

ASCSU Supreme Court Case No. 5305
Opinion of the Court

**SUPREME COURT FOR THE ASSOCIATED STUDENTS OF COLORADO STATE
UNIVERSITY
March 19 2023**

CLARIFICATION ON CAUCUS CHAIR STATUS, JURISDICTION, AND POWER;
SPECIFICALLY IN REGARDS TO MEMBERS OF THE EXECUTIVE AND JUDICIAL BRANCH
SEEKING THIS POSITION

CHIEF JUSTICE ALAYNA TRUXAL delivered the opinion of the Court

AN ASSOCIATE SENATOR FOR THE STUDENT DISABILITY CENTER (SDC), AND
CHAIR OF THE ACCESSIBILITY CAUCUS, SAMMY TROUT, requested the court's opinion on
caucus chairs being occupied by a member of the executive or judicial branch, and what their scope of
ability is.

The following questions were submitted for clarification;

1. Can a member of the Executive Branch or Judicial Branch run for a Caucus Chair position?
2. If an Executive Branch or Judicial Branch member obtains a Caucus Chair position, does that give that member floor rights in the Senate?
3. If an Executive Branch or Judicial Branch member obtains a Caucus Chair position, does that member become a member of the Legislative Cabinet?

The Supreme Court has determined the following;

1. In a 7-0-0 vote, the Court determined a member of the Executive Branch or Judicial Branch can run for a Caucus Chair position. The Court cited The Constitution, Article I, Section 103, Subsection C, which states: "No member of ASCSU shall hold a position in more than one of the three branches (Executive, Judicial and Legislative) of ASCSU except those serving in ex officio status." In addition, Article VI, Section 601, Subsection A, specifies: "Special Committees shall be bodies not a part of any ASCSU branch." Lastly, Article VI, Section 602, Subsection A, specifies: "A caucus shall be a special committee as defined in Article VI section 601."
While members may not hold a position in more than one branch, caucuses shall not be considered a part of any ASCSU branch, as they are considered special committees.
2. In a 7-0-0 vote, the Court determined that if an Executive or Judicial branch member obtains a Caucus Chair position, that member shall hold Ex-Officio status. Senate Bylaws Article IV, Section 3, Subsection B(e), names "The Directors or equivalent position of any representation within the Senate" as having Ex-Officio status. Ex-Officio members shall be granted rights of debate and motion but shall hold no voting rights, per Article IV, Section 3, Subsection A of the Senate Bylaws.
3. In a 7-0-0 vote, the Court determined that if an Executive Branch or Judicial Branch member obtains a Caucus Chair position, that member does become a member of the Legislative Cabinet. The Court references Senate Bylaws Article V, Section 1, Subsection A: "There shall be a Legislative Cabinet chaired by the Speaker of the Senate consisting of the Speaker Pro

Tempore, Parliamentarian, Clerk, Recruitment and Retention Officer, Internal Committee Chairs, and Caucus Chairs.”