

As Written By Justice Seth L. Lamp

JUDICIAL PANEL
UNDERGRADUATE STUDENT GOVERNMENT
THE OHIO STATE UNIVERSITY

MICHAEL FRANK and SPENCER DIRRIG

Plaintiff

v.

ANDREW JACKSON and SOPHIE CHANG,

Defendants

06 December 2016

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In the matter of *Frank & Dirrig v. Jackson & Chang*, the plaintiff alleges that the defendants have violated *Article II Section A Subsection 2 Subsection c* of the Undergraduate Student Government Election Bylaws.

Election Bylaws

II.A.2.c

“Candidates, teams and slates may not overtly act to gain votes, or solicit for votes before the approved campaigning season begins. This is type III bylaw.”

The election bylaws state in *Article II Section A Subsection 2 Subsection I* that *“Campaigning shall begin on the seventh Wednesday of Spring semester at 8:00pm.”* It was brought to the attention of the Judicial Panel through evidence presented by the plaintiff that the defendants had created a GoFundMe page requesting financial assistance for their campaign on 11 July 2016. The website page was titled *“Vote Andrew and Sophie.”*

Held: The Judicial Panel finds that the Defendants are in violation of *Article II Section A Subsection 2 Subsection c* in the Election Bylaws. The bylaw clearly states that an act to gain votes before the campaign season begins is in violation of the election bylaws.

The Judicial Panel found the website page title of *“Vote Andrew and Sophie”* as an act to gain votes and, therefore, in violation of the bylaws in section II.A.2.c. The defendants did present evidence that the website page was in fact a private page that could only be accessed through one original link. However, the Judicial Panel found that even though the website page was private from public search, any individual can access the page with the proper link which would expose the title in question of *“Vote Andrew and Sophie.”*

The Judicial Panel feels if the link can be obtained and viewed by an undergraduate student at The Ohio State University as presented in the plaintiff’s evidence, then the title of *“Vote Andrew and Sophie”* acts to gain votes premature of the campaigning period. The link itself has the capability of being shared with any individual.

The Judicial Panel would like to note that the existence of the GoFundMe website page to ask for financial assistance for a campaign is not in question and is not in violation of the election bylaws. In *Article II Section A Subsection 2 Subsection c Subsection i*, the bylaws state, *“Candidates, candidate teams, and slates may ask, verbally, electronically, or in writing, for assistance in campaigning from individuals or student groups at any time.”*

The Judicial Panel orders that the title of the website be changed within 24 hours of this majority opinion being issued. Also, the Judicial Panel orders that the defendants receive a penalty of one hundred (100) dollars. Per IV.A.1, this amount must be deducted from the defendants’ campaign spending limit, as denoted on the Campaign Value Report (CVR), to twenty-four hundred (2400) dollars.

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It is so ordered.

Signed: The Judicial Panel

Majority:

Chief Justice Connor Greenwood, Presiding

Justice Seth Lamp

Justice Nasra Warsame

Justice Thomas-Hughes

Dissenting:

Justice Ben Eyssen