

IN THE STUDENT JUDICIARY
FOR THE UNIVERSITY OF ALABAMA

No. 22-012

TYLER TANNEHILL;
SENATOR, STUDENT GOVERNMENT ASSOCIATION:

Complainant,

versus

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.

I

In his original Appeal, Senator Tyler Tannehill—the Complainant—cites the following clause:

Article III, Section 8 of the SGA Constitution:

A. All legislation of the Senate shall be categorized as follows:

1. Acts of Senate: Acts which authorize or mandate the Executive Branch to begin a new SGA program, project or initiative that requires SGA budget allocations. All Acts of Senate are subject to presidential veto as outlined in Article IV, Section 5, subsection J.

In citing the section of the Constitution of the Student Government Association that he does, the Complainant asserts that all Acts of the Senate that may have been inaccurately categorized at the onset of their authoring—and subsequent passing and enactment through the Senate—must be reevaluated and potentially nullified due to the possibility mentioned previously.

However, upon meeting, the Panel of Justices deemed such a suite of actions to be wholly unnecessary for numerous reasons. First, the nature of the Student Government Association, as understood by the Panel of Justices reviewing Judicial Appeal 22-012, is one of forward-thinking motion, not regressive and inefficient action. The Panel deemed that reviewing each previously

passed and enacted Act—whether named correctly in its authoring or not—would have been a gross overreach of this Court’s authority and a misinterpretation of the Court’s opinion in Judicial Appeal 22-008. In its opinion, the Court interpreted the definition(s) of legislative Acts as they pertained to a specific, and subsequently future pieces of legislation passed by the Senate. Nothing in the Opinion of the Court implied that its decision was to be applied retroactively. Secondly, although the Complainant cites a decision previously made by the Court in Judicial Opinion 22-008 that deemed Act A-03-21 unconstitutional by the nature of it having been authored incorrectly, this did not—as the Complainant would seek to contend—provide a foundation for the action he requests to be undertaken for all other Acts previously passed by the Student Government Association Senate. Rather—again—the action taken by the Court in Judicial Opinion 22-012 was to provide the Student Government Association with a basis for proper future conduct and direction in the legislative process.

The steps that the Complainant would suggest the Court take in nullifying the more than thirty previously passed Acts, Bills, and Resolutions, and ordering the Senate to consider their reintroduction would potentially prevent that legislative body from doing what it seeks to do—introduce crucial and necessary Resolutions, Acts, and Bills before their fellow Senators and the student body as a whole. The only thing that would “prove dangerous to democratic principles”—as the Complainant suggests—would be to allow the rampant dissolution of previous actions taken by the Senate to better the experience of the University of Alabama’s student population. Therefore, the Court resolved that the best—and only—course of action would be to uphold the precedent set in Judicial Appeal 22-008.

ORDERS

IT IS HEREBY ORDERED: That Judicial Appeal 22-012 be dismissed with prejudice, and that the Court's previously held Opinion pertaining to this case be upheld as precedent moving forward, with no implication that its meaning or affect be applied retroactively.

It is so ordered,

A handwritten signature in black ink that reads "Caleb Thome". The signature is written in a cursive style with a large, looping "C" and "T".

Caleb Thome

Chief Justice, Student Government Association