

**JUDICIAL COUNCIL OF THE ASSOCIATED STUDENTS  
OF THE UNIVERSITY OF NEVADA**

MERRILL v. LOPEZ

Filed March 28, 2012

Decided April 09, 2012

DIRECT JUDGMENT OF THE JUDICIAL COUNCIL OF THE ASSOCIATED  
STUDENTS OF THE UNIVERSITY OF NEVADA

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Justice Weaver writing for the unanimous opinion of the Council,

The issue brought before the Council regarding endorsement of a student government Vice Presidential candidate is a very complex one. For this reason, a hearing was held to determine the facts of the matter and whether or not the actions were sufficient enough to merit violation of SAS 502.12.3b.5, 502.12.d.2, and 502.12.d.3.

The facts of the case, as determined by the hearing of the Judicial Council held on Monday, April 9<sup>th</sup>, 2012, are as follows. RJ Lopez is an active member of the Center for Student Cultural Diversity, of which Mr. Jody Lykes is an administrative faculty member of. During the course of the elections process, RJ Lopez continued to frequent the Center, however, he did this in a manner not consistent with campaigning. Sometime during a faculty meeting amongst Center faculty, it was decided that they would endorse RJ Lopez for Vice President. Mr. Lykes intended to create a posting on the Facebook page of the Center for endorsement purposes. However, this post did not come about. Instead, an email was sent out to the College Life list serve, servicing 380 students. In the subject line of this email, it stated "Vote for RJ Lopez ASUN VP." This is the only endorsing aspect of the email, as the body merely provided a link to WebCampus, where students could go to vote. These are the facts of the case as determined through the hearing held by the Judicial Council.

Based on the facts of the case and on the specificities of SAS, the Court has found that RJ Lopez is not responsible for the email sent out by Mr. Lykes. As such, he did not violate any section of SAS in conducting his campaign. This issue is beyond the scope of jurisdiction for this court, due to the fact that the originator of the endorsing email is an administrative faculty member. Therefore, the Council requests that the Director of the Associated Students of the University of Nevada address this issue with a memo to remind all faculty, both academic and administrative, of their roles during elections, as well as the proper way to endorse candidates if they so choose.

It is so ordered.

Justice Weaver joined by Chief Justice Ellis, Justice Dimitrov, and Justice Stegall