HEARING DENIED

The Council finds that the complainant does not seem from an

interesse.

Because the authority to oppose competent senecere in those
more, we find no special construction proceedings extending the
merely, we find no evidence suggesting that the President has
further, we find no evidence that the President has exercised this power in the past.

He, thus claims that the Senate's action has denied the

We find that the Senate's action, which called for a special

The Senate's power to deny an appeal for the purposes of taking extraordinary action has been denied.

JUDICIAL DEPARTMENT

DECISION CONCERNING THE PREMARRANT 1975, 1979 COMPANION IIFKED BY

Tuesdays, February 23, 1979

AWJ Judicial Council Premarrrant Meetings
If a hearing is decided on, you will be notified of the date and time to allow you to present oral or other arguments in defense of your action. A hearing will be held at 4:00 P.M. on Thursday, February 23, 1978, and the respondent in this appeal, the Judicial Council, will decide if you have been named in an appeal by a student of the ASWU concerning your action regarding the filling of a vacant Senate seat at the meeting of February 14, 1978. This letter shall serve as notice that the ASWU Senate has notified the Chief Justice, Judicial Council.

Wyoming
To the Senate of the Associated Students of the University of Wyoming

February 21, 1978
Senator Education

Thank you

that your applications
by qualified people rather
is that these are filled
necessary may only interest

or special elections. It
appointment by other
positions earlier through
as possible as I will these
we move as expeditiously
does my information that

the American Senate in
for I will the vacancies in

As author of the motion

To Judicial Review. As such
Respectfully requested on this 15th day of February 1978.

2. Does the President have the constitutional authority to appoint temporary members to the Senate to fill vacancies when there are no vacancies up in the previous election?

I. Has the appointment of temporary members to the Senate to fill the vacancies up in the previous election been answered?

Since there are no constitutional provisions for the filling of vacant Senate seats, the constitutional powers of appointment of the President are not affected. The President has the power to fill the Senate, and since a President has been elected, I feel that the Senate has been elected upon the December 1978 election.

I do, therefore, request that this issue be settled by the Judicial Council and the constitutional powers of appointment of the President.

February 15, 1978

To the Honorable Chief Justice and Associate Justices of the ASW Judicial Council:

Wyoming Union
Student Government
University of Wyoming
Meeting adjourned at 3:20 p.m.

No special election in Engineering may be

The union resolved by the dissatisfaction

It will be notified of the appointment for

They say they did not turn in such statement

Gillian and Leslie verifying this concern. If

Chairwoman, she explained, will call clean

Regarding

Firm of ASUW Election Rale +14 under law

A financial expense statement and record work

and which usually (engineering) did not turn in

Paul Olson (Finance), Benetko (Engineering)

Meeting called to order at 3:15 p.m.

Linda Buff

Dee Dee Huyn

Thad Stevens

Marilla Blu

Shea Edlund

April 13, 1974

Electrons
I can appreciate Mr. Lith's wanting to clear up this matter, but it does not

complying with the student's request. There is no evidence

that violates the ASWM Constitution and By-Laws. Mr. Lith's letter fails to state any

specific constitutional provision or sections of the ASWM Constitution that gives the

ASWM President authority over the appointment of the Student Senate. Therefore, there can be no

constitutional interpretation of the filling of the Senate seat.

I suggest that Mr. Lith's formal complaint fails to state a case that meets

with the "clear and present danger" constitutional standards that the Council and

By-Laws require. The By-Laws of the ASWM Judicial Council states that the Council

shall be the final decision-making authority in cases arising out of constitutional
disputes and the "clear and present danger" test must be applied to a constitutional

interpretation of the ASWM Constitution (2/22/77), the purpose of the

According to Article IV of the ASWM Constitution (2/22/77),

letter by the Advisory Council and By-Laws, "The By-Laws of the ASWM Judicial Council states that the Council shall be the final decision-making authority in cases arising out of constitutional disputes and the "clear and present danger" test must be applied to a constitutional interpretation of the ASWM Constitution (2/22/77), the purpose of the

laramie, wyoming 82071

university of Wyoming

chief justice

mr. sean e. halpain

February 23, 1978

as a member of the ASWM Student Senate present at the student senate meeting

letter of February 12, 1978. You deferred Lith's administration of executive affairs for ASWM, in his
made for such action in the Constitution.

number up list from the previous election since no provisions are
the present system of Senator replacements being made from the
have made, the same. Also, I would like a ruling on the regularity of
I ask that you declare the appointments of the Senators by Owen
I feel that these appointments are not within the powers of the executive
ceased to approve this move.

4 persons to fill vacancies in the ASWW Senate. The Senate then pro-

March 7, 1978

Members of the Judicial Board:
WARNING

Proceed with caution. The procedures outlined here are for emergency situations and should be followed only when there is a declared emergency. If you are unsure, please consult with the appropriate authorities.

By law of the land, I hereby declare this area an emergency zone. All residents are required to evacuate immediately. Failure to comply may result in legal consequences.

The decision made by the City Council on this matter is final. Any appeals must be submitted within 30 days of the decision.

Thursday, March 23, 1978

City Council Meeting Notes

The City Council met on March 23, 1978, to discuss a critical issue affecting the community. After extensive debate and consideration, the Council voted unanimously to proceed with the necessary actions.

Michael B. Lee
DECISIONS CONCERNING THE MARCH 7, 1976 COMMISSION MEETING

ÉMINEM, MARCH 23, 1976

ANY ACTION COMMITTEE MINUTES FOLLOWING
March 8, 1978

TO: Owen Stone, ASUW President
    Mark McNamee, ASUW Vice President
    Members of the ASUW Senate

This letter is to inform you that you have been named as respondent in an appeal before the Judicial Council by Mr. Michael G. Leckie. This appeal was filed on March 7, 1978.

The Judicial Council will hold its preliminary meeting on this matter as soon as possible after the Spring Vacation ends.

We invite comments from you and ask that you provide them as soon as possible so that we may determine if a controversy exists.

A copy of the appeal is included for your convenience.

Thank you.

[Signature]
Sean E. Malpion
Chief Justice, Judicial Council
766-3074
Rhett G. Letcher

Sincerely,

made for such action in the Constitution.
summers up that from the peculiar election since no provisions are
of the present system of senators and representatives being made from the
may have made, the same. Also I would like a ruling on the Legislature
state to be null and void and also any voices that these persons
I ask that you debar the appointment of the Senators by Owen
establishment of the separate branches of Government.
Constitution and therefore impede separation of powers by the
Constitution of the AS&W be carried modern after the U.S.
appointments are found in the Constitution or by-laws of the AS&W;
exercised to make or the Senate to approve. No support for these
I feel that these appointments are not within the powers of these
proceeded to approve these votes.
Finally vacancies in the AS&W Senate. The Senate then
On February 28, 1978, Owen Stone, acting AS&W President, appointed

Members of the Judicial Board:

March 7, 1978