THE STUDENT SUPREME COURT IN AND FOR FLORIDA STATE UNIVERSITY

CALVIN BOOLE, DIEGO FERMIN, JOEL WEEKS

Plaintiffs,

v. Case No. 22-FA-SC-01

SPENCER GREENWOOD, Supervisor of Elections, In His Official Capacity,

Defendant.

______________________________________/

ASSOCIATE JUSTICE LUNDE, sitting by designation, delivered the opinion of the Court.

SYLLABUS

This action was brought before this court claiming that Defendant was in violation of 705.5(C) Florida State University Student Body Statute (SBS) by proposing an apportionment plan to the Student Body Senate and incorrectly limiting the apportionment numbers to a net change of plus or minus 1 seat from the previous apportionment in Fall of 2021.

This Court dismissed, with prejudice, Counts I and II of the complaint alleging violations of the United States and Florida State University Student Body Constitutions. The 1st District Court of Appeal has found that, although Student Government is a statutorily created program by the Florida legislature, procedural violations of Student Body Statutes cannot rise to the level of violation of a student's constitutional due process rights, because "student government is an extracurricular activity – not real government." *Fla. A&M Univ. Bd. Of Trs. v. Bruno*, 198 So. 3d 1040 (Fla. 1st DCA 2016). This is also the case when extended to the 14th Amendment arguments as made by Plaintiffs.

Therefore, the error alleged in the present case do not rise to a constitutional issue regarding due process and therefore Counts I and II are inapplicable.

ISSUE

I. Did the Supervisor of Elections violate 705.5(C) SBS in his presentation of Resolution 52 to the Senate?

FACTUAL BACKGROUND

Defendant, the Supervisor of Elections proposes an apportionment plan to the Student Senate every fall after SGA advising prepares a statistical spreadsheet showing each divisions population relative to the University as a whole. Those percentages are then translated into the number of seats that each division is entitled and to ensure that the

requirements of the Student Body Statutes are met.

When Defendant proposed this plan to the Senate on August 31, 2022, the Senate was told that Chapter 705(D)(1) limits the change in seats apportioned to plus or minus one per division. This hindered Plaintiff's respective divisions, as well as others, from gaining seats and losing the proper number of seats based on the student populations in those divisions.

OPINION

705.5(C) mandates that seats are to be apportioned based on the student populations provided by the student data base numbers as provided by SGA advising. SBS § 705.5(C). The plan proposed by Defendant was explained to have capped any seat changes by one in either direction because of an understanding of a subsequent subsection of 705.5(D)(1) and misapplying that section to 705.5(C) and informing the Senate that it was statutorily controlled in that manner.

This Court finds that 705.5(C) does not say that the seats apportioned every fall are to be capped by a change of plus or minus one from the previous year. Rather, where SBS § 705.5(C) governs *how many* Senate seats each division is to be allocated on an annual basis, SBS § 705.5(D)(1) governs how those seats, as determined by SBS § 705.5(C), are to be allocated from semester to semester within the annual Senate session.

Further, the application of SBS § 705.5(D)(1) to control SBS § 705.5(C) in a proposal to the Student Body Senate without an alternative for the Senate to rely upon is a violation of 705.5(C). Section 705.5(D)(1) contains language about a difference in seats being within one from semester to semester, again, SBS § 705.5(D)(1) controls SBS § 705.5(D), which outlines the Senate's duty to designate those seats apportioned by the separate and distinct process outlined in SBS § 705.5(C) as Fall or Spring seats. Hence, SBS § 705.5(D)(1) is applicable only to "which seats shall be designated as Fall and Spring seats, respectively," SBS § 705.5(D)

Hence, we hold and declare that 705.5(D)(1) does not have any controlling effect on the guidelines set forth in 705.5(C). Section 705.5(D) and its subsections have a distinct subject matter as to what they require that does not relate to the apportionment process described above it.

Further, Respondent argued that the limiting of apportioned seats by one was a historical practice, this Court finds that this was not the case. After a review of the previous 4 years of apportionment plans, this Court finds that there has not been any strict historical practice of limiting seats by one during the apportionment process in the Fall.

Section 705.5(C) mandates that apportionment be "based on" percentages of students in each respective division as shown in the student database. SBS § 705.5(C). Defendant argued that the "based on" language only required that the data be looked at before apportioning seats. This interpretation is incorrect because it gives far more discretion to the Supervisor of Elections to apportion seats as they see fit, instead of allowing the database to dictate the apportionment per the statute's plain language. This requires that apportioned seats be as strictly correlated with those percentages as is practicable. The method used by the Supervisor of Elections, at least as to apportioned seats for Fall 2022, was a direct violation of the requirements set forth in 705.5(C).

CONCLUSION

In conclusion, this Court rejects the arguments advanced by Defendant, and declares that 705.5(C) is not controlled by the mandates of 705.5(D)(1), the application of 705.5(D)(1) to the determination of how many Senate seats each division is entitled to, as it occurred prior to the passage of Resolution 52, constitutes an improper and unlawful apportionment pursuant to our Student Body Statutes, and that because the practice of capping the net change in apportioned seats per division is unlawful, a new plan should be proposed in line with this opinion.

DONE and ORDERED, this the 13th day of September 2022, in Tallahassee, Florida.

ASSOCIATE JUSTICE GARCIA MARRERO, concurring in part and dissenting in part:

I write today to explain that I agree with the majority in their resolution of the specific dispute before the Court—whether the Supervisor of Elections violated SBS § 705.5(C) by misapplying SBS § 705.5(D)(1) to the apportionment governed by SBS § 705.5(C); however, to

the extent our ruling today constitutes a declaratory judgment as described in section 86.011, Florida Statutes (2022), I dissent.

Section 86.011, Florida Statutes, states, in part,

> The ***circuit and county courts have jurisdiction*** within their respective jurisdictional amounts ***to declare rights, status, and other equitable or legal relations*** whether or not further relief is or could be claimed. . . . The court may render declaratory judgments on the existence, or nonexistence:
>
> (1) Of any immunity, power, privilege, or right; or
>
> (2) Of any fact upon which the existence or nonexistence of such immunity, power, privilege, or right does or may depend, whether such immunity, power, privilege, or right now exists or will arise in the future. Any person seeking a declaratory judgment may also demand additional, alternative, coercive, subsequent, or supplemental relief in the same action.

§ 86.011(1)–(2), Fla. Stat. (emphasis added).

Based on the plain ordinary language of section 86.011, declaratory judgments can **only** be issued by circuit and county courts of the state of Florida. Nowhere in the text of the statute does the Florida legislature give this Court the power to issue a declaratory judgment of any degree, much less when an opinion purports to disguise judicial fiat as an equitable remedy—as the majority attempts to do, here, today.

This clear understanding of section 86.011 is undisputed—mainly because no other Florida statute can say otherwise. Looking at the enabling Florida statute for all Florida university student government, section 1004.26, Florida Statutes (2022), it becomes clear that this Court has no authority or jurisdiction to issue declaratory judgments. Section 1004.26, states in part, "A student government is created on the main campus of each state university[,]" and that "[e]ach student government shall be organized and maintained by students and shall be composed of at least a student body president, a student legislative body, and a student judiciary. § 1004.26(1)–(2). Nowhere in section 1004.26 does the Florida legislature grant a student judiciary the full authority or power of a circuit or county court of Florida.

The majority is correct in pointing out how the First District Court of Appeal

described collegiate student government as "not real government." *See ante* at 1 (quoting *Fla. A&M Univ. Bd. Of Trs. v. Bruno*, 198 So. 3d 1040, 1044–45 (Fla. 1st DCA 2016)). One is not hard pressed to understand why the First DCA came to this conclusion. Looking to section 1004.26(3) it is clear why the First DCA came to the conclusion that collegiate student government is not real government.

Section 1004.26(3) states that, "Each student government ***shall adopt internal procedures governing***: (a) The ***operation and administration*** of the student government.
(b) The ***execution of all other duties as prescribed*** to the student government ***by law***." § 1004.26(3) (emphasis added). The Florida legislature made it clear in section 1004.26(3) that collegiate student governments were (1) only to produce constitutions and/or statutes that governed the operations and administration of the government, and (2) that allowed them to execute their duties, but only so long as those duties were prescribed by law. That is the key distinction, section 1004.26(3) enables collegiate student governments to enact governing procedures, such as constitutions and statutes, that are bound by state law.

That main point brings us back to section 86.011. Section 86.011 only grants the authority to issue declaratory judgments to circuit and county courts of the state, nowhere in the statute does it grant that same power to collegiate courts—which are quasi-judicial in nature, as described by the First DCA in *Bruno*.

Therefore, given the plain ordinary language of this Court's enabling statute with the jurisdictional statute of the Declaratory Judgment Act, this Court has no jurisdiction to construe any request or plea for relief as a declaratory judgment.

Even so, assuming the plain ordinary language of the statutes that govern are not as described herein, the issuance of a declaratory judgment in this case is a misapplication of the Declaratory Judgment Act.

First, we must look to the Plaintiffs' Complaint to discern whether or not they made a proper request for declaratory judgment. The Complaint begins by stating that Plaintiff's "bring this civil action for *declaratory judgment*, injunctive, and other relief, and alleges the

following" Pl.'s Compl. at p. 1 (emphasis added). Further, Plaintiffs invoked this Court's jurisdiction under Article IV, Section 3, FSU Student Constitution. Section 3, Article IV states that,

> The Supreme Court *shall have jurisdiction*:
> 1. Over cases and controversies involving questions of the constitutionality of actions by student governing groups, organizations and their representatives.
> 2. Over ***violations of the Student Body Constitution and Statutes.***
> 3. Over conflicts between student groups.
> 4. To issue writs of mandamus, prohibition, and quo warranto when a Student Body officer is named as a respondent, or such other writs necessary and proper to the complete exercise of its jurisdiction.
> 5. To ***issue advisory opinions concerning student rights*** under the Student Body Constitution upon request of the Student Body President or any Senator.
> 6. Over cases and controversies involving student conduct as provided in Article IV, Section 4.

F.S.U. Student Const. art. IV, § 3, cls. 1–6 (emphasis added).

Section 3 of Article IV is clear in detailing this Court's jurisdiction. The plain ordinary language of our Student Constitution controls, and nowhere in that language did the founders of our Student Government—whose authority derived from the Florida legislature, as detailed in section 1004.26, Florida Statutes, grant this Court with the jurisdiction or power to issue declaratory judgments.

However, further still, assuming such a power was conferred on this Court, Plaintiffs made no effort to mention their request for declaratory relief again in their Complaint. In fact, Plaintiff's prayer for relief also lacked any language that would ask this Court to issue a declaratory judgment, or to establish what relationship exists between the Plaintiffs and the statutes. Thus, to the extent that Plaintiffs wished to seek a declaratory judgment from this Court, assuming we have the power to grant such relief, Plaintiffs failed to properly plead such request. Therefore, this Court cannot grant a relief for declaratory judgment.

The analysis above notwithstanding, this Court was asked to determine if the apportionment plan, proposed by the Supervisor of Elections and passed in Student Senate Resolution 52, violated SBS § 705.5(C). Nothing more, nothing less. Therefore, I am of the opinion that the

majority's decision, with which I agree, is not a declaratory judgment and is only a resolution of the dispute before the Court on a matter of statutory interpretation.

CHIEF JUSTICE LINSKY, specially concurring with the judgment, joined by ASSOCIATE JUSTICE GOBIN:

We believe this Court intended to issue declaratory judgment in this instance, as it was properly requested by Petitioner over a bona fide controversy of fact and law. *See generally* Alan S. Wachs, *Declaratory Relief*, FLORIDA CIVIL PRACTICE BEFORE TRIAL, 14th Ed. THE FLORIDA BAR (2022).

Petitioner's original complaint requested relief in the form of declaratory judgment. *See* Petitioners' Compl. ("CALVIN BOOLE, DIEGO FERMIN and JOEL WEEKS, bring this civil action for declaratory judgment, injunctive, and other relief"). Likewise, Petitioners' original complaint contains properly plead prayers for relief asking the Court to clarify the relationship between our Student Body Statutes, the Petitioners, the Respondent in his capacity as Supervisor of Elections, and any rights, duties, mandates, privileges, and/or powers impacted therein:

> 45. Petitioners ask this Court to find the Senate apportionment plan, as approved by Senate Resolution 52, violates the procedures laid out in SBS § 705.5(C) and is unlawful.
> 46. Petitioners ask this Court to find that SBS § 705.5(D)(1) relates to the designation of which seats are Fall seats and which seats are Spring seats, rather than limiting how many seats can be added/removed from each division per year

Id. at ¶¶ 45-46.

Having read the original complaint, Respondent correctly deduced that the complaint was for declaratory judgment. *See* Respondent's Answer to Plaintiff's First Complaint for Declaratory Judgment ("Spencer Greenwood … answers the Complaint for Declaratory Judgment"). All parties went into the hearing on the merits with the understanding that this matter concerned an action for declaratory judgment. This was further clarified upon the order granting Petitioners' motion to amend their complaint, which retained Petitioners' prayers for relief for declaratory judgment and even added language to these paragraphs.

> 45. Petitioners ask this Court to find the Senate

> apportionment plan, as presented … by Respondent GREENWOOD and approved by Senate Resolution 52 violates the procedures laid out in SBS § 705.5(C) and is unlawful.
> 46. Petitioners ask this Court to find that SBS § 705.5(D)(1) relates to the designation of which seats are Fall seats and which seats are Spring seats, rather than limiting how many seats can be added/removed from each division per year.

See Petitioners' Am. Compl. at ¶¶ 45-46.

Moreover, during oral arguments Petitioners repeatedly requested that the Court issue a ruling which would adjudicate, with finality, the statutory interpretation dispute which had become the primary issue at trial. Specifically, Petitioners requested this Court to adopt their position. Conversely, and as should be expected in a trial setting, Respondent made arguments to the contrary and urged the court to adopt their preferred position. Ultimately, the Court unanimously decided that the mandate of SBS § 705.5(D)(1) neither controls nor should be applied to the apportionment obligations as contained in SBS § 705.5(C), which closely aligns with Petitioners' arguments. However, the Court's position does not completely align with the Petitioners'. To wit, Petitioners requested an extensive array of remedies. Notably, Petitioners' amended complaint requested the issuance of a writ of prohibition to enjoin the Fall elections from occurring until four weeks after a lawful apportionment resolution is presented to and passed by the Senate. *Id.* at ¶ 47. Alternatively, Petitioners requested the Court to issue a writ of mandamus ordering Respondent to take specific and detailed actions to remediate the unlawful apportionment. *Id.* At ¶ 48.

This Court would have been justified to issue any of the relief requested by Petitioner had it chosen fit to do so. FSU Const. art. IV § 2 ("The Supreme Court shall have jurisdiction over … violations of the Student Body Constitution and Statutes"); FSU Const. art. IV § 4 ("The Supreme Court shall have jurisdiction … [t]o issue writs of mandamus, prohibition, and quo warranto when a Student Body officer is named as a respondent, or such other writs necessary and proper to the complete exercise of its jurisdiction").

However, rather than barging into the fray with writs of mandamus, prohibition, or even quo warranto, the Court elected for the less invasive option of declaratory judgment which is intended to afford Petitioners "relief from insecurity and

uncertainty with respect to rights, status, and other equitable or legal relations." *Cintron v. Edison Ins. Co.*, 339 So. 3d 459, 461 (Fla. 2d DCA 2022) (quoting *Coal. for Adequacy & Fairness in Sch. Funding, Inc. v. Chiles*, 680 So. 2d 400, 404 (Fla. 1996) (quoting *Santa Rosa Cnty. v. Admin. Comm'n, Div. of Admin. Hearings*, 661 So. 2d 1190, 1192 (Fla. 1995))).

This matter involved a controversy over Student Body Statutes, namely: 1) the relationships between Petitioners' right to proportional representation of their division in the SGA Senate as codified by SBS § 705.5(C); 2) Respondent's ministerial obligations pursuant to SBS § 705.5(D)(1); and 3) Respondent's discretion to prepare the apportionment resolution for Senate approval as held forth by the totality of SBS §705.5. That the Petitioners' specifically requested declaratory relief from their original complaint to their closing oral arguments, and the Respondent's recognition of Petitioners' complaint as one for declaratory relief as evidenced by their pleadings, oral arguments by counsel, and Respondent's own testimony taken at the hearing, declaratory judgment was well-known by all parties to be a proper remedy herein.

Even if Petitioners did not specifically plead their request for Declaratory Relief, this Court would have the discretion to grant such relief on the merits of the extant case and controversy.

It is a well-settled premise that Florida's Declaratory Judgment Act - F.S. § 86.011 - should be construed liberally. *X Corp. v. Y Pers.*, 622 So. 2d 1098, 1100 (Fla. 2d DCA 1993). The underpinning motivation of F.S. § 86.011 is "to relieve litigants of the common law rule that a declaration of rights cannot be adjudicated unless a right has been violated." *Ribaya v. Bd. of Trustees of City Pension Fund for Firefighters & Police Officers in City of Tampa*, 162 So. 3d 348, 353 (Fla. 2d DCA 2015). To further this goal, our Courts posit that the liberal construal of declaratory judgments goes so far as to say that "its 'boundaries' should be 'elastic.'" *Id.* (quoting *Bell v. Associated Indeps., Inc.*, 143 So. 2d 904, 908 (Fla. 2d DCA 1962) ("Within the sphere of anticipatory and preventative justice the use of declaratory judgments should be extended, their scope kept wide and liberal, and their boundaries elastic").

As one would expect based on how Florida courts treat declaratory judgment, the scope of F.S. Ch 86 is quite broad:

> Construction of law - This chapter is declared to be substantive and remedial. Its purpose is to settle and to afford relief from insecurity and uncertainty with respect to rights, status, and other equitable or legal relations and is to be liberally administered and construed.

See F.S. § 86.101.

> Jurisdiction of the trial court. - The circuit and county courts have jurisdiction within their respective jurisdictional amounts to declare rights, status, and other equitable or legal relations whether or not further relief is or could be claimed.

See F.S. § 86.011.

Despite the statewide and longstanding call for elasticity in the application of Declaratory Judgment by not only the Courts, but explicitly by our statutes, our colleague on the bench has strictly narrowed his lens of analysis to the idea that because F.S. § 86.011 does not explicitly empower this Court to issue declaratory relief, this Court lacks the jurisdiction to issue declaratory relief to settle a bona fide controversies of law and fact regarding the interpretation of our Student Body Statutes.

Yet, our Student Body Constitution explicitly grants this Court jurisdiction over cases and controversies regarding the violation of our Student Body Statutes. FSU Const. art. IV § 2. Hence, determination and declaration of the construal of our Student Body Statutes is indeed an action that this Court may undertake.

Further, whereas declaratory relief is intended to resolve ambiguity through F.S. § 86.021's grant of power to resolve questions of "construction or validity" of any rights, privileges, duties, and discretionary acts, resolving questions of statutory interpretation is not the only purpose of declaratory relief. *See Higgins v. State Farm Fire & Casualty Co.*, 894 So.2d 5, 12 (Fla. 2004). Rather, declaratory relief is available in suits seeking a determination of *any fact* affecting the applicability of an immunity, power, privilege, or right. *Clinton*, 339 So.3d at 462 (quoting *Heritage Prop. & Cas. Ins. Co. v. Romanach*, 224 So.3d 262, 265 (Fla. 3d DCA 2017) (quoting *Higgins*, 894 So.2d at 12)).

Here, there were several facts which needed to be determined in order to evaluate Petitioners' claims and Respondent's defenses - namely the

defenses that: 1) there existed a strict historical practice of applying SBS § 705.5(D)(1) to SBS § 705.5(C); and 2) Resolution 52 was appropriately presented to the SGA Senate before its passage:

> 2. In response to Paragraph 8, [Respondent] admits that SBS § 705.5(D)(1) states that "No division shall have a difference in allocated seats greater than one from one semester to another." However, [Respondent] operates under the historic interpretation of that statute […] which has been ratified by the Senate time and time again.
> 3. In response to paragraph 9-17, Defendant admits. However, the Senate did question the Defendant about the Statute. Specifically, what the proper interpretation of the SBS §705.5 (D)(1) was. Defendant was informed by Student Government Advisor, Jacalyn Butts, that the statute meant that at reapportionment, the Defendant cannot advise the Senate to take away more than or add more than 1 seat per college. Defendant relayed that interpretation to the Senate. For example, the College of Arts and Sciences held 12 seats last year, therefore, they can only [be] raised to 13 seats or decreased to 11 seats. Defendant was informed that the purpose of the practice was to deter a mass decrease or increase in allocated seats in a particular college.
> 4. In response to paragraph 18, Defendant divide the apportioned seats according to SBS §705.5 (D)(1). The difference between the semesters were not greater than one. The practice of not increasing or decreasing a division by more than one year-to-year is a different function.

See Respondent's Answer to Petitioner's Compl. at ¶¶ 2-4.

During a hearing on the merits where evidence was evaluated and testimony was given, both Petitioner and Respondent were questioned about historical changes in Senate apportionment from the 69th through the 74th SGA Senate.

Notably, the division of Graduate Studies went from fifteen seats (15) seats in 2017 to one (1) seat in 2022. This would be impossible if there was, in fact, a strict practice of applying SBS § 705.5(D)(1)'s mandate to SBS § 705.5(C). Per basic principles of arithmetic (i.e. additional and subtraction), the difference in years between 2017 and 2022 is five (5). If the mandate of SBS § 705.5(D)(1) that "[n]o division shall have a difference in allocated seats greater than one from one semester to another" applied to the annual

allocation rather than solely the allocation of seats *within* the annual allocation as held forth by SBS § 705.5(C), the minimum number of seats the division of Graduate Studies could possibly have in 2022 is ten (10). This is because ten (10) is five (5) less than fifteen (15).

In response to the mathematical oddity represented by the reduction of Senate seats within the division of Graduate Studies from fifteen (15) to one (1) over the course of five (5) years, Respondent argued the drastic reduction in Senate apportionment to the division of Graduate Studies was due to the passage of a companion statute, specifically one that edited SBS § 705(C)(1) to reassign seats "to reflect the percentage of the student bo[d]y engaged in an upper-division undergraduate, graduate, or professional course of study in that college." Yet, to the opposite point of what Respondent argued, the fact that SBS § 705.5(D)(1) was not applied to restrict this alteration to SBS § 705.5(C)(1) dispositively proves the proposition that no strict historical practice existed whereby SBS § 705.5(D)(1) was applied to SBS § 705.5(C) or its subsections, including the mandates of SBS § 705.5(C)(1) which reduced the number of seats allocated to the division of graduate studies from fifteen (15) to one (1).

This factual finding made by the Court - which resolves a bona fide dispute of fact as to whether or not there was a strict historical practice of applying SBS § 705.5(D)(1) to SBS § 705.5(C) - specifically calls for the remedy of declaratory judgment. This Court finds, and declares, that there is no such strict historical practice.

Yet, that is not the only reason for why declaratory judgment is proper on the merits of this controversy. As the hearing on the merits concluded, the Court had lingering questions as to how Resolution 52 was proposed to the Senate. Petitioners represented that Resolution 52 was presented in such a manner where the Senate was given no practical choice but to vote in favor of the Resolution. Respondents argued that the Senate willingly disregarded viable alternatives in order to vote in favor of the passage of Resolution 52 by an overwhelming margin of thirty-nine (39) votes in favor, one (1) against, and three (3) votes in abstention.

Having confirmed the vote totals as represented by Respondent, the Court reserved ruling until it could determine

whether or not the Senate was presented with a viable alternative to the reapportionment contained within Resolution 52. As Petitioner alleged, it was confirmed that Respondent not only urged the passage of Resolution 52, but represented to the Senate that its passage was required as it was formulated by Respondent when it was presented to the Senate. Notably, Respondent spoke of the allocation of seats per division in the past tense when describing the impacts of the pending reapportionment:

> "I'm not going to go over every single one, but I am going to go over the ones that <u>have changed</u> […] Arts and Sciences <u>gained</u> one seat, going from twelve to thirteen seats. College of Business <u>gained</u> one seat going from seven to eight. College of Health and Human Sciences <u>lost</u> one seat, going from three to two. College of Law <u>gained</u> one seat, going from one to two. College of music lost one seat, going from two to one. College of Social Sciences and Public Policy <u>gained</u> one seat, going from six to seven. Graduate student/unspecified <u>lost</u> one seat, going from two to one, and Undergraduate seats are going from twenty-four to twenty-three."

See Respondent's remarks on Aug. 31, 2022 (emphasis supplied).

Upon analyzing the impacts of an improper representation of Resolution 52 to the Senate, which was subsequently passed, this Court made a factual finding that Respondent's actions were violative of SBS § 705.5(C) because Respondent did not provide a feasible alternative that would have allowed the Senate to pass an apportionment resolution which comports with our student body statutes. Rather, Respondent presented Resolution 52 as if it were fait accompli.

Again, this factual finding which provides a definitive resolution to the issue of law which this Court was tasked with adjudicating specifically calls for declaratory judgment as the proper remedy. And even if it didn't, the purposefully elastic boundaries of Florida's Declaratory Judgment Act would permit this Court to render declaratory judgment, especially in consideration of the fact that the alternative remedies included more intrusive judicial acts such as writs of mandamus, prohibition, and quo warranto.

Rather than engage in such extremes, which our colleague suggests are more apropos than declaratory judgment in this instance, this Court is content with a less intrusive remedy which respects the

separation of powers between the branches of our Student Government Association while making it clear how the competing rights, duties, privileges, powers, and mandates as encoded by various provisions of SBS § 705.5 interact with each other in the context of reapportionment of seats by division within the SGA Senate.