

No. _____

In The
Judicial Board
of the
Undergraduate Students Association
of
UCLA

Navkaran Gurm
v.
USAC Election Board
Undergraduate Student Association Council

P E T I T I O N F O R
C O N S I D E R A T I O N

Navkaran Gurm

April 17, 2019

USA Council
317 Kerckhoff Hall

usacouncil@asucla.ucla.edu

Signatures (official use only):

Chief Justice

Clerk

PART I: JURISDICTION

U.S.A. Constitution Article VI, Section B.1.: “The Judicial Board shall rule upon the Constitutionality of legislation and official actions of elected or appointed officials at the request of the Council or any other members of the Association.”

U.S.A. Constitution Article VI, Section B.2.: “The Judicial Board may also question, comment, or rule upon other matters at the request of the Council or any member of the Association.”

USA Constitution Article VI, Section B.3.: “The Judicial Board shall serve as a board of appeals to decisions of the Elections Board.”

PART II: VIOLATIONS

Enumeration of Violations

USA Election Code Article XIII, Section 13.1.3.: “The Election Board must present all proposed amendments to the Election Code, and the Election Calendar to the USAC before week 7 of the quarter preceding a quarter in which an election is to be held.”

PART III: RAMIFICATIONS

In Case 19-1, the Judicial Board’s ruling held that all candidates who submitted their petitions for candidacy in the 2018-19 USA Council elections following the original stated deadline- March 18th at 12 PM- will be disqualified. In an

insidious attempt to circumvent the order, the USA Council changed the calendar's deadline to April 1st, violating the Election Code.

During its April 16th, 2019 council meeting, the USA Council approved, with a final tally of 6-1-2, an amendment of the Elections Calendar, reflecting the new reality that the deadline to file petitions for candidacy occur on April 1st, 2019.

The immediately apparent logical inconsistency of such a retroactive amendment notwithstanding, it is crucial to note that April 16th, 2019 falls on **3rd week of Spring Quarter**. In other words, the Election Calendar was amended during Spring Quarter of the 2019 Academic Year.

As of now, **USAC elections are scheduled for 5th week of Spring Quarter of the same Academic Year**. This action was in **direct violation** of the USA Election Code, which specifically states that "The Election Board must present all proposed amendments to the Election Code, and the Election Calendar to the USAC before week 7 of the quarter preceding a quarter in which an election is to be held" (USA Election Code Article XIII, Section 13.1.3).

PART IV: REMEDY SOUGHT

First, an immediate injunction should be filed preventing the implementation of the newly approved calendar, as this approval was explicitly invalid according to USA Election Code Article XIII, Section 13.1.3 and Judicial Board case 19-1. The

USA Council and Election Board should not be permitted to finalize the election calendar updates ratified on April 16th, 2019.

Second, the vote on April 16 must be invalidated, as the USA Council violated the Election Code by approving such a change. The petitioner believes the Election Calendar can no longer be amended, and the disqualification of candidates who submitted their forms after the March 18 deadline must be enforced.

Third, the Judicial Board should provide remedy for the damage caused to members of the campus community by the USAC Election Board's inability to advertise accurate deadlines. On behalf of the five disqualified candidates, including Brandon Broukhim, Oscar Macias, Tara Steinmetz, Robert Watson, and at least one other student according to Election Board Chair Kyana Shajari, and all 31,002 members of the campus community hurt by the USAC Election Board's negligence, the campaign filing period should be open for at least one more day at the discretion of the USAC Election Board.

PART V: INFORMATION

Petitioner: Navkaran Gurm
[REDACTED]

Council: Jordan Nakdimon
[REDACTED]

PART VI: STATEMENT OF AUTHENTICITY

By signing below, I hereby attest that the above information is true to the best of my knowledge. Furthermore, I have read and understand the Judicial Board Procedure (Rules).

Respectfully submitted,

DATED:

Name
Petitioner

DATED:

Name
Counsel for Petitioner