

Majority Opinion by Chairman Whitaker in Association with  
Councilors

Malos, Leonard and Ferris

**JUDICIAL COUNCIL OF THE ASSOCIATED  
STUDENTS OF OREGON STATE UNIVERSITY**

ANDREW STRUTHERS, ASOSU PRESIDENT

INQUIRY TO THE ASOSU JUDICIAL COUNCIL

No. 10-105(i)

October 8, 2010

Mr. President Andrew Struthers has brought before the council the question of whether or not the Human Service Resource Center (HSRC) appointees need to be confirmed by the ASOSU Senate. Title III, Section 2, Subsection F, Number 2 of the Statutes states

“Taskforce and Service Directors are subject-specific service and advocacy officers which are subject to confirmation by the Senate. These positions shall hold twelve office hours per week excluding Finals Week.”

Since the HSRC provides subject-specific services the HSRC Director is to be considered a Service Director. Since the HSRC director is considered a Service Director, they will be subject to confirmation by the senate.

**COUNCILOR LEONARD, Concurring**

It is the opinion, of the Judicial Council, that those offices and services that are under the ASOSU are subject to the rules and restrictions of the ASOSU. Those who are put in charge of this offices or services are likewise subject to the rules and restrictions that have been laid out for

such persons. Therefore, the HSRC would fall under the same rules as the other services of ASOSU that reside under the Executive branch. They, those who are appointed head of HSRC, are subject to confirmation from the Senate. As they fall under the same rules and restrictions as the rest of ASOSU.

COUNCILOR MALOS, Concurring

The inquiry brought before the Judicial Council by the ASOSU President, Andrew Struthers, concerns the HSRC's approval by the ASOSU Senate following their appointment by the president. I agree with the majority opinion about the HSRC staff appointments. This court's members must be appointed by the president and confirmed by the ASOSU Senate. As such, this same process shall be extended to all appointed positions by the president. Article III Section H of the ASOSU Constitution accede these provisions stating "The Senate shall be responsible for confirming all Executive Officers before the individuals appointed to those positions officially take office." Since the HSRC is under the direction of the Executive Branch and its staff is considered officers of the branch, they shall proceed through the established appointment and confirmation process prior to their taking of office. Dogmas concerning such issues as governmental separation of powers and checks and balances are momentous to the overall success of the organization as a whole.

COUNCILOR FERRIS, Concurring

We as a council feel that as the Human Resource Center is providing a service to students, in a manner consistent with other services provided by the ASOSU, and for all other intensive purposes follows the same procedures as all other organizations which are part of the ASOSU, we affirm that all appointments made by the ASOSU President to the Human Resource Center will need to be confirmed by the ASOSU Senate.