



TEXAS A&M UNIVERSITY
STUDENT GOVERNMENT ASSOCIATION
JUDICIAL COURT

Chair Harris & Senator Markowski vs. Speaker Wilson
(Plaintiffs) (Defendant)

Judicial Court Case #64-01

February 15, 2012

SUMMARY

Plaintiffs brought suit on the grounds of reapportionment. The claim was that the Senate failed to pass reapportionment in violation of the Constitution as well as Senate by-laws. Additionally, they claim that the lack of a Greek Housing Caucus is disenfranchising to the Greek population. They request that Judicial Court require the Senate to reapportion itself appropriately including the addition of a Greek Housing Caucus.

DECISION

Part I. Reapportionment

The Court finds that the Senate has fulfilled its constitutional duty to appropriately apportion itself. The Constitution states in Article III, Section III, Sub (c) "Apportion itself annually, and such apportionment must be in accordance with the provisions of this constitution and must be approved by two-thirds (2/3) of the members present and voting at an announced meeting." This vote took place and the direct result of failing this bill aligned the apportionment of the Senate to match the Senate apportionment formula as described in the Senate by-laws in Article III section I. The Court agrees with Speaker Wilson's argument that Apportionment bill needs only be voted on and not necessarily passed in order to fulfill its Constitutional requirement dealing with apportionment. However, this only holds true when failing the bill corresponds with the apportionment formula in the Senate by-laws.

Part. II. Greek Caucus

The Court fails to grant the plaintiffs request that a Greek Housing Caucus be added to the Student Senate. There is no evidence of disenfranchisement on the Greek Housing population. The Greek Housing population has the ability to seek office in any caucus in which they are qualified to represent.

The ability to add or remove caucuses rests wholly within the Senate at-large and can be accomplished through normal Senate procedures.

...It is so ORDERED

Opinion signed by all Justices Present (Physical form can be found at the Judicial Court desk)

Texas A&M University

Judicial Court



CASE # 64-01

Brian Rowe

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Judge Bill Hillier

Kevin Kier

Cameron M. Halbert

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Ernest H. Huffer

Signed 2/15/12



Judicial Court