

IN THE STUDENT JUDICIARY
FOR THE UNIVERSITY OF ALABAMA

No. 24-001

SAM BADGER;
SENATOR, STUDENT GOVERNMENT ASSOCIATION:

Appellant,

versus

JACK RUDDER;
SPEAKER OF THE SENATE, STUDENT GOVERNMENT ASSOCIATION:

Appellee,

Appeal for Judicial Review

OPINION

CHIEF JUSTICE MORTHLAND delivered the Opinion of the Court, which was joined in full by the panel of Justices present on the case.

I

The Court considered only the information in the original appeal and the governing documents of the Student Government Association of The University of Alabama, as the Appellee did not submit any stipulated facts or pleadings. The appeal argued that Speaker Rudder acted unconstitutionally in the failure to follow parliamentary procedure during the Senate Session on Thursday, February 22nd, 2024.

In the facts and pleadings submitted by the Appellant, it was made clear that 1) while hearing B-04-24: A BILL TO INCREASE STUDENT ENGAGEMENT THROUGH LENGTHENING THE VOTING WINDOW, Senator Matwiyoff motioned to immediately

consider, which was seconded, 2) Speaker Rudder moved to a voice vote, 3) Speaker Rudder declared that the Bill did not pass, and 4) the Bill was struck down, as Senate moved to the next item on the docket.

II

The Court voted unanimously in favor of the Appellant, finding Speaker Rudder to have acted unconstitutionally in failing to follow parliamentary procedure in the consideration of Bill B-04-24.

III

The Court found that the governing documents of the Student Government Association of The University of Alabama does constrain the Speaker of the Senate to follow parliamentary procedure. While not explicit in the outlined duties of the Speaker of the Senate, there is a foundational understanding that the conduction of Senate Sessions must align with parliamentary procedure, as shown in the existence of the Office of the Parliamentarian of the Senate.

The Court found that Speaker Rudder failed to follow parliamentary procedure as parliamentary procedure would follow that 1) while hearing B-04-24: A BILL TO INCREASE STUDENT ENGAGEMENT THROUGH LENGTHENING THE VOTING WINDOW, Senator Matwiyoff motioned to immediately consider, which was seconded, 2) Speaker Rudder moved to a voice vote on the motion to immediately consider Bill B-04-24, 3) Speaker Rudder declared that the motion did not pass, and 4) the motion was struck down, as Senate continued into the discussion of pros and cons of Bill B-04-24. Seeing that Speaker Rudder seemed to either mistakenly take a vote on the Bill, itself, instead of the motion on the floor or mistakenly

interpret the vote on the motion on the floor to be a vote on the Bill, itself, the Court found that parliamentary procedure was not followed.

Further, the Court found that a decision to not affirm the governing authority of parliamentary procedure would set a dangerous precedent for the future of the Student Government Association.

Additionally, the Court found that as parliamentary procedure was not followed in the consideration of Bill B-04-24, the Bill was dismissed inappropriately.

ORDERS

IT IS HEREBY ORDERED: That the Senate reconsider B-04-24: A BILL TO INCREASE STUDENT ENGAGEMENT THROUGH LENGTHENING THE VOTING WINDOW in the next Senate Session on Thursday, March 7th, 2024.

It is so ordered,



Chief Justice, Student Government Association