

-----OPINION OF THE-----
University of Kentucky
Student Supreme Court

IN. RE. HARPER SMITH PETITION FOR APPEAL OF ELECTION DISQUALIFICATION

MR. CHIEF JUSTICE LAUGHLIN WRITING FOR THE COURT

This matter comes before the Court on a Petition for Appeal submitted via email by Ms. Harper Smith, a potential candidate in the upcoming Spring 2013 Student Senate elections who was disqualified by the elections board. Following an electronic meeting among a quorum of the Justices, the Court is of the opinion that Ms. Smith's appeal ought to be denied.

Ms. Smith was disqualified and ruled ineligible to be a candidate for failing to deliver the necessary number of signatures on her application form. In particular, Ms. Smith turned in numerous signatures on a self-made document as opposed to the formal "2013 Student Government Spring Election" signature form.

The filing procedures state that "signatures *must* be returned with the application on '2013 Student Government Spring Election' signature forms for candidacy to be valid." Citing this failure to conform to the mandate in the election rules, the election board disqualified Ms. Smith from running.

Ms. Smith argues in her petition for appeal that she substantially complied with the intent of the signature form. While the Court notes the force of her argument, it is essential that election rules be uniform and complied with to preserve the reliability and efficiency of the electoral process.

Additionally, the self-made forms involved here did not include the following phrase included in the provided-for SGA signature sheets:

We, the undersigned University of Kentucky Students, agree that the above name candidate(s) should be placed on the ballot for the Student Government 2013 Spring Election. Our signatures do not necessarily constitute support for the candidate, but support his/her right to be an official candidate.

As Ms. Smith wrote in her emailed petition:

Although it is true that I did not utilize solely '2013 Student Government Spring Election' signature forms, I did use forms that were identical to them **excluding** the above statement.

The phrase on the signature sheets is more than a mere formality. The phrase notifies the signatory of the force and effect of his or her signature. Without this phrase, the purpose of the

signature form is not met. Use of an informal self-made signature form falls short of both the actual rules and the purpose of the rules.

The Court is aware of the fact that there are currently only 14 candidates running for the 15 open Student Senate slots, enabling Ms. Smith to still be elected to office by a write-in election. The write-in process exists for the purpose of circumnavigating the filing procedures by the popular will of the student body, and we encourage Ms. Smith to take advantage of that opportunity.

For the aforementioned reasons, Ms. Smith's Petition for Appeal is **DENIED**.

KIRK A. LAUGHLIN, CHIEF JUSTICE