



**TEXAS A&M UNIVERSITY
STUDENT GOVERNMENT ASSOCIATION
JUDICIAL COURT**

FOLEY V. LANNING

February 26, 2006, 8 PM

CASE SUMMARY:

Brian Foley appealed the Speaker Pro-Tempore Amanda Lanning's decision to remove him the Student Senate on February 21, 2006. Student Senate By-Laws outline the policy that upon a Senator's fourth unexcused absence, a Senator will be removed from their position. Mr. Foley claimed that there were extenuating circumstances surrounding his unexcused absences. Mr. Foley also claimed that the Senate By-Laws attendance policy was unconstitutional.

MAJORITY OPINION:

The Judicial Court upholds the decision made by Speaker Pro-Tempore Amanda Lanning in the removal of Brian Foley from the position of Senator in the Student Government Association due to his unexcused absences. Furthermore, the Student Senate Absence Policy contained in the Senate By-laws (Article III, Section IV) is consistent with the Student Government Association Constitution.

Sufficient evidence was provided showing Brian Foley did not comply with the Student Senate Attendance Policy. He accumulated 4 absences and was justifiably removed from his position of a Student Senator. As Speaker Pro-Tempore, Amanda Lanning acted within the capacity of her position.

It is not the intent of the Student Government Association Constitution to outline all the Rules and Regulations of the three branches of that body. Specifically, Article III, Section III of the Student Government Association Constitution empowers the Student Senate to "establish rules and procedures as necessary for the proper function of the Student Senate." The Student Government Association Constitution is used as the foundation of all the governing documents used by the Student Government Association.

Chris Cook, Justice
Zachary Herbst, Justice

Jimmy Gatica, Justice
Amber Simek, Justice