

UNIVERSITY OF SOUTH FLORIDA STUDENT GOVERNMENT Office of the Attorney General

Legal Opinion (S) 52-006

Subject: Certification of Mid-term Elections Date: October 14th, 2011

A written request asking for a Legal Opinion was issued by ERC Supervisor of Elections on October 14th, 2011. Mr. Bodden asked for clarification when the results of the Midterm Election must be certified in order to be in compliance with the governing documents.

Title VII of the Student Government Statutes makes no reference to when Mid-term Elections must be certified. However, the statutes for midterm elections are written in such a manner as to reference the statutes for General Elections if not specified. For example, statute 703.6.1 states that Mid-term Elections shall follow the violation assessment procedure of the General Electiosn.

The requirement for General Elections is as follows:

701.6.8. The Election Rules Commission shall certify the results of the General Election on the Friday following the close of the polls at 5:00 PM.

Therefore, it is my opinion that the Mid-term Election results must be certified the Friday following the close of elections by 5:00 PM.

10-14-11P05:24 RCVD

Brian Goff

Attorney General

CC: Student Body President Matthew Diaz Acting Chief Justice Robert Then Senate President Khalid Hassouneh SGATO Assistant Director Jessica Morgan

ERC Supervisor James Bodden