

Texas State University Student Government Supreme Court

Advisory Opinion House Parliamentarian & Social Media Liaison. Opinion No: 25-15

Syllabus

Request received – August 29th 2025. Opinion Issued – September 9th, 2025

The Supreme Court received two requests to advise on Code of Laws interpretation by the Graduate House of Representatives. This opinion consolidates both the requests into one decision.

The requests presented to us for advice were:

- 1- Clarify how the Graduate House can proceed with their business if they are unable to elect a Parliamentarian.
- 2- Does removing the Social Media Liaison position of the Graduate House require a Simple Resolution or an update to the Code of Laws?

For these questions, we hold that:

- 1- Fulfilling the position of Parliamentarian in the House is at the discretion of the House Chairperson. The House may continue to function at its full capacity without a Parliamentarian. A distribution of established duties for the position is advised, but not mandatory (see section I-B of this opinion).
- 2- A simple resolution is sufficient to make changes to all leadership positions that are not codified in the law. Therefore, the House may remove, add, and change these positions at its discretion, with a simple resolution.

A detailed explanation of our decision is found in the opinion below. We encourage the members of the House to read the full opinion, as all its provisions and content are binding for all members of Student Government.

Chief Justice Hanzala delivered the majority opinion for a unanimous court, in which Justices Downey, Hernandez, Karki, and Nguyen joined.

Texas State University Student Government Supreme Court

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Chief Justice Hanzala delivered the majority opinion of the Court.

We received two requests via email from the House Leader requesting an advisory opinion regarding two leadership positions in the Graduate House of Representatives.

The first request is regarding the position of Parliamentarian. The Leader informed us that the Graduate house “had [their] first meeting where [they] were able to elect all House Leaders except for the Parliamentarian.” They wanted us to advise on “how [they] can proceed with [their] meetings without an elected Parliamentarian” with respect to our Governing Documents. They plan to hold a special election for this position at the next session on September 12th, but there exists a possibility that the position remains vacant.

The second request was regarding the position of Social Media Liaison. The Leader informed us that the Graduate House was “not able to elect a new Social Media Liaison.” Furthermore, the House intends to “remove that position since [they] already have a Social Media and Communications committee leader doing the same work.” They want us to advise on whether this position can be removed by a Simple Resolution or needs an update to the Code of Laws.

I

A

For the first request, we refer to Article V of the Constitution and the “Graduate House of Representatives Rules of Procedure” established in the Student Government Code of Laws.

To begin, the Constitution establishes the Parliamentarian position for the Senate but does not do so for the Graduate House. Therefore, it is not a constitutionally required position. Student Government, however, has established an extensive Code of Laws that governs the functioning and procedures of every single branch. Each branch may differ in how it sets itself up, but must follow all requirements pursuant to the Code of Laws.

For the Graduate House, we look at the rules of procedure that begin on pg. 27 of the Code of Laws. The Code establishes various leadership positions in the House, including a position of

Parliamentarian. Therefore, the intention of the Code of Laws is to establish a House Parliamentarian. The position must remain open and cannot be removed without an amendment to the Code of Laws.

However, Article I, Section C, Subsection 6 of the House Rules of Procedure states that:

“The Graduate House Parliamentarian shall:

- a. Be appointed by the Graduate House Chairperson, as needed, subject to two-thirds approval of the Graduate House.*
- b. Have a thorough knowledge of the Graduate House, Constitution, and Parliamentary procedures including Robert's Rules of Order.*
- c. Have a final say in all matters of procedural conflict on the Graduate House floor.*
- d. Point out serious errors in procedure to the Chairperson of the Graduate House.*
- e. Record all questions of order and other questions of procedure for future reference.*
- f. Keep time during periods of limited debate and/or speeches of debate.*
- g. Remove any person deemed out of order by the Chairperson or Parliamentarian.*
- h. Have a term of office beginning June 1 and ending on May 31.”*

The words “*as needed*” are quite substantial here. Their inclusion in the description of the Parliamentarian makes it a discretionary position. That means that the House is not required to have this position always fulfilled, as the Chairperson may appoint someone to this position on an as needed basis.

This leads us to hold that in case the House is unable to elect a Parliamentarian, the House may continue to function in its full capacity. The Chairperson may appoint someone if the need arises and there is an interested candidate. However, the lack of one does not procedurally infringe on the workings of the House.

B

We do, however, acknowledge that the duties listed in the Parliamentarian provision may be important to the functioning of the House, specially those mentioned in clause c, d, e, f, and g. In the absence of the Parliamentarian, the House Leader may designate these duties to the House Secretary, may carry out these duties themselves, or share them between themselves and the House Secretary. The as needed clause does not eradicate these duties established for the proper functioning of the Graduate House. Therefore, the House may continue to function without the parliamentarian. But we encourage the House Leader to distribute the duties of a Parliamentarian between the other leadership positions. But, because the Code of Laws establishes this position on an as-needed basis, this distribution of duties is not a mandatory requirement. Instead, it is a

an advice to the House Leader with regards to functioning with a vacant Parliamentary position.

II

We refer to the Constitution and the “Graduate House of Representatives Rules of Procedure” in the Code of Laws for the second request as well.

There is no mention of any Social Media Liaison position in any of our governing documents. Therefore, the Code of Laws does not need to be updated to remove this position.

Each branch may adopt rules, policies, and positions internally that are not explicitly mentioned in the Code of Laws. When it does that, the branch has jurisdiction to do what it deems appropriate with those rules, policies, positions, etc. Therefore, if the House deemed it necessary to adopt a Social Media Liaison position, despite not being established in the Code, it was well within its right to do so. Similarly, it may move to remove the position if it deems appropriate, without needing to change the Code.

The next question would be about the appropriate measure to do so.

Article III Section E-1 of the Rules of Procedure states:

“The primary purpose of a Simple Graduate House Resolution is to establish, amend, or adopt rules of procedure, rules of debate and decorum, and other guidelines concerning the action of students and Representatives on the Graduate House floor”

The Graduate House may remove the position from its leadership, and any other leadership positions not codified in the Governing Documents with a Simple Resolution. Removing a leadership position not codified in the documents and it not being a committee chair means that it constitutes as one of the purposes of a Simple House Resolution as mentioned in the Code.

However, positions explicitly mentioned in the Code would require an amendment to the Code of Laws. This does not count as one. A Simple House Resolution is sufficient.

It is so ordered...