

OPINION OF THE COURT  
UNIVERSITY OF MIAMI  
STUDENT GOVERNMENT  
SUPREME COURT

**ADVISORY ON VIOLATION OF ELECTION CODES**

ASSOCIATE CHIEF JUSTICE ALLIE FRAGA delivered this opinion of the Court.

Following the proceedings of the Trial Court, Tatiana Alvarado v. Jamie Williams-Smith / Refresh in re Participation by Non-Campaign Team Member, the Supreme Court has authored this opinion.

On March 2, 2022, Ms. Alvarado submitted a request for review, alleging that Ms. Williams-Smith violated Title 3, Section 7, Clause 1,2,3. Title 3, Section 7, Clause 1,2,3 reads, “1) A campaign shall be defined as a group of one (1) or more individuals coming together with the purpose of developing a platform (i.e., campaign goals and/or initiatives) and getting a candidate or ticket elected or referenda passed. 2) A member of a campaign is anyone who engages in graphic or verbal campaigning or contributes time and effort to a campaign in any way. Candidates must submit their list of up to 15 people to the Elections Commission as their campaign members. 3) A campaign supporter is any person who actively graphically or verbally campaigns on a candidate or ticket’s behalf.”. After the Administrative Interrogatives were asked to both parties, Ms. Williams-Smith entered a plea of NOT LIABLE.

In her testimony, Ms. Alvarado provided the Court with a video produced by Ms. Mubanda. Ms. Alvarado then began to explain how at the time of the video Ms. Mubanda was not a campaign member, and therefore was not allowed to post such a video. She also emphasized the importance of this video amassing over 1,500 views and over 100 likes (not including any reposts from other members of their actual campaign and supporters).

In their testimony, Ms. Williams-Smith/Refresh provided the Court with various documents. The first consisted of a message between Ms. Williams-Smith and Mr. Douillon. In this message, it showed that Ms. Williams-Smith told Mr. Douillon that Ms. Mubanda was going to make a video for them. Mr. Douillon's response was "Ok". He did not object to such a video at that time. Ms. Williams-Smith/ Refresh also noted that the Elections Codes do not give a time in which a campaign member must be submitted by.

Ms. Williams-Smith then provided the Court with a witness, Ms. Mubanda. Ms. Mubanda then began to describe how she is friends with both parties and thought both candidates were fine with her recording such a video. When asked if she knew she was a campaign member at the time of the video, she responded "Yes".

Ultimately, the Court understood that there is no official deadline by the Elections Commission to submit a campaign member to one's list. In the Elections Codes it states, "Any University of Miami undergraduate student may bring notice of any Elections Codes or official University policy violation to the attention of the Elections Commission up until one (1) hour after the polls close on the last voting day". Voting closed on February 24, 2022, at 11:59pm, which left one hour for any party to bring notice until February 25, 2022, at 12:59am. Since it does not specify when the last campaign member may be admitted, it is assumed that the final deadline is equivalent to the violation's deadline. The code once again states, "A member of a

campaign is anyone who engages in graphic or verbal campaigning or contributes time and effort to a campaign in any way. Candidates must submit their list of up to 15 people to the Elections Commission as their campaign members”. Since Ms. Mubanda was put as a campaign member and there was no set time on when they can submit their last member, this is not a violation of the Election Codes. The Court suggests the establishment of a deadline for campaign member list submissions prior to campaign activity.

Since Ms. Mubanda was timely added as a member pursuant to the current Election Codes, at approximately 11:20pm, the Court ruled 4-0 that Ms. Williams-Smith was NOT LIABLE and that NO SANCTIONS would be assessed against her campaign.

*HELD:* The Trial Court has NO SANCTIONS for Ms. Williams-Smith