



UNIVERSITY OF  
**GEORGIA**  
*Student Government Association*

# SUPREME COURT OF THE UNIVERSITY OF GEORGIA

*Empower Executive Ticket vs. the Elections Committee*  
No. | 18-001

*Oral Arguments: March 04, 2019*  
*Decided: March 04, 2019*

## *Syllabus*

The Plaintiff filed an appeal alleging that the Election Committee's decision to not impose disciplinary action on the ACT Executive Ticket failed to sufficiently remedy the alleged actions of an unregistered staff member. As such, the plaintiff alleged that the Elections Committee failed to adhere to its guiding document, the Elections Code, when coming to its decision.

*Majority Opinion*  
*(Delivered by Associate Justice Evan Oliver)*

The Elections Committee of the Student Government Association decided on March 03, 2019 that the ACT Executive Ticket was not in violation of the Elections Code, specifically Chapter 704, Article 8, sections a, d, and e. This decision followed an Official Elections Complaint filed by the Empower Executive Ticket. In the initial complaint, Empower alleged that “The ACT Executive Ticket comprising of Asim Ahmed for President, Charley Claudio for Vice President, and Wesley Tillman for Treasurer has violated the Elections Code and potentially the SGA Code of Ethics via the campaign activity of Tarun Ramesh, Editor-in-Chief of the Georgia Political Review.” In a text conversation between Ramesh and Jessica Ma, Executive Director of Roosevelt @ UGA, Ramesh asked, “Can asim cop a Roosevelt endorsement?” Ma then replied “we can’t do that :(” Ramesh replied, “why. Just read the bylaws.” Ramesh then later asked whether Roosevelt could do “a similar thing [to sharing an article as Ramesh claims Foundation Fellows/Ramsey did]” and in response, Ma replied, “sorry I just don’t think it would be in line with our org commitment to nonpartisanship.” Jessica Ma then contacted Johanna Mercurio, a registered staff member for the Empower Executive Ticket, to raise the conversation as a potential concern.

In its initial complaint, the Empower Executive Ticket claims that Ramesh’s attempt to seek an endorsement for the ACT Executive Ticket from Roosevelt @ UGA is considered a “solicitation of support” citing Chapter 704, Article 1, Section A, which states, “Campaigning shall be defined as any and all actions intentionally undertaken with the purpose of promoting, publicizing, and securing support for a candidate(s) as defined by the Elections Committee.” As indicated by the Elections Committee, Ramesh has never been registered as a staff member of the ACT Executive Ticket. With this knowledge, the Empower Executive Ticket alleged that the ACT Executive Ticket violated the Elections Code Chapter 704, Article 8, Sections A, D, and E which state, “a. All individuals who are actively representing an individual or party are considered to be staff and must be registered with a Statement of Intent or Party Affiliation...d. All individuals participating as campaign staff must be registered with the Elections Committee no later than 24 hours before the beginning of the voting period. e. The participation of unregistered staff members will result in disciplinary action from the Elections Committee.” Based on these violations the Empower Executive Ticket sought that the ACT Executive Ticket be appropriately disciplined by the Elections Committee for the actions of Tarun Ramesh.

In its decision, the Elections Committee decided to dismiss this complaint based on insufficient evidence that the ACT Executive Ticket was in violation of the Elections Code. The Elections Committee stated, “The majority of the Elections Committee felt that the complainant failed to adequately argue that Ramesh undertook actions that were ‘actively representing’ the ACT Executive Ticket.” Ramesh was not a staff member and so the ACT Executive Ticket “is not held liable for conversations he has as an individual.”

In response to this decision, the Empower Executive Ticket appealed the Election Committee’s decision to the Supreme Court of the University of Georgia Student Government Association. A hearing between the Plaintiff and the Elections Committee was held on the night of March 04, 2019.

In its argument before the Supreme Court, the Plaintiff claimed that its textual evidence of the conversation between Tarun Ramesh and Jessica Ma and the term *campaigning* defined under Chapter 4, Article 1, Section A as “securing support for a candidate” was sufficient proof that Ramesh acted as an unregistered staff member. The Plaintiff then argued that the Elections Committee failed to perform their responsibility of enforcing election laws with regards to Chapter 704, Article 8, Section E which states, “The participation of unregistered staff members will result in disciplinary action from the Elections Committee.” The Plaintiff argued that seeking an endorsement from the head of an Executive Board of a student organization can be classified as “solicitation of support” which subsequently is a form of active campaigning by Ramesh on behalf of the ACT Executive Ticket.

In its argument before the Supreme Court, the Elections Committee defended its decision that the ACT Executive Ticket did not violate the Elections Code. The Elections Committee recognized that soliciting support is indeed a form of active campaigning; however, the committee explained that given the informal nature of the conversation and the lack of testimony from Tarun Ramesh, Jessica Ma, and representatives from the ACT Executive Ticket, there was insufficient evidence to suggest that Ramesh was acting as an unregistered staff member for the ACT Executive Ticket.

Therefore, we, the Supreme Court, find that the Elections Committee did not err in its decision to find the ACT Executive Ticket not in violation of the Elections Code. According to the Elections Code Chapter 704, Article 8, sections B and C, “b. Candidates and parties are responsible for the actions of their staff. c. Campaign staff will adhere to the Student Government Association’s Code of Ethics, the Elections Code, and the University of Georgia’s Code of Conduct.” Given that the individual in question, Tarun Ramesh, was not a staff member, the ACT Executive Ticket need not be held accountable for the actions of individuals outside their own staff. There was a lack of evidence brought forth in this appeal to suggest there was a pre-meditated and mutually-recognizable link between the ACT Executive Ticket and Ramesh at the time of his text conversation with Jessica Ma. Additionally, the Supreme Court does not classify the behaviors of Ramesh as “actively representing” the ACT Executive Ticket and therefore can’t support the notion that Ramesh is a staff member (either registered or unregistered) of the ACT Executive Ticket. Given that Ramesh is neither an unregistered or registered staff member, there are no grounds for making the ACT Executive Ticket responsible for the actions of an individual.

The 4-1 judgement of the Supreme Court is that the Elections Committee was correct in its decision to find no violation of the Elections Code by the ACT Executive Ticket.

*It is so ordered.*