



## DECISIONAL MEMORANDUM

Date: 11/08/2018

Re: Executive Counselor v. Executive Branch

### ISSUES

- Whether the Executive Branch has been fulfilling their constitutional duties by not filling the student liaison position.

### I. STATEMENT OF FACTS

The executive branch has not fulfilled the student liaison position since taking office, which is required by the Constitution in TSG V,ii,iii and TSG V,v,i,a.

### II. CONSTITUTIONAL ANALYSIS

The Executive Counselor's Constitutional authority is listed in the Constitution as followed: "Maintaining, interpreting, and enforcing the Temple Student Government Constitution and Bylaws for the Executive Branch" TSG V,ii,ii,iii,i,i. It is pursuant to these governing rules that in order to limit conflict surrounding this case and that may arise in future cases, this precedential evaluation, which is Constitutionally, and statutorily authorized, must occur.

The Executive Branch has been trying to deliver their campaign promise by working with the administration to put a student outside of TSG in the role. However, it is unconstitutional as said in the



Constitution: "The Executive Office shall hold open interviews and nominate the best fit candidates for the three positions of Ethics Board Judge and the positions of Executive Counselor, Parliamentary Counselor, and Student Liaison, respectively" *TSG V.v.i.a* . The process of which the Executive Branch working with the administration to figure out how to get this position to sit in private Board of Trustees meetings is taking too long. The first public Board of Trustees meeting is on Tuesday, December 11, 2018. As suggested by the Chief Judge and the Constitutionality Committee, I will have to impose a soft deadline on when the Executive Branch has to fill the position.

### III. CONCLUSION

For the preceding reason, the deadline would be:

- Monday, November 12, 2018: Have the application up and open for the public.
- Friday, November 17, 2018: Close the application and start the interviewing process.
- Monday, November 19, 2018: Have the position officially filled, await Parliament's confirmation.

The Executive Counselor and the Constitutionality Committee will extend the deadline if the Executive Branch requests more time in a reasonable manner. If the Executive Branch fails to meet the deadline, depends on the circumstance, the Executive Counselor will impose proper sanction.



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Su Dam, Executive Counselor