

ASSOCIATED STUDENTS JUDICIARY
California State College at Long Beach

SUMMARY REPORT

Case of: Ron Lofstrom vs A. S. Senate

Date : December 7, 1967

Charges:

Decision: This Court finds that the Corporation Code of the State of California grants to nonprofit bodies the right to incorporate under an Articles of Incorporation. The Associated Students is such a nonprofit body. The Court also finds that the Articles of Incorporation of the Associated Students grants to the Board of Directors the power to "...set forth in the By-Laws of this Corporation...voting rights and other rights of the members and classes of members..." Therefore ~~the~~ the Court concludes that the Senate acted pursuant to the Articles of Incorporation in setting standards and qualifications for holding offices in said Corporation.

However, this Court cannot accept any and all qualifications within this discretionary power. The Court finds that the 2.25 grade point average requirement to run for an elective office is unreasonable. It is unreasonable because it is inconsistent with other qualifications for holding office in said Corporation. This, however, is not necessarily the only test for deciding that a qualification is unreasonable. While the Court holds that this is a dominant reason for deciding the particular issue confronting it, the Court acknowledges that a qualification may be judged reasonable if other grounds exist to which inconsistency is subordinate. No such grounds exist in this case.

Roll Vote:

Edward G. Uter ³
Jan Challen
Edward G. Uter
Edward G. Uter

Prepared by

Jan Challen
Presiding Justice

Therefore, this Court orders the Board of Directors to consider Ron Loftstrom for appointment to that body unless other grounds for disqualification are present.

To be completed in triplicate

Form 5

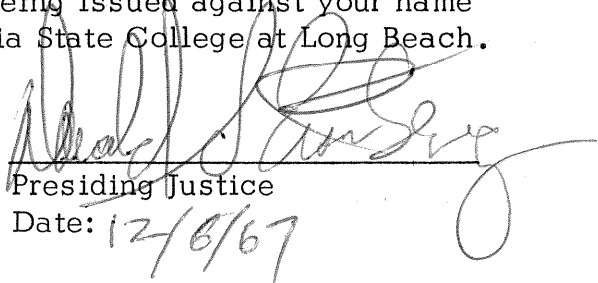
ASSOCIATED STUDENTS JUDICIARY
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ORDER OF THE COURT

To: Associated Students Senate

You are hereby ordered: to refrain from appointing any person(s) to the senate vacancy until a decision is rendered by this court in *Lofstrom v. A.S. Senate*

Failure to comply will result in a contempt citation being issued against your name pursuant to Rule #17 of the A.S. Judiciary of California State College at Long Beach.


Presiding Justice
Date: 12/6/67