March 21, 2018
In re. Class Council President Vacancy.

ASSOCIATE JUSTICE KIRLEY joined by Chief Justice Henzer, Associate Justice Tam, Associate Justice Aguilar-Rosenthal, and Associate Justice Sicorsky. Joined in thought by Alternate Justice Cai.

On March 7th, 2018 Constitutional Council received an interpretation request regarding how the unfilled Sophomore Class Council President seat should be filled. Constitutional Council determined that the President should be nominated by the joint Class Councils, through a system up to their discretion, and in the meantime the duties of the President should be carried out by the Vice President of Administration.

Under Article IV Section 9 of the Constitution, “If a position falls vacant, candidates will be nominated within two (2) weeks by the Class Councils and confirmed by majority votes in both the Senate and Treasury.” Constitutional Council takes the plurality of the Councils mentioned to mean that all Class Councils should agree on a candidate for the single position.

In addition, it is the responsibility of the Vice President of Administration, as written in the Class Council Constitution, Article 2, Section 2, to “exercise the duties and powers of the President in their absence from office or in their inability to act.” Thus, until a Sophomore Class President is nominated by the joint Class Councils, the Vice President of Administration should carry out the role of President.

It is so ordered.