

## Court justices look more like court jesters

**OUR OPINION:** From the Sari Wisch fiasco to elections complaints, this year's ASUO Constitution Court has proved itself to be both incompetent and inactive

Could anything else in the ASUO go wrong this year? It started with the Student Senate being unable to censure one of its own for overstepping her bounds. Then the newly elected Executive was accused of running a dirty campaign. Now, the Constitution Court is the latest perpetrator of yet another student government gaffe, shaming the last of the three branches of government.

Since the beginning of the year, the court has been rife with problems. First, it heard the case of Programs Finance Committee Senator Sari Wisch. The court barred her from voting in the Multicultural Center's budget because she changed the MCC's hearing date, mistakenly thinking the group's new mission statement had not been approved.

The court issued its decision the same night as the hearing, but exactly when the written opinion was issued no one really knows. Certainly, the *Emerald* was never notified. The opinion, which is the reasoning be-

hind the court's decision, is nearly as important as the actual decision itself. Without an opinion, it is nearly impossible to appeal a decision.

Wisch then appealed her case to President Frohnmayer, whose office remanded the case back to the court. The reason: the court's punishment violated her First Amendment rights. Unfortunately, more than two months later, the court has still not revisited the matter.

Amusingly, Wisch filed for the court's non-fulfillment of duties two weeks ago, and asked former ASUO President Matt Scotten for the court's impeachment. Scotten passed the buck, as he has been wont to do during the last two months of his term, to next year's Executive, Bill Miner and Ben Unger.

Which brings us to the next big case, the Elections Board debacle. Miner and Unger's campaign was accused of posting illegally off-campus by Judah Eckenberg, a senior majoring in mathematics, and Chris Kantrowitz and Farrah Bostic, both members of the *Oregon Commentator*. Kantrowitz and Bostic also took the Elections Board to task for failing to forward all elections complaints to the court. They argue the Elections Board cannot decide on elections complaints because of wording con-

tained in the ASUO rules.

Here's where things get pretty complicated. Stay with us. We'll use small words.

The court should have appointed a Hearings Officer. A Hearings Officer is responsible for gathering all the cases the court will hear and during an election, deciding on elections complaints.

But since the court had no idea it was supposed to appoint a Hearings Officer, even after the ASUO Executive requested one, the court couldn't indict the Election Board for not following through on its job. The Elections Board had to do something with the complaints, and since the court certainly wouldn't, the Elections Board took matters into its own hands.

It didn't help matters when former Elections Board Coordinator Stacey Harding said a week before the election that all complaints had been forwarded to the Constitution Court. She lied. The court had no idea there were election complaints. There was never an e-mail notification, as she claimed. There was never an unofficial notification, as she claimed.

So the court decided the elections were legal, but it would be looking at the election complaints, and if neces-

sary, reversing the Elections Board's decisions.

And a week passed. The plaintiffs waited for an opinion so they could file an appeal. Rumors circulated that Justice M. David Coffman disagreed with the court and had written a dissent. Usually, dissents are written after an opinion so certainly an opinion was forthcoming, everyone thought.

More than three weeks after the original decision was made, there was still no opinion. Finally, on May 19, the day the *Emerald* ran a front page story about Wisch calling for the court's removal, an opinion appeared.

There has been no indication the court looked at any election complaints. Thus far, no complaints have been reversed.

Thus far, the court has not revisited Sari Wisch's case.

Thus far, none of the justices have been removed.

But then, if the court weren't so incompetent, none of these things would have to occur in the first place.

*This editorial represents the opinion of the Emerald editorial board.*

**Quoted**

"I couldn't believe my eyes. I ran to my husband screaming, 'Tornado! Tornado!'"

*Salem resident Stephanie Flora, after the city was hit with an alleged twister on May 31*

"One of the alternatives available to me was simply not to have this issue surface. But I don't think that's what the Legislature should be about. It should be about the honest debate of differences of opinion on issues."

*Oregon Senate President Brady Adams, after allowing an alternate version of a gay rights bill to proceed in the Senate*

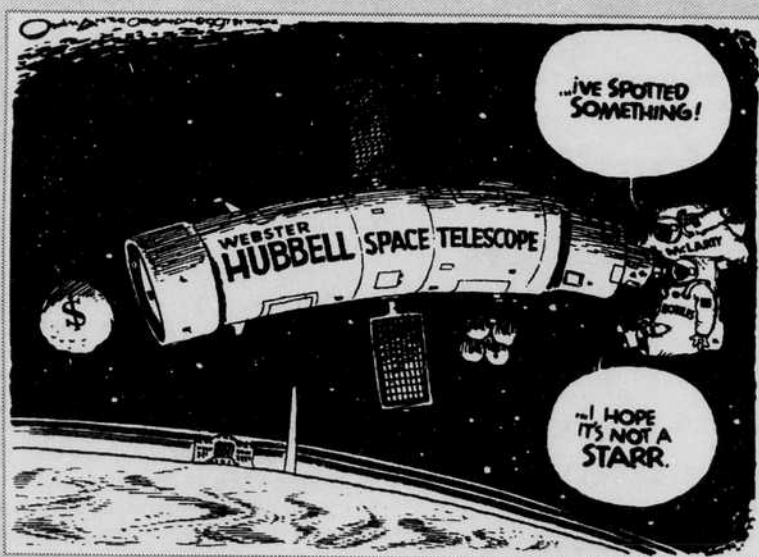
"I absolutely panicked. First I tried to call my neighbors, then I dialed 911. He wanted in, there was no doubt."

*Days Creek, Ore., resident Nikki Lugwitz, after a 300-pound black bear tried to beat its way into her house*

"My first reaction was that I started crying. It should have been blown off. It was a joke."

*Cassi Harr, a student at Portland's Jefferson High School, after she was barred from participating in her graduation ceremonies, along with three other girls, after she threw water balloons at some male classmates in a men's bathroom*

### The Drawing Board



### LETTERS

#### Shirts and service

I don't think that the city should be changing the laws about toplessness without some serious consideration. I would think that it would also have to outlaw men walking around the downtown area with no shirts to avoid sexual harassment lawsuits. Sort of a great big No Shirts, No Service sign.

Patricia Fredericksen  
History

#### Hall heroes

I would like to thank some wonderful people who have helped me immensely in reaching a goal that I've been working on for most of five years. First are the department of chemistry and the mentors that I have been lucky enough to learn from as an undergraduate working in a research lab. But for allowing me to continue

the great experiences that I've had in the department and the lab, I wish to thank several people in Oregon Hall.

My story is a long one; here's the short of it. My parents ran out of money. I applied for financial aid. When my subsidized loans wouldn't cover costs (I'm proud to be a Californian American), my parents applied for PLUS loans. This was January or so. The money still isn't here. Bad timing and luck on my part saw my folks' application lost in a big change of loan servicers. There are other students with the same troubles, and the office of financial aid has been working hard to help us out.

With the story told, I would like to thank Assistant Financial Aid Director Carol Richard, Associate Director James Gilmour, University Registrar Herb Chereck and especially Financial Aid Office Manager Vicki Bockes. Over the past year, these people have

helped me register for classes and find ways to pay my rent. They have been positive and encouraging when things weren't looking good for me, and I cannot thank them enough. You are all a big part of the pride with which I graduate in chemistry from the University of Oregon.

Devin Drew  
Chemistry

#### Dead Pioneer

Well, here we are, ending another year with no solution to the campus parking dilemma. Should we be surprised?

On tap for next year: a cap on sales of overnight parking permits; a continued effort to pave the fallow lands of campus and perhaps another push to store cars at Autzen.

Ironically enough, this cry for an increased parking supply coincides with the dismantling of our interstate

passenger rail system.

Amtrak has already been forced to kill the Pioneer, which served Eastern Oregon and Idaho, and most of the company's Willamette Valley service will disappear in July unless the Oregon Legislature acts quickly.

House Bill 3280 would provide funds to support Amtrak's five daily round-trips between Portland and Eugene. Without this support, rail service will be curtailed to one train per day.

Part of the solution to our parking problem is to reduce the number of cars on campus. Amtrak could prove crucial in that effort; isn't it time we took advantage of the services offered to us rather than paving everything in sight?

Sean Williams  
Music Education

### Correction

The story "Workers rally against end of health care," in the May 23 issue of the *Emerald*, wrongfully stated the Oregon State System of Higher Education wanted to end health care benefits for University classified employees. OSSHE's offer to the Oregon Public Employees Union Bargaining Team does not include an end to health care benefits, but rather it does not include an increase of health care benefits. The *Emerald* regrets the error.