



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

***J. ZACHARY WILLIAMS V. ELECTION COMMISSION***

*April 3, 2006, 4:30 AM*

**MAJORITY OPINION:**

One of our tasks as the Student Government Judicial Court is to determine standards to evaluate a case. What are the criteria to affirm or reverse the Election Commissioner's decision to disqualify these Senators? After careful review, the Court has determined the following: one, Election Regulation one (1) states that a campaigner is responsible for the Election Regulations and all those who campaign on their behalf. Ignorance is not an excuse. Two, all these candidates exceeded their budget ensuring automatic disqualification. Although some Senator Candidates did not grant permission to "The Fightin' Texas Aggie Senators" to use their names for publicity purposes, at the point they accepted the eighty dollar expense without consulting The Election Commissioner, they accepted the responsibility for those expenses. Three: Election Regulations Campaign Staff Rules two and four state that candidates are responsible for campaign staff and supporters.

The Judicial Court **REVERSES** the decision of the Election Commission to disqualify J. Zack Williams as Mr. Williams never signed on the "ticket" and in fact explicitly rejected the support of the ticket and presented that objection to the Election Commission before the subsequent disqualifications. The Court also finds that upon hearing Mr. Williams case, The Election Commissioner should have advised Mr. Williams to present his case to The Judicial Court.

**Caitlin Cashion**, Chief Justice  
**Masroor Fatany**, Associate Justice  
**Zachary Herbst**, Associate Justice  
**Joshua Sandoval**, Associate Justice

**Chris Cook**, Associate Justice  
**Jimmy Gatica**, Associate Justice  
**Amber Simek**, Associate Justice

**DISSENTING OPINION:**

We, the undersigned, feel that this is an extremely upsetting and tragic situation. However, it is our position that in this case, the Election Commissioner acted correctly within the Election Regulations. It is clear in the Election Regulations, under Campaign Finances Rules 6 & 7, that "Candidates must list the entire cost of each individual expense that results in campaign material that in any way suggests support for their candidacy." This rule is straight forward and cannot easily be misread. Unfortunately, in the current Election Regulations there is no safeguard against unwanted positive or negative campaigning. This creates an enormous problem for the candidates and the Election Commissioner. If left unchanged, this stipulation will cause further troubles in years to come. It is proposed that steps be taken to remedy the situation by including

explicit rules that provide a safeguard against such unwanted campaigning. On a separate matter, it is clear that the current regulations are not prepared to effectively deal with the issues of 'Tickets.' It is strongly recommended that the legislature deal with this new phenomenon in the near future. These matters must be dealt with in a timely manner to prevent further tragedies such as this one.

It is for these reasons that we respectfully dissent from the majority.

**Sean Wainerdi, Jim Denton** – Associate Justices