



Student Judiciary

511 Memorial Union, 800 Langdon Street, Madison, WI 53706

phone: 608.265.4ASM ♦ fax: 608.265.5637

www.asm.wisc.edu/student_judiciary/index.html

UW Roman Catholic Foundation, Petitioner

v.

Student Services Finance Committee, Respondents

2005 ASM SJ 16

SUPPLEMENTAL ORDER OF THE COURT

Cite As: 2005 SJ Ord. 27

*Before Fox, CJ, Brusda, and Tyack, S.JJ.
Supplemental Order of the Court.*

♦
Nicholas J. Fox
Chief Justice

♦
Nathaniel Romano
Vice-Chief Justice

♦
Timothy Leonard
Chair, Student
Elections
Commission

♦
Shannon Brusda
Associate Justice

♦
Amber Hodgson
Associate Justice

♦
Joshua Tyack
Associate Justice

NICHOLAS J. FOX, Chief Justice. 1. Recently, the Court handed down Judgment in regards to *UW Roman Catholic Foundation v. Student Services Finance Committee (II)*, 2005 ASM SJ 16. In the Opinion, the Court ruled in favor of Petitioner UWRCF on several counts, which ultimately resulted in the restoration of \$4,961.00 for Lenten Booklets, \$84.00 for Bulletins, \$35,462.00 for rent, and \$3,000.00 for janitorial supplies. *Opinion Remedy.* The Court ruled in favor of Respondent SSFC on the Small Group Events advertising line item, indicating that there was not enough evidence submitted to the Court or argued at oral arguments to indicate that the SSFC as a corporate body had acted improperly. ¶126.

2. The Court also ruled in favor of Petitioner in regards to the Student Event Coordinators, stating that the evidence showed a higher standard was imposed upon Petitioner for this line item in relation to other groups. The Court noted that while year-to-year fiscal responsibility is essential to the segregated fee system, said responsibility must be factually linked to Petitioner's budget and expenditures and not just invoked as a guise for making cuts. *Opinion, Part III.*

3. However, when issuing remedies, the Court omitted any direct remedy for the Student Event Coordinators, even though the Court had ruled in Petitioner's favor on that count. Rule 5 (d) of the *Student Judiciary Rules of Procedure (2005)* states, "**Orders:** At the conclusion of the Majority Opinion, the court shall announce for which party or parties judgment is entered *on each claim* and such orders as are warranted" (emphasis added).

4. It is clear, then, that while the Panel ruled in favor of Petitioner, it omitted that formal declaration of Judgment and Remedy in the Final Orders of the Court. The *Student Judiciary Rules of Procedure (2005)* mandate that the Court issue a formal Judgment and Remedy to this count; it was the intent of the Court to do so, but a lapse occurred and the final Judgment and Order to this count was not entered.

Wherefore, for the reasons stated above,

IT IS ORDERED that the Orders of the Court in the Majority Opinion of *UW Roman Catholic Foundation v. Student Services Finance Committee (II)*, 2005 ASM SJ 16, be AMENDED to read the following:

"Wherefore, for the reasons stated herein:

IT IS ORDERED that Judgment be ENTERED for Petitioner in regards to the SSFC's cuts to the Lenten Booklet, Bulletins, Rent, Janitorial Supplies and Services, and Student Event Coordinators;

IT IS FURTHER ORDERED that the Funding Decision of the SSFC in regards to the Lenten Booklets, Bulletins, Rent, Janitorial Supplies and Services, and Student Event Coordinators is REVERSED;

IT IS FURTHERED ORDERED that the SSFC reinstate the following amounts to Petitioner's budget:

1. \$4,961.00 for Lenten Booklets.
2. \$84.00 for Bulletins.
3. \$35,462.00 for Rent.
4. \$3,000.00 for Janitorial Supplies
5. \$15,262.50 for Student Event Coordinators;

IT IS FURTHER ORDERED that Judgment be ENTERED for Respondent in regards to the SSFC's cuts to the Advertising for Small Group Events;

IT IS FURTHER ORDERED that the SSFC forward Petitioner's budget as amended per the Court's opinion on to the ASM Student Council;

IT IS FURTHER ORDERED that the ASM Student Council will consider Petitioner's budget at its next regular business meeting in accordance with all procedures for such consideration."

IT IS FINALLY ORDERED that the amended Majority Opinion be re-sent to all parties and re-published in its amended form

By the Student Judiciary,

IT IS SO ORDERED.

Nicholas J. Fox, Chief Justice
Shannon Brusda, Associate Justice
Joshua Tyack, Associate Justice

Published: 17 December 2005, 6.00PM

Attest: /s/ NJF