



THE STUDENT GOVERNMENT SUPREME COURT
THE UNIVERSITY OF TEXAS AT AUSTIN

PETITION FOR REVIEW

Instructions

A note from the Chief Justice:

To help appellants (candidates seeking appeal) understand the Student Government appeals process, the following document has been prepared by the Student Government Supreme Court to help clarify the grounds and requirements for a Petition for Review.

A Petition for Review is an opportunity to make a formal complaint against a decision made by the Election Supervisory Board (ESB) on the grounds that the ESB has committed material error in their proceedings or significantly misinterpreted relevant portions of the Student Government Election Code and/or Constitution. If any student believes the ESB has made an error that should be corrected, that student may challenge the decision through a Petition for Review submitted to the Student Government Supreme Court. This Petition applies strictly to parties appealing ESB decisions directly affecting them (i.e. parties to the original hearing).

Section 5.25 in Article V of the Constitution of the Student Government at the University of Texas at Austin states:

“Decisions of the Election Supervisory Board may be appealed and heard by the Supreme Court on the basis that the appellant brings forth an actionable complaint regarding an action or ruling of the Election Supervisory Board.”

Per this section, appellants are appealing to the Student Government Supreme Court to review some procedural or unreasonable interpretive error made by the Election Supervisory Board. Thus, cases are brought before the Court in the form of [Appellant] v. Election Supervisory Board. If the Court determines such an appeal to be actionable, it will then proceed to hear such an appeal.

For the Court to determine the nature of the appeal, it is necessary to disclose certain relevant information. Appellants should remember that this is an appeal of a case already heard by the ESB, and no new evidence (i.e. evidence not brought before the ESB before or during hearings) may be added in this submission. Appeals are solely based on errors of process or interpretation by the ESB.



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First, the appellant must list relevant parties to said case. This usually includes, but is not limited to, the original respondent(s) or complainant(s) (opposing party or parties) in the original hearing before the ESB. Second, the appellant must submit a brief summary of the original case (as presented before the ESB) followed by a statement of arguments. The arguments in this case should include ways in which the ESB committed some error in their proceedings or committed significant errors in their decision with respect to relevant sections of the Election Code that could present a violation of students' rights and responsibilities. References to the Student Government Constitution or Election Code should be made wherever possible. Presenting specific facts and developed arguments will assist the Student Government Supreme Court to understand and address your concerns. Finally, there should be a "Request for Relief" sought before the Court. This request should contain the remedy which the appellant is seeking from the Court.

With these requirements met, submit these elements attached to the Petition for Review to the Court. The Court will respond within 48 hours regarding the status of the case.



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Submission Form

Name of Petitioner: _____

Phone Number: _____ Email: _____

If you are not the petitioner, but are preparing this application on the petitioner's behalf, please list your name and contact information:

Name of Preparer: _____

Phone Number: _____ Email: _____

List the person(s) or organization(s) that, to the best of your knowledge, may wish to oppose this petition as adverse parties. You may add additional lines if necessary:

Name: _____ Ph#: _____ Email: _____

Name: _____ Ph#: _____ Email: _____

Name: _____ Ph#: _____ Email: _____

Please answer the following prompts. You may attach additional pages. There is no maximum or minimum page limit. Please try to be brief and clear. You are encouraged to reference the Student Government Constitution and Election Code wherever possible. Copies of relevant documents such as assembly legislation, bylaws, provisions, or other source should also be included if possible.

Summary of the Case

Please state what this petition is about in one paragraph or less. This should include the original circumstances of the case heard before the Election Supervisory Board.

Statement of Arguments

Arguments included in this section should surround how the Election Supervisory Board made material error in either the proceedings of the case or in the actual decision.



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State your arguments for how the Court should rule in this case based upon these documents. Please explain what passage(s) of the SG constitution, bylaws, or other governing documents are relevant to your petition. Try to be as specific as possible; list names, dates, and places when they are known and relevant.

Request for Relief

How should the Court correct the harm described in this petition? Why would this remedy or set of remedies be the best way to resolve this case?

Optional—Special Considerations

If applicable, please explain any special circumstances in this case. For example, if this case needs to be decided in an expedited timeframe, please explain what measures and why here.

I certify that all statements made in this petition are true, correct, and complete to the best of my knowledge.

Signature: _____ Date: _____

For questions, or to submit this form, contact sgsc@utlists.utexas.edu