

SPRING TERM, 2022



# **JUDICIAL COURT OF TEXAS A&M**

Syllabus

**RAMON RODRIGUEZ v. STUDENT SENATE**

**CERTIORARI TO THE STUDENT GOVERNMENT ASSOCIATION  
STUDENT SENATE**

No. 74-02. Argued March 9, 2022

Ramon Rodriguez ("appellant"), a candidate for Sophomore Class President, filed a petition for Writ of Certiorari with the Judicial Court arguing that the election regulations under the Student Government Association Code ("S.G.A.C.") are unconstitutional. V S.G.A.C. §601.10(4) (a)(2) requires that "in any appeal challenging the constitutionality of any of these Regulations, the defendant shall be the Student Senate". The Rules and Regulations Chair, Meghan Hein, appeared on the Student Senate's behalf. The appellant argued that the S.G.A.C. does not provide reasonable accommodations for those running in an election with disabilities. The Judicial Court must determine if the appellant's right to run for office was infringed upon by the S.G.A.C.

MCINTOSH, C.J., NESMITH, V.C.J., BAGLEY, MEISENHEIMER, and MOSTY, JJ., delivered the opinion of the Court, in which SCHROEDER, J., joined.

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## Opinion of the Court

In the appellant's initial petition, he expressed his grievance that the deadline to appeal an error on the sample ballot should not override his ability to run for office after he received an exemption from the Class Councils executive team (see 74-01: Rodriguez v Maxwell). However, during oral arguments the appellant instead argued that the S.G.A.C. does not provide reasonable accommodations for those with disabilities, straying from his initial petition. When the appellant was asked what accommodations he was seeking, he requested that he not be held to the GPR requirements and that additional help be provided to those who have difficulty understanding the S.G.A.C.

In our review, the Court found that accommodations had not been requested by the appellant prior to his disqualification by the Election Commissioner ("EC"). To be provided reasonable accommodations, one must first make a request for the accommodations they seek.

Furthermore, the Court has identified various ways that a candidate can seek help throughout the election process. Under "How to Use the Code" on page XIX of the S.G.A.C., readers are notified that:

"... If you should have any questions about a particular rule, you may consult with the Rules and Regulations Chair of the Student Senate, the Chief Justice of the Judicial Court, or another member of any branch of Government who is knowledgeable of or assigned to interpret rules..."

In addition to the aforementioned clause, the court acknowledges other avenues that provide education regarding the election process, such as the Mandatory Candidates Meeting hosted by the EC, which exists for the sole purpose of explaining the Election Regulations. This allows candidates who might require accommodations or clarification regarding the regulations to seek help from the EC.

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V S.G.A.C. §601.3(6)(b): "At the mandatory candidates' meeting, the Election Commissioner shall explain the Election Regulations, answer any questions, and announce any notable interpretations of the Election Regulations."

To further assist the EC in educating the candidates about the election process, the Chief Justice also presents and explains to the candidates how to utilize the Judicial Court appeals process, should they need to. Moreover, the EC hosts office hours throughout the election cycle to meet with candidates and answer any questions they might have. Finally, as emphasized in the Opinion of the Court for case 74-01, the Judicial Court is also available to grant reprieve for extenuating circumstances, vested by V S.G.A.C. §601.1(4).

After reviewing all of the relevant facts, the Judicial Court has found that the appellant was not deprived of a fair process of law as he claimed in his petition. Therefore, the Student Government Judicial Court unanimously upholds the constitutionality of the S.G.A.C. Election Regulations and the appellant's disqualification.

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Opinion of the Court

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Karissa McIntosh, Chief Justice



Sawyer Bagley, Associate Justice  
Justice

  
John Nesmith, Vice Chief Justice



Catherine Meisenheimer, Associate



Caleb Mosty, Associate Justice



Kyle Schroeder, Associate Justice