**TEMPLATE 6**

IN THE

**Baylor University Student Court**

ELIZABETH DOE,

*Petitioner*

*v.*

BAYLOR UNIVERSITY ELECTORAL COMMISSION,

*Respondent*

**On Writ of Certiorari**

**to the**

**Baylor University Electoral Commission**

**BRIEF AMICUS CURIAE**

**OF THE FORMER ELECTORAL COMMISSIONER**

**IN FAVOR OF THE RESPONDENT**

Taylor West 555-229-5543

 *Former* *Electoral Commissioner*

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**IDENTITY AND AUTHORITY TO FILE**

*Acting as Amicus Curiae in writing this Brief:*

Taylor West. I held the position of Electoral Commissioner of Baylor University from 2012-2014. I was given the authority to file this Amicus Brief by an explicit invitation from the Court to do so. I recognize that I have no inherent authority to file under the Rules of Appellate Procedure.

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**AUTHORITIES REFERENCED**

*LOGAN v ELECTORAL COMMISSION (2014)*…………………………(Page #)

The Court established a “reasonable person” standard in the interpretation of a vague clause within the Baylor University Electoral Code which referenced “emergency finances”.

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**INTEREST**

Having held the position of Electoral Commissioner in the past, I am familiar with some of the struggles facing the students who now hold that position and will hold it in the future. I understand the difficulty in attempting to interpret and enforce an Electoral Code that is not always clear. As I still have a year at Baylor, I have a vested interest in attempting to ensure that elections are held fairly and correctly each year.

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**ENCOURAGEMENT TO FILE**

Excepting the expressed invitation of the Court; no student encouraged me to file.

This Brief was not constructed by, or with the aid of, either party.

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**ARGUMENTS**

In the case of Logan v Electoral Commission (2014), during which I was Electoral Commissioner, the Court established a “reasonable person” standard to the interpretation of all provisions of the Electoral Code. Essentially, the Court set the precedent that, whenever a provision of the Code is unclear, the Commission should attempt to interpret it as a “reasonable person” would.

 It seems fairly clear to me that the Electoral Commission in this case was simply trying to apply that same standard to Ms. Doe’s application and the language of a “commonly known” nickname within the Electoral Code.

 Working off of the assumption above, the Electoral Commission correctly applied the “reasonable person” standard in this case. It is not reasonable to expect the Electoral Commission to investigate the individual social circle of every candidate who uses a nickname in order to determine whether it is “commonly known”. It is reasonable, on the other hand, to expect the Commission to base their interpretation upon nicknames commonly applied to specific name.

 It is for the above reasoning that I urge the Court to find in favor of the Respondent and to affirm the decision of the Electoral Commission.

*Respectfully submitted,*

Taylor West 555-229-5543

 *Former Electoral Commissioner*