



Student Government
University of North Texas

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**Supreme Court of the Student
Government Association**

EX PARTE EASTON HAWTHORNE LACHLANN

ON PETITION FOR A RULING ON CANDIDATE
ELIGIBILITY

Case No. 1.
Decided March 21, 2016

Before CHIEF JUSTICE ANDERSON, AND JUSTICES ANDREWS,
SUAREZ, BENSTOWE, AND WESTBROOK.



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CHIEF JUSTICE ANDERSON delivered the opinion for a unanimous Court.

Easton Hawthorne Lacklann “will graduate from the University in May of 2016 and proceed directly into Toulouse Graduate School in Summer 2016,”¹ but will “remain concurrently enrolled in a number of undergraduate courses”² totaling “no less than twenty credit hours, or roughly four semesters[.]”³

Mr. Lacklann indicated at the hearing that he will *both* be enrolled in enough graduate classes to be considered a full-time graduate student, *and* would potentially be enrolled in enough undergraduate credit hours to be considered a part-time undergraduate student. Mr. Lacklann is on track to file for candidacy on time. Mr. Lacklann asked this Court whether he is eligible to run on the President/Vice-President ticket.

We agreed to hear Mr. Lacklann’s case, and now dismiss and remand for fact finding.

I

The Rules on Candidacy lay out the eligibility requirements for those seeking office. Upon the closing of applications, “the *Election Commissioner* will notify applicants, by email, of their eligibility for candidacy.”⁴

¹ Brief of Easton Hawthorne Lacklann at 1 (hereinafter, Brief of Lacklann).

² *Ibid.*

³ *Ibid.*

⁴ By-Laws of the Student Government Association, Art. 5, Sec. 4(B) (Revised 2/24/2016) (hereinafter, By-Laws) (emphasis added).



Mr. Lachlann told the Court that neither the Election Commissioner nor the Election Board issued a decision on this matter, and was instead referred to us *by the Election Commissioner*. That was improper as a matter of procedure.

II

Article VI, sec. 5(A) indicates that this Court has “binding original jurisdiction over disputes arising over this Constitution, the Student Government Association Bylaws and its component documents, actions of the Student Senate, and Student Elections.”

While this statement appears to be broad, it is limited in scope by several specific provisions of the By-Laws. Article V, which lays out the rules on elections, indicates that election “regulations are subject to interpretation *only by the Election Board*, [the] interpretation of which is subject to review only by the SGA Supreme Court.” These regulations include “questions of candidate eligibility[.]”⁵

Since this is a case of first impression, the Court exercises restraint in choosing to not reach the merits at this time. Many questions at this time are left unanswered, such as how Mr. Lachlann will be classified by the University, and whether obtaining a degree this May will alter that status.

Accordingly, this case is **REMANDED** to the Election Board for further fact finding. Once the Election Board renders a decision, with the additional information, Mr. Lachlann has unquestionably reserved his right to appeal to this Court. But due to the nature of the controversy

⁵ Art. V, sec. 2(C).



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and the clear procedure for which this Court may grant relief to such a controversy, the Court feels it best to have the Election Board hear the case *first* and render a decision.

Additionally, in order to “provide for the fairness, equitability, and efficiency of all SGA elections[,]”⁶ this Court **STAYS** the closing of the time for Mr. Lachann and his running mate to make proper filings, until such a time as this matter is resolved in a reasonable amount of time. Indeed, student elections facilitate the development of the most important skills, such as oral advocacy, expression, and working to bring about change.

This Court would commit a mortal sin if it permitted a potential candidate to remain in a state of uncertainty about his or her eligibility. Such a decision would forego our duty of ensuring proper justice, fairness, and above all else, the implicit collegiate duty of ensuring the existence of a robust market place of ideas.

In sum, this matter is **REMANDED** to the Election Board for further fact finding, and this Court imposes a **STAY** on the closing of applications and filing deadlines, as applied to Mr. Lachann and his running mate, until this matter is resolved.

It is so ordered.

⁶ By-Laws, Art. V, sec. 1(D).