Party’s Brief:

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The facts of this case are irrevocable. Subsection 1 of Section 303 of the Election Code states that “the number and placement of these [polling] locations shall be approved by the Congress at least four (4) weeks before the IUSA election.” These polling locations were approved by Congress three (3) weeks prior to the IUSA election, on February 9th.

The IUSA Elections were announced in late January, making February 2nd the first scheduled meeting of Congress in which the 2010 Elections Code could be approved. The Elections Code was passed on February 2nd, meaning that the next biweekly meeting in which any resolution mandated by that Election Code would fall on February 16th. Members of Congress were fully aware of this fact, yet they chose to still ratify the 2010 Elections Code, indicating an implied acceptance of the necessity to approve the polling locations at the next possible meeting (on February 16th).

When codes of law are analyzed, both the wording of the document and the legislative intent of the proposed bill should be taken into account. It is clear that the Congress was unable to satisfy the letter of the law, but it is my opinion—as a former Speaker of the IUSA Congress, a current voting member of the IUSA Congress, and as the Presidential Candidate on the Kirkwood Ticket—that the Congress abided by the spirit of the law. The purpose of Section 303 of the Elections Code is to provide a forum through which students may vote in fair, free, and unbiased environs—indicated by the spirit of fairness between both tickets guaranteed by subsections 2, 3, 4.
While not necessarily relevant to this case, the issue of bias echoes throughout this case. It should be noted that the person who set the Elections date (and waited until the absolute last second possible to do so) and has overseen all appointments and processes related to the 2010 Elections—IUSA Vice President Jack McCarthy—was the petitioning ticket’s Vice Presidential Candidate’s running mate on the Btown Ticket.⁠¹ Also, the individual that controls the agenda power (and thus, who controlled the scheduling of the February 16th vote on polling locations that violated the Code) within the IUSA Congress—the Speaker of Congress—has a manifest bias—she is listed as the “Campaign Manager for Congress” on iUnity’s website.

The Student Body Supreme Court utilizes three standards which petitioners must prove in order for the Court to provide injunctive relief—and while the first two may be satisfied within this case, the third (that “the absence of injunctive relief would cause immediate, irrevocable, and egregious harm to the petitioner, other interested parties, and/or the student body”) certainly is not. If injunctive relief is granted, the Kirkwood Ticket (as characterized by “other interested parties”) would be at an overwhelming disadvantage on Election Day, as the most highly-trafficked areas across campus would be capitalized by the iUnity Ticket, granting iUnity unparalleled (and insurmountable) and unfair access to voters. If injunctive relief is not granted, the petitioner would face minor “inconveniences”—if an objective observer would call enforcing a fair voting method an “inconvenience”—but those discomforts would not be classified, by any reasonable person’s definition, as causing “immediate, irrevocable, [or] egregious harm to the petitioner”. Regarding the third party (the student body), any unaffiliated person would state that, by granting injunction, the Supreme Court would be causing “immediate, irrevocable, and

⁠¹ And, to state that any running mate can be impartial in the following election is as ridiculous as stating that Vice President Dick Cheney, if he were not to have sought renomination in 2004, could have been impartial in the contest between his running mate, George Bush, and competitor John Kerry.
egregious harm” to the spirit of a fair and free election, an election that is intended to gauge student opinion—not to gauge the number of students that can be harassed and roped in by campaign pollworkers at what the student body, speaking through the Student Body Congress, have declared should be impartial zones of democracy.