

Impeachment hearing challenged by justice

By Martin Fisher
Oregon Daily Emerald

The Constitution Court Thursday enjoined the Student Senate from proceeding next week with impeachment hearings against the court's chief justice, Keith Kramer, a third-year law student.

The senate attempted to initiate impeachment proceedings Tuesday in response to a request from Thomas Huckaba, ASUO University Affairs Coordinator, that Kramer be removed for non-fulfillment of duties.

Kramer is challenging the impeachment on procedural grounds, claiming that he was provided with insufficient notice and that the senate is violating his due process rights.

Kramer claimed the impeachment hearing constituted a "contested case hearing" under Oregon law and that the hearing's procedure was governed by the Oregon Administrative Procedure Act.

The OAPA requires that both parties in a contested case hearing follow quasi-judicial rules of procedure, including the right to present evidence and cross-examine witnesses.

Various senators and ASUO President Eric Bowen sharply disagreed with Kramer and his attorney, Douglas Minger, at Tuesday's meeting, asserting that the senate was not an official state agency and not subject to the OAPA.

"He's hiding under procedural niceties," Bowen said.

Huckaba said the ASUO Con-

stitution should be considered the controlling law in the matter.

"Student government is given a guideline under which to work," Huckaba said. "I would just like the opportunity to go through the process I've been given," he told the senate.

Kramer said the ASUO Constitution merely provided a framework for student government, and the particulars were filled in by state law, which "you can't wish away for expedience," he said.

Bowen argued that, lacking specific provisions to the contrary, state law is not controlling.

"Neither should you wish (state law) in," Bowen said.

In its injunction, the Constitution Court said the senate may not proceed with further hearings until the court has reviewed the procedural requirements of the hearings.

The court also said it will seek the advice of a neutral party in determining whether the senate is subject to the OAPA and, if not, what procedures are required. Presumably the request will be made to the state Attorney General's office.

In its opinion, the court urged both sides to meet and come to an agreeable format for the hearing, saying, "We strongly urge the parties to meet ... and come to agree on a mutually acceptable set of procedures."

The senate hearing was scheduled for Tuesday, April 26. If and when it will go forward remains uncertain.

KRANZLER

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the Month by the Mortar Board Honor Society in April 1990 and received the American School Counselors Association Research Award in 1971.

Next to his family, Kranzler's greatest love was teaching. He held the belief that people can learn to change their behavior, and Kranzler dedicated his teaching career to that philosophy.

Kranzler published several professional articles and three books during his career at the University. *You Can Change How You Feel* was his most widely read book, both on this campus and nationwide.

Kranzler also wrote an unpublished account of his adventures with his wife recounting their travels following the tale of the *Odyssey* called *On the Trail of Ulysses*.

Described as a Renaissance man, Kranzler's hobbies included folk singing, wine and beer making, weaving, and raising canaries. Kranzler also enjoyed many physical activities. An avid distance runner, Kranzler ran a marathon at age 50.

"He was a man for all seasons," said Ron Rousseve, professor of counseling psychology and a longtime colleague and friend.

Kranzler is survived by his wife Carolyn, mother Minnie, sister Lennea, son John, daughter Kathryn and two grandchildren.

There will be a gathering of friends in memory of Gerald Kranzler from 3:30 to 5:30 p.m. on Sunday in the EMU International Lounge. The family has requested that contributions be sent to the Owen Rose Garden in Eugene and the American Cancer Society, in lieu of flowers.

CORRECTION

In an April 21 article on the Juvenile Services Prevention and Intervention Workshop, the cost of a required course packet was incorrectly listed. The packets cost \$4.75 each. The Emerald apologizes for any inconvenience.

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