

STUDENT GOVERNMENT ASSOCIATION SUPERIOR COURT

ZAFAR v. SGA ELECTION BOARD

NOVEMBER, 2017

Bourland, CHIEF JUSTICE, delivered the unanimous opinion of the Court.

What follows is a Summary Order for this appeal. The Court did not write an official opinion. This Order contains the reasoning of the Court.

We have decided to reverse the decision by the Election Board that the Zafar grievance was filed in bad faith. Filing in good faith requires an objective belief that a violation occurred based on the text of the Code. The filer is not necessarily required to know the ins and outs and workings of the election board before filing.

We hold that a third party could read these messages and have an objective belief that a violation occurred in the form of an unsolicited electronic message. It is irrelevant to our analysis whether the Board would uphold or deny this grievance.

The ruling on a bad faith grievance is REVERSED. This is no longer a bad faith grievance. Because this was the third bad faith grievance, the Meraz Campaign should no longer have a penalty for bad faith grievance filings. Reduce the total grievances for the Meraz Campaign by 1. This is the opinion of the Court.