



Majority Opinion By Chair Jones and Councilor Godfrey

JUDICIAL COUNCIL OF THE ASSOCIATED STUDENTS OF OREGON STATE UNIVERSITY

Audrey Schlotter, ASOSU President

CASE TO THE ASOSU JUDICIAL COUNCIL
(No. 25.003.i)

[January 27th, 2025]

On January 10th, 2025, Audrey Schlotter, ASOSU President brought forth an inquiry before the Judicial Council pertaining to Article VI, §C of the ASOSU Constitution. She is inquiring as to whether a member of the Legislative or Judicial branches of the ASOSU may hold a seat on Independent Bodies of the Executive Branch.

As per Title II, §B(1) of the ASOSU Judicial Policies:

“The Judicial Council is comprised of seven (7) members of the ASOSU, including undergraduate and graduate students. These members cannot hold any position in either the Executive and Legislative branches.”

As per Article VI, §C(a) of the ASOSU Constitution:

“Except where otherwise stated, no person shall concurrently:

1. Serve in more than one elected office, or appointment to a vacancy of that same office;
2. Exercise the powers of offices within two or more of the following classifications:
 1. Positions of legislative authority established under Article I;
 2. Positions of executive authority established under Article II;
 3. Positions of judicial authority established under Article III.
3. Hold more than one seat within a voting body of the ASOSU Student Government”

Allowing a Judicial Council member to sit in any position alongside their judicial membership would compromise their impartiality and conflict with their ability to make unbiased decisions or advisory. Moreover, forcing them to abstain in vote and not be able to contribute to discussion. If a Judicial Council member were to see themselves in a position where they are occupying two positions in different branches, they must choose between a position in Executive/Legislative

branches or the Judicial branch.

The council also finds that since Independent Bodies of the Executive Branch are independent and do not report to the President herself, there is no concern of conflicted interest if members of the Legislative Branch serve and hold voting rights on the Independent Bodies of the Executive Branch.