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**MARIST COLLEGE STUDENT GOVERNMENT ASSOCIATION**  
**JUDICIAL BRANCH DECISION**

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**JBDN:** 07022611-116D  
**To:** Mairead Delaney – Class of 2010 Vice President  
**From:** T. Neil Wynne – Chief Justice  
**Subject:** Delaney Elections Grievance  
**Date:** February 26, 2007  
**Cc:** Stephanie Venezia – Elections Commissioner  
Patricia Corder – Administrative Advisor to the Judicial Branch  
Shannon Roper – Faculty Advisor to the Judicial Branch  
Maryellen Conway – Student Body President  
Nicholas Staropoli – Speaker of the Senate

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*Before:* Chief Justice T. Neil Wynne, Resident Justice Shayne Temple, Resident Justice Michael Uttley, Resident Justice Krista Gardner, Commuter Justice Marykathryn Gielisse.

Commuter Justice Gielisse delivers the unanimous decision of the Judicial Board:

Mairead Delaney declared herself as a candidate for the position of Class of 2010 Vice President on February 15, 2007. Stephen Townsend declared himself as a candidate for the position of Class of 2010 President on February 15, 2007. Jeremy Hittenmark declared himself as a candidate for the position of Class of 2010 President on February 15, 2007.

Stephen Townsend was disqualified from the election by Elections Commissioner Stephanie Venezia for not meeting the required elections qualifications on February 20, 2007. This disqualification was appealed in a grievance submitted to the Judicial Board by Mr. Townsend on February 21, 2007. Mr. Townsend's disqualification was subsequently affirmed by Judicial Branch Decision 07022611-115D on February 26, 2007.

The published Student Government Association Elections Calendar states that declarations were due by 5pm on Monday, February 19, 2007 in the Student Government Association office.

The Judicial Board received a grievance from Mairead Delaney, Class of 2010 Vice President for Spring 2007 Student Government Association Elections on February 21, 2007. In her grievance, Ms. Delaney requested a change of declaration of candidacy from Class of 2010 Vice President to Class of 2010 President. In addition, in an email sent by Ms. Delaney to the Judicial Branch on February 22, 2007, Ms. Delaney alleged that Class of 2010 Presidential candidate Jeremie Hittenmark will have an unfair advantage due to Mr. Townsend's disqualification and her lack of prior knowledge of the same.

The Marist College Student Government Association Bylaws Article VII, Section 3 § B states in part:

*All candidates must submit a declaration of candidacy to the Elections Commissioner no later than 5:00 P.M. on the Friday during the week following the informal meetings unless the Elections Commissioner declares another time.*

The Marist College Student Government Association Elections Guidelines states in part:  
*It is important that you turn in the Declaration of Candidacy before the deadline set by the Elections Commissioner so that you can run for the desired petition.*

Wherefore, the Judicial Board, having taken all of the facts into consideration, it is hereby

**INTERPRETED**, that neither disqualification of a student or students from a Student Government Association Election, nor a potential lack of competition which may result thereof, are sufficient grounds for rescinding and/or changing a student's declaration of candidacy once the deadline for submitting such declarations has passed;

**DENIED**, Mairead Delaney's request for a change of declaration from Class of 2010 Vice President to Class of 2010 President;

**RECOMMENDED**, that the Senate consider revising the Election Procedures to implement a qualification prescreening process that would require the qualifications of each candidate to be validated before he/she can obtain or submit a declaration of candidacy form; and it is further

**ORDERED**, that Stephanie Venezia, Elections Commissioner, shall resume the Student Government Association Elections and revise the Elections Calendar as necessary to offset the Elections suspension ordered by Judicial Branch Decision 07022214-114D on February 22, 2007.

It is so decided.

T. Neil Wynne  
Chief Justice

Published: February 27, 2007