



**72nd Student Senate
Judiciary Committee
Date: September 08, 2020**

Call to Order: 6:05 p.m.

Members Present: Chair Leckie, Vice Chair Chabot, Senator(s) Wang, Murcia, Little

Members Tardy: Senator(s)

Members Excused Absent: Senator(s)

Members Absent: Senator(s) Kill, Ascanio, Ross, Recht

Guests: Russell Monilla, Jorge Alfonso, Blake Mathesie, Julie Anna Ducey, President Daraldik, Senators Primozić, Gnanam

Announcements:

- Chair - We are hearing Supreme Court candidates today
- Vice Chair - Please show up to Board tomorrow at 6:30
- Members - None
- Guests - None

Committee Business:

- **Supreme Court Justices Confirmation Hearing**
 - **Julie Ducey** - Chief Justice
 - **Blake Mathesie** - Associate Justice
 - **Russell Monilla** - Associate Justice
 - **Jorge Alfonso** - Associate Justice
 - **Nathaniel Hearn** - Associate Justice
- **Bill 72** - Sponsored by Senator Primozić - Update statutes regarding Transfer Leadership Institute's leadership team selection process.

Old Business:

- **None**

New Business:

- **Supreme Court Justices Hearing- Russell Monilla**
 - Opening Statement
 - **Monilla:** I am a transfer student from California and I came in January. I would like to give back to the community that adopted me. I was in law school back in California and was a legal intern. There I was able to represent clients and do a variety of other tasks. Currently, I work as a law clerk so I am able to see the other side of the legal system compared to the trial side. I was born in the Philippines and raised in Saudi Arabia. I will be impartial as I can be, seeing as how I just moved to Florida. My job

would be to evaluate cases based on the law. Being a person of color in this position would allow me to understand a variety of backgrounds. I know that I would be good at this position and impartial. I would not care what people think of my opinions as they would be lawful and morally right

- Technical, Non-Debatable
 - None
- Senator Little moves to enter Round Table Discussion
- Senator Murcia seconds
- Round Table
 - Wang: Your application says that your faith influences your decision. How would that influence your role?
 - Monilla: My decisions would be solely based on the law and documents. My faith influences my personal morals but all of the decisions I make as a Justice would be based on our governing documents.
 - Wang: What is your evidentiary standard?
 - Monilla: That would be based on what our Constitution says
 - Chabot: Do you have any conflicts of interest that could appear in your role?
 - Monilla: No
 - Chabot: Name a time or case you studied where the law went against your personal beliefs and how did you process that?
- **TW: Rape**
 - Monilla: Statutory rape. It is a strict liability crime. While working at the public defender's office, several clients have said that they did all they could to see if they were a minor. Doesn't matter what he did to prevent this from happening. The law was extremely strict. I can see why but this person genuinely didn't know. But that is a law we have to deal with and all I can do is look at the law and defend my client. If I were a judge I would just have to look at the law. If I was a lawmaker, it would be different. Whatever the law says we have to uphold it.
- Senator Murcia moves to enter deliberations
- Senator Little seconds
- Deliberations
 - Little: Liked his answer to Chabot's question. Showed compassion for individuals while maintaining the letter of law.
 - Wang: I think he is a great candidate, especially with his diverse background.
 - Chabot: I agree. He showed that he can separate his personal beliefs from the decisions he would have to make as a Justice.
- Senator Little moves to forward the candidate
- Senator Wang seconds
- Closing
 - I just want to say that FSU deserves an impartial Justice, one that understands, is able to separate his personal beliefs, prove mercy where it can, and justice where it needs. I like to think I embody Leslie Knope, both with her impartiality and virtue.
- Vote
 - Little- Yes
 - Murcia- Yes
 - Wang- Yes

- Chabot- Yes
 - **RESULT**
 - **Candidate Passes**
- **Supreme Court Justices Hearing- Jorge Alfonso**
 - Opening Statement
 - Alfonso: I am currently a 3L and I graduated undergrad from UF with a legal studies degree. I currently am not doing any internships or externships in preparation for this position. I have before, one with a defense firm and one plaintiff. I volunteered at an organization that helps with human rights violations. Being with the FL supreme court has prepared me tremendously for this position. I am currently enrolled in 4 classes. Want to go into JAG/military. I have not served on any judicial branch before but am excited about the future.
 - Technical, Non-Debatable
 - None
 - Senator Wang moves to enter Round Table Discussion
 - Senator Little seconds
 - Round Table
 - Wang: It says in your application that you would want to expel Fraternity and Sorority Life on campus if there is a case where someone is harmed in the chapter. How do you plan on advocating for that without alienating the student body
 - Alfonso: If the case comes before me, I will see that justice is served and follow the law. It's sad to see that loss of life and while I will follow the law in whatever it says, I will take it very seriously.
 - Little: What drew you to advocacy?
 - Alfonso: My family comes from Cuba and didn't have many options to progress in society. I want to do the best I can to follow in their footsteps. Advocacy was always at the top of my list. You can go so many different ways with law as seen in my experiences. I was very fascinated with our branches of government and the military, which is why I want to go into JAG then government.
 - Wang: What education do you have in regards to the LGBTQ community?
 - Alfonso: Basic knowledge, but I will learn more should cases arise. I don't feel like I'm behind but will learn if needed.
 - Chabot: Do you have any conflicts of interest that could appear in your role?
 - Alfonso: No
 - Chabot: Name a time or case you studied where the law went against your personal beliefs and how did you process that?
 - Alfonso: It will never go exactly your way. Minority opinions happen. You have to read and learn the law to best interpret it. There was a case in 2012 in the supreme court when Obamacare came out and I was not fond of the outcome but based on the law it seemed like the proper decision. You just have to go with the law.
 - Senator Wang moves to enter deliberations
 - Senator Little seconds
 - Deliberations
 - Chabot: I was concerned about LGBTQ questions. Yes he was willing to learn more if needed but he didn't seem to think that he needed to

- Wang: Echoing the sentiments of Chabot, I am also concerned. Overall, hearing how his parents impacted him was very clear and that he would be a good representative of the student body.
 - Little: I was also concerned. Specifically about FSL but his answer was good in that he knows it's not necessarily his place.
 - Murcia: I think that being an immigrant, he would be a good representative. We should encourage him to seek LGBTQ education resources.
 - Senator Little moves to forward the candidate
 - Senator Murcia seconds
 - Closing
 - I want to thank the committee for considering me. I will do the best I can to follow the law, becoming an advocate but also interpreting what is given to me. I appreciate the questions and hope you understand my answers. I want to bring my experience from the FL Supreme Court to this position.
 - Vote
 - Murcia- Yes
 - Little- Yes
 - Wang- Yes
 - Chabot- Yes
 - **RESULT**
 - **Candidate passes**
- **Bill 72 - Sponsored by Senator Primozic-** Update statutes regarding Transfer Leadership Institute's leadership team selection process.
 - Opening Statement
 - Primozic: It's pretty straight forward. TLI has to pick their boards at certain times. To be more inclusive they run at various times. This bill makes things run more efficiently. Gives them the option to do programs in fall and spring.
 - Technical, Non-Debatable
 - None
 - Senator Little moves to enter Pro Con
 - Senator Wang seconds
 - Chabot objects, Little withdraws
 - Senator Chabot moves to enter Roundtable
 - Senator Wang seconds
 - Round Table
 - Leckie: Are there any amendments since it's been 6 months?
 - Primozic: No
 - Chabot: I think it's great that it's now in spring as well as fall considering we get a large influx of transfer students in the spring. Moving applications makes the transition easier since most positions are appointed around that time and TLI is already going or even over by that time
 - Senator Murcia moves to call the question
 - Senator Wang seconds
 - Closing
 - Thank you
 - Vote

- Y 4 (Murcia, Little, Wang, Chabot), N 0 (), Abstain 0 ()
- **Bill RESULT**
 - **PASSED**

Chabot moves to recess until 7:05, Little seconds
Little moves to end recess at 7:03, Wang Second

- **Supreme Court Justices Hearing- Blake Mathesie**
 - Opening Statement
 - Mathesie: I am a 2L. I went to UF undergrad. Currently, I am in the law seat for COGS. I have already resigned as Deputy Speaker of Judicial Affairs. Even though there is no statute against it, I will resign from COGS. I was Vice Chair of the elections commission and feel like I got a good experience there. Hopefully, we can avoid all Justices leaving at the same time. In undergrad, I was on the student conduct and greek conduct boards. I have extensive experience with codes and this type of position.
 - Technical, Non-Debatable
 - None
 - Senator Little moves to enter Round Table Discussion
 - Senator Murcia seconds
 - Round Table
 - Wang: What education do you have on the LGBTQ community?
 - Mathesie: I don't think that is relevant to my position. We don't have to decide on these issues. I don't have to know the sexual orientation of the student so I don't see it to be pertinent. I am open to any training you all suggest. The question is valid, but the issue should never come before the court.
 - Chabot: Do you have any conflicts of interest that could appear in your role?
 - Mathesie: other than COGS, which I plan to resign from, no. I am not a part of RSOs outside of the law school. If one did arise, I would recuse myself.
 - Chabot: Name a time or case you studied where the law went against your personal beliefs and how did you process that?
 - Mathesie: Right now in common law, reading the cases is interesting. You can have almost the same case with different outcomes. Personal beliefs should not come into the court. We do not make political decisions
 - Chabot: In your application, you describe your leadership style as stern. Can you explain that a little?
 - Mathesie: I am a leader and have had a bunch of positions. In the Elections Commission, there were a lot of issues that I tried to resolve. Before each case, I created a report that had all the evidence, relevant statute, and any other info so we were prepared. It was interesting since there was no organization for deliberations so I had to create that structure to run efficiently. When I use stern, it's not authoritarian, it means straightforward and fair. It's having an effective body while also being fair.
 - Senator Little moves to enter deliberations
 - Senator Murcia seconds
 - Deliberations

- Wang: I think he is a very qualified candidate. He's been in SGA for a long time and doesn't allow his personal beliefs to get in the way.
 - Murcia: I am concerned about LGBTQ+ awareness. We have had instances of misgendering on the stand. I am concerned that they would not know how to handle this situation. There seems to be a lack of knowledge. This could create an unsafe and unwelcoming environment
 - Chabot: I am also concerned about social awareness but he seems to know the job well. I am torn
 - Murcia: The job can be learned. Seeing the situation in person was awful and I want to prevent that in the future. This may not be seen often but still a huge concern.
 - Little: I want to add that he was open to training. If we were to present it to him, it seems like he would be open. Didn't see him intentionally trying to be disrespectful. Whatever measures we can take to help educate them would be best.
 - Chabot: Can we encourage him to go through allies and safe zone training after the vote?
 - Leckie: Sure
 - Senator Little moves to forward the candidate
 - Senator Wang seconds
 - Closing
 - Mathesie: I appreciate your time and look forward to this position. I really enjoyed being on the Elections Commission and going through statutes. I believe that my extensive background in this field leads me to fairly interpret and apply the law.
 - Vote
 - Murcia- Abstain
 - Little- Yes
 - Wang- Yes
 - Chabot- Yes
 - **RESULT**
 - **Candidate passes**
- **Supreme Court Justices Hearing- Julie Anne Ducey**
 - Opening Statement
 - Ducey: Thank you for being here and hearing me tonight. I applied to be on the court because I was previously on the Elections Commission. I came from a very small undergrad school, where I was a student senator. I think that being in a big community, there is so much you can do to help the student body. I feel like being on the Supreme Court is a great way to get experience and help the student body
 - Technical, Non-Debatable
 - None
 - Senator Chabot moves to enter Round Table Discussion
 - Senator Murcia seconds
 - Round Table
 - Chabot: Do you have any conflicts of interest that could appear in your role?
 - Ducey: Not that I foresee, I am a part of some RSOs but I don't foresee any problems

- Chabot: Name a time or case you studied where the law went against your personal beliefs and how did you process that?
- Ducey: There haven't been a lot of cases where I disagree with the outcome. The role of the court is to not follow their personal belief but to make a decision based on the law and the facts. No one wants to go against their beliefs but the job of the court is to go based on the law and only consider that.
- Chabot: What is your approach to statutory interpretation
- Ducey: You have to think of the purpose behind the statute. Look at the language and context when it was made. You have to look at our laws as it pertains to student conduct and the situation in which it is applied.
- Wang: What does the word discrimination mean to you?
- Ducey: As humans, we are all equal. When someone is treated differently because of things they cannot control, that is discrimination.
- Wang: Are you familiar with Obergefell v. Hodges, and what would be your ruling on the case?
- Ducey: I would have been in the majority but I don't think that will pertain to the cases we hear in my position.
- Leckie: As the Chief Justice, you would be responsible for appointing officers within the Judicial Branch. Can you commit to filling those roles right now?
- Ducey: Absolutely, that was one of my goals from the EC that I want to bring over here. Being sort of separate from the main campus, I want to increase engagement in SGA in law students and fill all those positions, seeing how they haven't been in previous years.
- Murcia: If confirmed, what would be your evidentiary standard?
- Ducey: One of my goals would be to set that standard and enforce it. I want to do this collectively with the other justices based on our knowledge, and make sure that everyone knows what it is before stepping into the courtroom. We need uniformity.
- Senator Murcia moves to enter deliberations
- Senator Little seconds
- Deliberations
 - Murcia: I really like her. I was really satisfied with her answers. It would be great to see consistency in evidentiary standards and for people to know what it is walking in.
 - Chabot: I feel like she is very ambitious. She has good goals for establishing standards and other things we have been missing. She knows when to put aside personal beliefs and follow the law.
- Senator Wang moves to forward the candidate
- Senator Chabot seconds
- Closing
 - Ducey: Thanks everyone. I really support SGA and appreciate what you do. I think this is an amazing place that's full of community. I want to make it better for the future. I think that we have a certain duty and I am very excited for this position
- Vote
 - Murcia- Yes
 - Little- Yes
 - Wang- Yes
 - Chabot- Yes

- **RESULT**
 - **Candidate passes**

Unfinished Business: X

Committee Legislative Round Table: X

Final Announcements:

- Vice Chair: Board is tomorrow at 6:30
- Murcia: I am here if you need anything. Check your emails

Date and Time of Next Meeting: X

Adjourned: 7:41p.m.

Griffin Leckie

Signature of Chair