The following represents the Judicial Board’s opinion on the matter of SGLC v. Dumbauld.

A complaint was brought before the Judicial Board on December 3, 2017 against President Dumbauld for their role in the failure of the legislative and judicial processes surrounding The Office Hours Revision Act first brought to the Senate floor on September 5th, 2017 and passed by the Senate in a vote of 21-0-0 on September 12th, 2017.

Upon the taking of their office, President Dumbauld took the Oath of Office of The Student Government of Loyola Chicago. According to Chapter 1, Article 3, Section 4, Subsection A, §4. A term of the SGLC shall commence immediately upon the administering of the Oath of Office for members elected during the Spring Election, and the same term shall conclude immediately upon the administering of the Oath of Office for members elected during the following Spring Election. The outgoing Chief Justice shall administer the Oath of Office.

(A) The Oath of Office shall be one of the following: “I, [state first and last name], do solemnly swear to serve the students of Loyola University Chicago, and to the best of my ability, uphold the mission and Articles of Governance of the Student Government of Loyola Chicago. I hereby take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God.”

President Dumbauld’s ratification of the unamended Office Hours Revision Act was a breach of proper and efficient administration of SGLC. Their failure to recognize the correct piece of legislation shows negligence within the ratification process as well as a disservice done to the SGLC and the students President Dumbauld swore to serve to the best of their ability.

The Judicial Board recognizes that the responsibility of this failure in the legislative & judicial processes is not solely upon President Dumbauld, as the piece of legislation had gone through many hands prior to arriving upon their desk. It is in the opinion of the Judicial Board that this fact does not excuse President Dumbauld of their failure to recognize the incorrect legislation, as they were at both the Senate meeting in which it was amended as well as when it was passed. Therefore, it is the opinion of the Judicial Board that President Dumbauld be held accountable for their individual actions as seen in Chapter 7, Article 21, Section 5, Subsection A. Although Article 21 pertains to the Ethics Code, the Judicial Board believes that this accountability measure spans as an overarching philosophy of the Articles of Governance rather than within the
parameters of the Ethics Code.

§5. Accountability

(A) All members of the SGLC are personally responsible for their individual actions and shall abide by the standards of ethical behavior set forth in this article.

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The complaint brought by the Attorney General argued that President Dumbauld failed to meet the 13-day legislation deadline found in the Articles of Governance of the Student Government of Loyola Chicago, Chapter 4, Article 15, §4. The President, (J) and therefore violated sub-subsection 2 of Section J.

§4. The President (J) The President shall have the power to veto legislation of the Senate, in part or in full. The President shall return vetoed legislation to the Senate with a written statement detailing the President’s rationale for vetoing the same legislation, and specific recommendations for improvement.

i. If the President fails to ratify legislation within thirteen days of its approval by the Senate, the same legislation shall be deemed vetoed. ii. The President shall, within fourteen days of the original passage of a particular legislative Act or Resolution, present to the Senate the reasons for which the President vetoed the same legislation, and shall provide specific recommendations for improvement.

The Judicial Board recognizes that President Dumbauld did in hindsight violate the requirement that is Section J, Sub-section 2, but does not believe that this violation is censurable for the following reason. As touched upon earlier, President Dumbauld was negligible in the ratification process of The Office Hours Revision Act, but through that negligence was not aware that they in fact had actually vetoed the correct, amended piece of legislation. Ignorance of law is not often an excuse for breaking the law. However, it is the opinion of the Judicial Board that because President Dumbauld did take action to not violate this policy by signing the legislation, even if it failed to fulfill the requirement because it was the unpassed legislation. It is therefore reasonable to understand why President Dumbauld did not appear in front of the Senate until they were made aware of their negligence.

As articulated in Chapter 5, Article 17, Section 2 of the Articles of Governance, §2. Responsibilities and Duties: The Judicial Board shall be responsible for hearing and issuing
decisions on complaints filed by the Attorney General. Such complaints shall include, but are not limited to, alleged violations of the Articles of Governance or subsidiary bylaws.

(A) The Judicial Board shall hear all cases involving the proper and efficient administration of the SGLC brought before them by the Attorney General.

It is under these powers and responsibilities that the Judicial Board voted 3-0-1 to issue one (1) censure to President Dumbauld for their negligence that hindered the proper and efficient administration of the SGLC.

Regards,  Associate Justice Platten
On December 3, 2017, the Judicial Board convened at 7:30 p.m. Justices Jee, Wise, Platten, and Chief Justice Pieper were in attendance. The Judicial Board heard complaint 015, SGLC v. Chimielewski, in which Chief Justice Pieper recused herself and assumed the role of acting Attorney General.

According to the Articles of Governance of the Student Government of Loyola Chicago, Chapter 5, Article 18:

§2. Censure: A censure shall be defined as a judicial reprimand of any member of the SGLC. Censures shall be enacted through the following process:

(G) In the event that a complaint has been filed against the Attorney General, the Chief Justice shall, for the duration of the investigation and Judicial Board consideration of the same complaint, act as the Attorney General.

In a vote of 0-3-0, the Judicial Board voted to decline Attorney General Pieper’s request to censure Attorney General Chimielewski once.

The Judicial Board exercised a recess from 8:20 p.m. to 8:45 p.m.

The Board then reconvened at 8:45 p.m. to hear complaint 014, SGLC v. Dumbauld. Justices Jee, Platten, Wise, and Chief Justice Pieper were present to hear the complaint. In a vote of 3-0-1 the Judicial Board voted to administer one censure to President Dumbauld.

The Judicial Board will reconvene on December 10, 2017.

Respectfully,

Chief Justice Pieper