

Texas A&M University

Judicial Court



Wilkins v. Election Commission

April 5, 2004, 10:10 p.m.


Majority Opinion

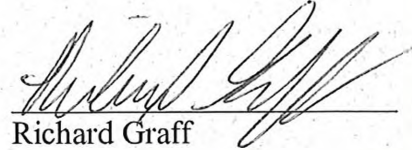
The Judicial Court unanimously rejects the appeal by Speaker Mathew Wilkins in the case of Mathew Wilkins vs. The Election Commission.

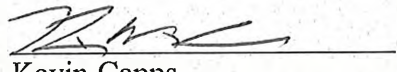
To declare “null and void” the results of an election in which over twelve thousand votes were cast, the Court must demand that the most serious of offenses be found. Such is not the case in this instance. The Election Commission incorrectly omitted the words “Proposition 1” and “abstain”. In the future the Election Commission must take care to ensure that the wording appearing on the ballot is the same as the wording that was approved by the Student Senate and the Student Body President as the elected representatives of the Student Body. Regarding the question of ordering the ballot, the Court recognizes that due to the fact that the Election Commission receives ballot initiatives from organizations other than the Student Senate, the Student Senate cannot expect to have total control over the ordering of the ballot. As such, the Election Commission’s practice of placing initiatives on the ballot in the order that they are submitted is fair and appropriate. Finally, the Election Commission placed on the ballot, word for word, the language of the question to be used in the referendum as approved by the Student Senate. Only the Senate’s intended title and the Senate’s desired option for voters to abstain was absent. As a result, the Court finds that Senate Bill 04 (S) 7 was carried out properly by the Election Commission despite the fact that it was not carried out perfectly.

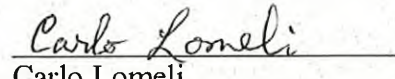
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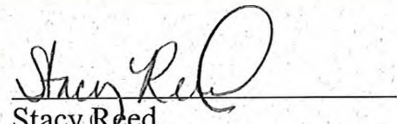
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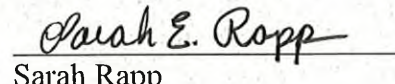

Daniel Jones
Chief Justice

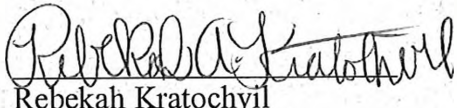

Richard Graff
Justice


Kevin Capps
Justice


Carlo Lomeli
Justice


Stacy Reed
Justice


Sarah Rapp
Justice


Rebekah Kratochvil
Justice