

Spring 2011

S11RS SGB No. 7 (SG Rules)

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Recommended Citation

Sellers and Caffarel, "S11RS SGB No. 7 (SG Rules)" (2011). *Student Senate Enrolled Legislation*. 572.
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STUDENT SENATE

S11RS

SGB No. 7

BY: SENATOR SELLERS AND SPEAKER PRO TEMPORE CAFFAREL

A BILL

TO AMEND ARTICLE VII, SECTIONS 2 & 3 OF THE STUDENT GOVERNMENT RULES OF COURT CONCERNING THE PROCEDURES FOR ISSUING INJUNCTIONS.

PARAGRAPH 1: WHEREAS, THE STUDENT GOVERNMENT RULES OF COURT GRANT THE UNIVERSITY COURT THE AUTHORITY TO ISSUE INJUNCTIONS; AND

PARAGRAPH 2: WHEREAS, IT IS THE ETHICAL RESPONSIBILITY OF THE UNIVERSITY COURT TO INTERPRET ANY ACTION OF THE STUDENT GOVERNMENT BROUGHT BEFORE THE COURT WITHOUT BIAS; AND

PARAGRAPH 3: WHEREAS, IT WOULD BE A VIOLATION OF THIS ETHICAL RESPONSIBILITY FOR THE UNIVERSITY COURT TO, AS PART OF ITS REGULAR OPERATION, TAKE ON THE RESPONSIBILITY OF REVIEWING AND INJUNCTING LEGISLATION THAT IT BELIEVES TO BE IN VIOLATION OF THE STUDENT GOVERNMENT GOVERNING DOCUMENTS WITH NEITHER A PETITIONER NOR STANDING IS SUCH AN ISSUE, AND

PARAGRAPH 4: WHEREAS, ARTICLE VII, SECTIONS 2 & 3 OF THE RULES OF COURT SHALL BE COMBINED TO READ:

ARTICLE VII Injunctions

Section 1. Definition and issuance

- A. The University Court possesses the power to issue injunctions, pursuant to Article IV, Section 4§C of the Student Government Constitution.
- B. An injunction is an order, issued in the name of the University Court and executed by the Executive Branch, which requires a Student Government official to do the following:
 1. Temporarily cease and desist any activity or practice until such a time as a full hearing can be held regarding the case or controversy; or,
 2. Grant to applicant such relief as is requested on a temporary basis until such a time as a full hearing can be held on the case or controversy.

Section 2. Procedure for an injunction by the University Court

- A. Injunctions may be issued by the Chief Justice or any two (2) Associate Justices, in conjunction.
 1. An injunction from the University Court shall conform to the template found in the Appendix to this document, and shall be submitted to the Clerk of Court at sgclerk@lsu.edu.
 2. The Clerk shall notify the Chief Justice at sgjudicial@lsu.edu and all interested parties of the injunction as soon

- B. Injunctions may be issued against any Student Government election, Student Government official function, Student Government official in his/her capacity, or any legislative and/or executive instrument.
- C. **Justices of the University Court shall injunct no action of the Student Government or any member of the Student Government in instances where no petitioner has requested such action.**
- D. Injunctions may only be effective for a maximum of three (3) consecutive class days. Any injunction purporting to have effect for a longer period is null and void.
- E. A petition for an injunction may be included in the complaint filed by the complainant with the Clerk of Court.
 - 1. The Injunction Petition Form can be found in the Appendix to this document.
- F. The Chief Justice and/or any two (2) Associate Justices, in conjunction, need not convene a hearing in order to consider a petition for injunction. The injunction may be issued on the basis of the complaint alone.

PARAGRAPH 5: WHEREAS, ARTICLE VI, SECTION 2, SUBSECTION A SHOULD INCLUDE AN ADDITION POINT 4 READING:

- a. Any University Court justice who has previously issued a petition for injunction or complaint pertaining to the trial at hand .

PARAGRAPH 6: WHEREAS, ALL SUBSEQUENT RULES SHALL BE RELETTERED OR RENUMBERED ACCORDINGLY.

PARAGRAPH 7: THEREFORE, BE IT ENACTED BY THE STUDENT GOVERNMENT OF LOUISIANA STATE UNIVERSITY AGRICULTURAL AND MECHANICAL COLLEGE THAT ARTICLE VII, SECTIONS 2 & 3 OF THE STUDENT GOVERNMENT RULES OF COURT BE AMENDED.

PARAGRAPH 8: THIS BILL SHALL TAKE EFFECT UPON PASSAGE BY A THREE-FOURTHS (3/4) VOTE OF THE LSU STUDENT SENATE AND SIGNATURE BY THE PRESIDENT, UPON LAPSE OF TIME FOR PRESIDENTIAL ACTION, OR IF VETOED BY THE PRESIDENT AND SUBSEQUENTLY APPROVED BY THE SENATE, ON THE DATE OF SUCH APPROVAL.

Approved:

Brooksie Bonvillain
Speaker of the Senate

J Ryan Hudson
Student Body President

Date:_____

Date:_____