**TEMPLATE 1**

IN THE

**Baylor University Student Court**

ELIZABETH DOE,

*Petitioner*

*v.*

BAYLOR UNIVERSITY ELECTORAL COMMISSION,

*Respondent*

**Petition for Writ of Certiorari**

**to the**

**Baylor University Electoral Commission**

**PETITION FOR REVIEW**

Elizabeth Doe 555-830-9634

Daniel Kaffee 555-602-1758

*Advocate for Petitioner*

TEMPLATE 1

**TABLE OF CONTENTS**

**TABLE OF AUTHORITIES……………………………………………………(PAGE #)**

**QUESTIONS PRESENTED……………………………………………………(PAGE #)**

**RELEVANT FACTS……………………………………………………………...(PAGE #)**

**PRIOR DECISION……………………………………………………………….(PAGE #)**

**RELIEF SOUGHT………………………………………………………………..(PAGE #)**

**ARGUMENT FOR REVIEW…………………………………………………...(PAGE #)**

TEMPLATE 1

**TABLE OF AUTHORITIES**

***COURT PRECEDENT***

*SMITH v. ELECTORAL COMMISSION* (2001)

The Student Court reversed the decision of the Electoral Commission by establishing that the mistake made by the petitioner was “an error, but a harmless error”.

*GELLER v ELECTORAL COMMISSION* (2013)

The Student Court established that an Election’s completion does not prohibit a party with standing from challenging the results of that Election.

***BAYLOR UNIVERSITY STUDENT BODY CONSTITUTION***

Article IV, Section 5, Paragraph 3, Clause A

Article IV, Section 7, Paragraph 3

***BAYLOR UNIVERSITY ELECTORAL CODE***

Provision 1.5.6

Provision 2.2.4

TEMPLATE 1

**QUESTIONS PRESENTED**

*I.*

*Did the Electoral Commission err in its refusal to accept Ms. Doe’s Candidate Application?*

*II.*

*What establishes a “commonly known” nickname pursuant to Provision 2.2.4 of the Electoral Code?*

TEMPLATE 1

**RELEVANT FACTS**

Elizabeth Doe was a freshman at Baylor University in September 2015. Ms. Doe submitted a Candidate Application for the Freshman Senatorial Elections. The name listed on the Application was “Lisa Doe”. Many of Ms. Doe’s friends and acquaintances knew her by the name “Lisa”. All other portions of the Candidate Application were filled appropriately.

TEMPLATE 1

**PRIOR DECISION**

The decision being appealed is that of the Electoral Commission not to accept Ms. Doe’s Candidate Application because “the Application did not include the candidate’s legal name or an acceptable nickname”. The full decision was received via e-mail from the Electoral Commissioner and was as follows:

“Ms. Doe,

Your concerns regarding the matter of your Application have been addressed and voted on by the Electoral Commission. The Commission stands by its decision to deny the Application. Candidates are required to include their name within their Application. In your case, the Application did not include the candidate’s legal name or an acceptable nickname under the Electoral Code.

Best,

Joseph Leland”

TEMPLATE 1

**RELIEF SOUGHT**

The Petitioner in this case desires that the above decision of the Electoral Commission be **REVERSED**, and that Ms. Doe’s Candidate Application form be accepted so that she may continue the candidacy process.

TEMPLATE 1

**ARGUMENTS FOR REVIEW**

The Court can review this matter because the Electoral Commission is a body which is under the Court’s appellate authority pursuant to Article IV, Section 5, Paragraph 3, Clause A; therefore, any decision of the Electoral Commission falls under the jurisdiction of the Court to review.

The Court should review this matter because it involves Student Elections. Student Elections are one of the most important student functions on Baylor’s campus and they recur on a yearly basis. The result of the facts above is that any precedent set by the Court in this matter is likely to be used and referenced for quite a long period of time.

AND

The Court should review this matter because it involved a clause within the Electoral Code that is quite vague and open to several interpretations. This case is an opportunity for the Court to establish an interpretation of that clause that is likely to be considered authoritative in future Elections.

*Respectfully Submitted,*

Elizabeth Doe 555-830-9634

Daniel Kaffee 555-602-1758

*Advocate for Petitioner*