

ASCSU Supreme Court Case No. 5103

April 6th, 2022

Opinion of the Court SUPREME COURT FOR THE ASSOCIATED STUDENTS OF COLORADO
STATE UNIVERSITY

CHIEF JUSTICE ERIN FREEMAN delivered the opinion of the Court.

The elections manager, Gemma Buhaenko requested an opinion regarding the vote of confidence surrounding the 2022 elections, the following questions were submitted for clarification: In counting the total number of votes, are abstentions included in the total; What is the definition of a Vote of Confidence for Speaker of the Senate candidates; If a candidate fails the Vote of Confidence, are they considered an eligible candidate; If not, must an ineligible candidate be removed from the Elections ballot

The ASCSU Supreme Court has determined the following: ASCSU Supreme Court Case No. 5103 Opinion of the Court 1. In a 6-0 vote, The ASCSU Supreme Court decided in counting the total number of votes, you can not count abstention in the total and, if the absetnation causes there to be no quorum (of $\frac{1}{3}$) a vote will need to take place at the next senate meeting. We cited section 207 (b) (i) for this decision which states “While the Senate can meet without quorum, no action made by the Senate shall be binding without quorum” as well as 207 (c) which states “Any vote of the ASCSU Senate shall be considered with present voting membership excluding abstentions, so long as quorum is present”.

2. In a 6-0 vote the Supreme Court Decided that if absentments were counted towards a vote the vote is therefore invalid and revote, revote, must occur. We also cited (207) (c) for this decision

3. In a 6-0 vote, the ASCSU Supreme Court found that a vote of confidence is defined as a vote of knowing parliamentary procedure and ability to follow through with it. Citing section 802 (i). Additionally In a 5-1 vote the ASCSU Supreme Court found that ad hominem attacks are not part of parliamentary procedure and should not be discussed during a vote of confidence

4. Finally, the ASCSU Supreme court found, in a 6-0 vote, failing a vote of confidence means you are ineligible to run and must be removed from the ballot. We cited section 802 (5) (b) which states “All candidates for Speaker of the Senate must be presented by the elections manager at the Senate session during the first week of campaigning, in chamber, to the Senate and receive individual vote of confidence for their candidacy by a one-third ($\frac{1}{3}$) vote”