to Senate Rules and Regulations are made. The Parliamentarian shall have the express authority to attend the meetings of any Senate committee and dispense advice at such meetings but may not vote on any legislation being considered.”

Using these cited works, the complainants argue the Senate Parliamentarian, Bayley St. Clair, stepped outside the duties of her office in endorsing Bill B-01-22, an amendment to the Student Government Association Code of Laws authored by Senator John Richardson. The Bill

in question sought to amend the Code of Laws surrounding the University of Alabama's Homecoming election process, striking out mention of the Student Government Association in the Code of Laws pursuant to the Student Government Association's prior decision to remove itself from the University's Homecoming electoral processes.

Although it is the opinion of the complainants that the endorsement of Parliamentarian St. Clair's endorsement of B-01-22 provides a "false sense of support to the student body", the Court found no wrongdoing at the hands of Ms. St. Clair. As cited above, the Student Government Association's governing documents provide no barrier to the Senate Parliamentarian endorsing any piece of legislation. The job of the Student Judiciary is not to infer upon the Constitution's meaning, but rather to interpret it as it stands. Parliamentarian St. Clair's endorsement of B-01-22 is not presently expressly prohibited by the guiding documents of the Student Government Association.

As such, the Court does not find that the legislation introduced by Senator Richardson and endorsed by Parliamentarian St. Clair unconstitutional in its composition, and we believe that the Parliamentarian can endorse any piece of legislation.

ORDERS

IT IS HEREBY ORDERED: That the Student Government Association clearly define the ability to endorse legislation by other SGA officers to dispel any discrepancies that could arise in the future.

IT IS HEREBY ORDERED: That Bill B-01-22, authored by Senator Richardson, contains no constitutional violations, and should remain in good standing as a bill successfully authored and passed through the Senate.

It is so ordered,

Caleb Thome

Chief Justice, Student Government Association