Summary of Student Government of Loyola Chicago Judicial Proceedings

09.21.2015

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- Censure Complaint 004 .................................................................6
  - SGLC v. Senator Al Kassir
  - Vote to censure does NOT pass by a vote of 0-5-0
This represents the official Judicial Board opinion in the matter of SGLC v. Philbrick

A complaint was filed and brought before the Judicial Board on September 11, 2015 stating that Senator Philbrick did not submit the Academic Affairs committee report on time for the September 8th meeting, violating her duty as committee chair.

Article 9, Section (7), subsection (E) requires that the Committee Chairperson submit a committee report to the secretary by the deadline established by the Speaker – 4PM Sunday.

§7. Meetings & Reports: Standing committees shall meet on a regular basis throughout the academic year and shall provide a written report at each regular session of the Senate.

(A) Committees shall meet no less than once a week at a date, time and location specified in the committee bylaws
(B) Committee members shall attend all committee meetings except where excused by the committee bylaws.
(C) The committee shall provide to the Senate and the Chief Communications Officer, or a designee of the Chief Communications Officer detailed written reports of their meetings and business.
(D) In the conduct of the meetings of SGLC committees, the chairperson may establish the rules of order that shall prevail except as otherwise provided by law.
(E) After each meeting the chairperson shall submit a committee report to the Secretary by a deadline established by the Speaker of the Senate.

In an e-mail written to Attorney General Brueck, Senator Philbrick stated that she forgot to submit the committee report due to “the long weekend” prior to the submission deadline. In front of the members of the Judicial board, Senator Philbrick also stated the challenges that come with being new to SGLC – and particularly, the role of committee chair.

That being said, while the Judicial Board understands that Senator Philbrick is new to SGLC and is still learning the many duties that come with her role as committee chair, she did meet the given deadline prior to the first Senate meeting and thus, is well aware of this responsibility for all committee chairs. Furthermore, committee reports across the SGLC organization are of equal importance in our shared responsibility to be as transparent as possible to the greater Loyola community and it is crucial that they are submitted in a timely manner to maximize productivity.

The Judicial Board therefore votes to give one censure to Senator Philbrick by a vote of 3-2-0.

Regards,
Flavio G. Bravo, Chief Justice
This represents the dissenting opinion in the matter of SGLC v. Philbrick, and merely reflects the opinions and beliefs of myself, Justice Daudi. This opinion is not meant to be viewed as the expressed belief or opinion of the Judicial Board. For the expressed opinion of the Judicial Board, please refer to Chief Justice Bravo’s opinion in this matter.

With that being said, according to:

**Article 9, Section (7), Subsection (E) of the SGLC Articles of Governance:**

§7. Meetings & Reports: Standing committees shall meet on a regular basis throughout the academic year and shall provide a written report at each regular session of the Senate.

(A) Committees shall meet no less than once a week at a date, time and location specified in the committee bylaws.

(B) Committee members shall attend all committee meetings except where excused by the committee bylaws.

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(D) In the conduct of the meetings of SGLC committees, the chairperson may establish the rules of order that shall prevail except as otherwise provided by law.

(E) After each meeting the chairperson shall submit a committee report to the Secretary by a deadline established by the Speaker of the Senate.

As mentioned in the SGLC Articles of Governance, failure to submit a committee report by the given deadline (Sundays at 4:00pm) is a violation of the duties outlined for committee chairs. After continued discussion on this matter, I understand that Senator Philbrick had lost track of time on Sunday the 6th of September. This is not viewed as an extenuating circumstance by SGLC, and in consequence Senator Philbrick will be issued a censure.

However, Attorney General Brueck had given Committee Chairs a pass the weekend prior had they not submitted their reports on time, which many had not. Senator Philbrick was amongst those whom had successfully submitted the previous report on time, and therefore was not eligible for that pass. Taking this into account, I felt that to be fair Senator Philbrick should have been given a pass for missing this deadline but not the previous one.

While I sympathize with Senator Philbrick, I also realize that because the Senator had successfully submitted a report before, she was aware of the process and deadline. While Senator Philbrick is a first-time chair and an exception may be expected for this first-time violation, given that there were no extreme circumstances that were stated in the Senator’s personal statement, I believe that the SGLC governing documents stand to hold her accountable.

Regards,

Shanzeh Daudi, Associate Justice
This represents the official Judicial Board opinion in the matter of SGLC v. Gorecki.

A complaint was filed and brought before the Judicial Board on September 11th, 2015 that Senator Gorecki did not timely report an expected absence from the Senate meeting on September 1, 2015.

Article 12, Section (2), Subsection (C) requires that each senator submit a 24-hour notice of any expected absence to the Speaker prior to the scheduled senate meeting.

§2. Attendance:
   (C) A senator may request from the Speaker an excuse for their absence or truancy no less than twenty-four hours in advance of the meeting of the Senate from which the Senator will be absent or truant.

In an email written to Attorney General Brueck, Senator Gorecki stated that she was unable to attend the September 1st senate meeting due to being overloaded with class, homework, and being too stressed. In front of the Judicial Board members, Senator Gorecki repeated this sentiment and stated that she decided not to attend the senate meeting as it was the only time that she could consume food for the day.

The Judicial Board is always concerned about the risk of burnout as a result of academic/extracurricular overload and it is our first and foremost hope that Senator Gorecki is able to fully meet her responsibilities as an elected SGLC senator.

It is important to understand that there is great precedence in this matter. Less than one year ago, in SGLC v. Bunnage, the Judicial Board delivered the following remarks:

"It is crucial to care for yourselves and care for one another. The Judicial Board encourages everyone to both allocate and assume responsibilities amongst one another. SGLC is a collective effort and physical, mental, and emotional well-being should be a common concern (Complaint 007, 2014)."

Thus, the Judicial Board wants the entire SGLC body to understand the importance of caring for oneself while also practicing good time management inside and outside of the classroom.

The Judicial Board therefore votes to give one censure to Senator Gorecki by a vote of 5-0-0.

Regards,
Flavio G. Bravo, Chief Justice
This represents the official Judicial Board opinion in the matter of SGLC v. Sheu.

Chief Justice Bravo was not present for this hearing. Chief Justice Pro Tempore Daudi conducted the hearing with each of the other Associate Justices present.

A complaint was filed and brought before the Judicial Board on September 28th, 2015 that Senator Sheu did not timely report an expected absence from the Senate meeting on September 8, 2015.

**Article 12, Section (2), Subsection (C)** requires that each senator submit a 24-hour notice of any expected absence to the Speaker prior to the scheduled senate meeting.

§2. Attendance:

(C) A senator may request from the Speaker an excuse for their absence or truant no less than twenty-four hours in advance of the meeting of the Senate from which the Senator will be absent or truant.

In an email written to Attorney General Brueck, Senator Sheu explained that she was unable to attend the September 8th Senate meeting because she “did not receive [her] work schedule for the week until Monday night (already passed the 24 hour notice) due to the holiday weekend.”

In front of the Judicial Board members, Senator Sheu repeated this sentiment, and stated that she understood she had violated the Articles of Governance. Moving forward, Senator Sheu is confident that she will know her work schedule in advance and will be able to manage both her responsibilities.

The Judicial Board found it clear that Senator Sheu was aware of her responsibility to request an absence from a Senate meeting from the Speaker in a timely manner, in accordance to the Articles of Governance. Although we are assured Senator Sheu will notify the Speaker in the future if there is a work conflict, the Judicial Board feels that the consequences of violating the Articles need to be upheld.

The Judicial Board therefore votes to give a censure to Senator Sheu by a vote of 4-0-0.

Regards,

Shanzeh Daudi, Chief Justice Pro Tempore
This represents the official Judicial Board opinion in the matter of SGLC v. Al-Kassir.

A complaint was filed and brought before the Judicial Board on October 12th, 2015 that Senator Al-Kassir did not report an expected late arrival to the Senate meeting on September 29, 2015.

**Article 12, Section (2), Subsection (C)** requires that each senator submit a 24-hour notice of any expected absence to the Speaker prior to the scheduled senate meeting.

§2. Attendance:

(C) A senator may request from the Speaker an excuse for their absence or truancy no less than twenty-four hours in advance of the meeting of the Senate from which the Senator will be absent or truant.

In an email statement written to Attorney General Brueck on September 29, Senator Al-Kassir explained that he had to go to the airport to drop off his parents and was not expecting to be late before getting stuck in traffic.

During his hearing with the Judicial Board members, Senator Al-Kassir explained this situation in greater detail. Specifically, he explained that he did not notify Speaker Kelley about his tardiness in advance of the Senate meeting because he fully expected to be there on time and only found out that he had to travel back to the suburbs after it was too late.

Due to the extreme circumstances of this case and the fact that Senator Al-Kassir still managed to attend the Senate meeting as opposed to missing it entirely, the Judicial Board does not find any good reason to censure Senator Al-Kassir.

Therefore, the vote to censure Senator Al-Kassir by the Judicial Board does NOT pass by a vote of 0-5-0.

Regards,

Flavio G. Bravo, Chief Justice