

Memorandum

To : Mrs. James Greer, Chief Justice
Associated Students Judiciary
Associated Students Office

Date : December 20, 1963

File No.:

From : Long Beach State College - Professor V. A. Metzger, Faculty advisor
L. B. S. C. Chapter
Society for Advancement of Management

Subject:

Current Status of L. B. S. C. Chapter, Society for Advancement
of Management

In view of the loss of several of its officers, the L. B. S. C. Chapter, Society for Advancement of Management requests that it be given inactive status for the Fall 1963 semester.

The organization expects to be active during the Spring semester.

VAN:rw

cc: Dean Lois Swanson
Professor Arthur Lanfer

To:

January 8, 1964

From:

Subject: Dr. Vernon Metzger
Business Dept. (LA5-308)
Long Beach State College

Dear Dr. Metzger:

It has been brought to the attention of the A. S. Judiciary that your organization has not filed the following documents with the Office of Student Affairs:

1. Membership roster
2. Officer roster and report
3. Membership certificate
4. Initiation practices certificate

The Organizations Commission has recommended to the Judiciary that your organization be suspended for not filing the above documents.

The Judiciary is meeting Friday (1/10/64) to consider the Organizations Commission's motion. If either yourself, or another representative from the organization could attend our meeting, it would be greatly appreciated.

The meeting will be held at 12:00 noon in the A. S. Senate Chambers.

Sincerely,

Jim Greer
A. S. Chief Justice

JG/lk

*Continue
write*

Memorandum

To : Mr. James Greer, A. S. Chief Justice
Forty-Niners
Associated Students
Long Beach State College
6101 East Seventh Street
Long Beach, California

Date : January 13, 1964

File No.:

From : Long Beach State College - Professors A. C. Laufer and V. A. Metzger

*V. A. Metzger
A. C. Laufer*

Subject: Current Status, L. B. S. C. Chapter, Society for Advancement
of Management

- References:
- 1) Memorandum to Mr. James Greer on above subject dated 12-20-63 (see attached copy)
 - 2) Your letter dated 1-8-64, also on above subject matter

It is respectfully requested that the A. S. Judiciary not suspend the L. B. S. C. Chapter of the Society for Advancement of Management for the reason given in the attached copy of 12-20-1963 memorandum.

ACL/VAM:rw
Enclosures

1 MOVE FOR CONTINUANCE TO 3-3-64 BY MR. JOHNSTON
ACCEPTED 3 TO 1 Mc PADDEN NEGATIVE
SUBJECT TO REVOCATION ON 3-3-64 AT WHICH JOHNSTON
WILL + PRESENT.

2 CREATIVE WRITING
MOVE TO REVERSE BY JOHNSTON - POSTPONED TILL 3-3-64

February 19, 1964

C
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P
Y

Professor Vernon Metzger (LA5-308)
Production Management
Business Administration Division

Dear Professor Metzger:

I am writing you in regards the case of the Society for the Advancement of Management that was heard before the A. S. Judiciary on February 18. The Court postponed any action until the following Tuesday (February 25) so as to allow this office to contact you and check on the current status of the Society and its plans for the future, if any.

In any event, the Court will be forced to take action if the rosters and other pertinent information requested are not submitted to the Office of Student Affairs.

Sincerely yours,

Jim Smith, Administrative Assistant
to the A. S. President

State of California

Memorandum

To : John Johnston
A. S. President

Date : March 11, 1964

File No.:

From : Long Beach State College - Sharon Wehr
Student Affairs Office

Subject:

In the absence of the Commissioner of Organizations, we would like to report that the Creative Writing Club, Society for Advancement of Management both have all forms and certificates on file in our office.

SW

p.s. We have nothing for Pi Gamma Mu.

Associated Students Judiciary

The Associated Students vs The Society for the Advancement
of Management
and
The Associated Students The Creative Writing Club

Decision:

The A.S. Judiciary sitting as a Court of Appeals at its March 17, 1964 meeting defeated the prosecution's motion for a reversal of its March 10, 1964 decision in reference to the above cases by a 2 - 3 vote. The Court, however, recommended to the clubs involved that they apply to the A.S. Senate for special legislation which would grant them a new charter. The Court will strongly recommend that the A.S. Senate act forwardly on such application. The vote of the Court was as follows:

Justice McFadden	No
Justice Metzger	No
Justice Fehn	No
Justice Kaeltner	Yes
Chief Justice Greer	Yes

A.S. Judiciary

MINORITY REPORT

March 17, 1964

RE: Associated Students vs Society for the Advancement of Management
and Associated Students vs Creative Writing Club

The minority feels that when a charter is revoked it is not destroyed or disintergrated; rather, we feel that a revoked charter reverts from the club to the Associated Daan of Students or the Associated Students, but remains in existence. Therefore, we feel that it is possible for the A.S. Judiciary to reverse its decision ordering the charter revoked and return them to the organizations involved on the basis of new evidence. In taking this type of action, the Judiciary is not legislating and chartering or rechartering any organization, but it is seeing justice done by setting aside a wrong and unjust decision.

Further, we of the minority feel that anyone should have the right to appeal a decison of any court to the next highest authority, even if this should be the same body that originally decided the case. We cite as example, cases where decisions of the Supreme Court have been appealed back to that same body; this does not imply that the court must hear the appeal, but that it may reverse or sustain its decision.

Although it may have been through mechanical breakdown that the Judiciary did not receive written notice that the regulations had been complied with, and that the charges were being dropped, we still hold that it is, and was the responsibility of the plaintiff, namely, the A.S. President, or his representative, to make certain that the Judiciary did in fact receive such notice. It is

A.S. Judiciary
MINORITY REPORT
March 17, 1964

the responsibility of the plaintiff and of the defendant to be present in court until the final decision of the Judiciary has been rendered; thus, they will not only be aware of the decision, but also the reasons for it, and the manner in which the Judiciary arrived at the decision.

Written by : Baruch Kaelter

Concerning: James Greer

ASSOCIATED STUDENTS OF LONG BEACH STATE COLLEGE

Long Beach 15, California

Interdepartmental Communication

To: James E. Greer, Chief Justice, A.S. Judiciary

Date: March 20, 1964

File No.

From: John Johnston, A.S. President

Subject: Judgment on Charters

The defendants, the Society for Advancement of Management, and the Creative Writing Club at CSCLB, hereby move that the court should vacate and set aside the judgment revoking the charters of the above organizations, because there was an incorrect or erroneous conclusion of law not consistent with, and not supported, by the findings of fact.

The defendants also move that the court should, subsequent to vacating the previous judgment, enter a judgment that the charters of the Society for Advancement of Management, and the Creative Writing Club at CSCLB should be retained.

John Johnston

To: President of the Society of Advancement of
Management

March 20, 1964

From: James Greer, A.S. Chief Justice

Subject:

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ORDER TO APPEAR

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The A. S. President is requesting that the decision of the A.S. Judiciary in the case of "A.S. vs SOCIETY FOR THE ADVANCEMENT OF MANAGEMENT", be set aside.

Therefore, the A.S. Judiciary orders you to appear at its March 31 session, at 1:00 pm in the Senate chambers.

P

Y

Decision of the A.S. Judiciary
April 7, 1964

Society for Advancement of Management vs Associated Students

The Judiciary feels that in its decision to reject the charter for the Society for Advancement of Management was in error, and does not hereby set aside the verdict of guilty.

The Judiciary further declares that Article B, Section C, of Chapter 15 of the Associated Students Bylaws is unconstitutional inasmuch as it is at variance with Article III, Section 5D of the Associated Students Constitution as a basis for argument.

James E. Lee Jr.

Defendant's 1.

Associated Students vs. Society for Advancement
Barbara Crutchfield Moore

Sam:
Creative
Writing
Club Case:

ATTORNEY AT LAW
4252 VICTORIA AVENUE
LOS ANGELES 8, CALIFORNIA

AXMINSTER 4-8785

In the event that a court makes an error and a judgment is entered incorrectly, that court may upon the proper motion vacate the judgment and a new judgment may be entered. This is according to the California Code of Civil Procedure, Section 663 which states:

A judgment or decree, when based upon findings of fact made by the court, or the special verdict of a jury, may, upon motion of the party aggrieved, be set aside and vacated by the same court, and another judgment entered, for either of the following causes, materially affecting the substantial rights of such party and entitling him to a different judgment:

1. Incorrect or erroneous conclusions of law not consistent with or not supported by the findings of fact; and in such case when the judgment is set aside, the conclusions of law shall be amended and corrected.
2. A judgment or decree not consistent with or not supported by the special verdict.

Barbara Crutchfield Moore