Written Argument

Every spring, students of the University of Utah cast their ballots to elect new student leaders for the upcoming school year. The ASUU government not only facilitates the electoral process, but additionally enforces campaigning rules and guidelines to ensure a fair and healthy democratic process. The diversity education, which one of the candidates of the Madson Ticket failed to complete, is a requirement under the campaign guidelines. Every candidate upon filing checks a box that states “...the candidacy of myself and the two other candidates listed on this form is dependent upon all three of us completing the Diversity Education, available via Canvas and due by 5pm on Friday, February 7th.” The necessity of completing the diversity education assignment was clearly disclosed on two separate sections of the executive elections packet. Conjointly, Ms.Stegman provided numerous opportunities for candidates to submit the diversity education assignment by extending the deadline on two different occasions since February 7th. The postponements were appropriately conveyed by a canvas announcement. Considering that the executive filing date was on December 5th, the Madson Ticket was allotted more than 2 months and two separate chances after the deadline to submit this assignment. Furthermore, it is perspicuous that Ms.Stegman did not discriminate against the Madson ticket, as additional candidates that failed to submit a diversity education were disqualified upon the closing of the assignment.

Consequently, the Madson Ticket insists that Ms.Stegman does not possess the ability to disqualify candidates. However, the constitution attests otherwise. One of Ms.Stegman’s core duties according to the Bylaws article II.II section 13 (Bylaws II.II § 13 (2.1.5)), is to (quote) “enforce and uphold article V of the Bylaws.” Under article V section 3 of the bylaws, it specifically states the elections packet which (quote) “details all bylaws, procedures, rules, and rulings that apply to elections.” (Bylaws V § 3 (2)). As the elections packet is explicitly encompassed in article V of the bylaws, Ms.Stegman has the constitutional right to enforce the requirements outlined by the packet. In conjunction with the Bylaws Article V section 5 clause 1, the Redbook bestows the power to enforce the campaign guidelines to both the elections director and the supreme court. Therefore, the litigation against the Madson Ticket by Ms.Stegman is in accordance with the Redbook text.

Ruling in favor of the Madson Ticket would overturn all disqualified candidacies and also deem the diversity education component of the elections moot. Additionally, this would expropriate and weaken the enforcement power of the elections director. This can result in a highly inefficient electoral system with minimal guidelines. To perpetuate a fair elections process on campus, the duty of the elections director to enforce article V of the bylaws is crucial. Thank you for your consideration.
ASUU Attorney General Kwak