



JUDICIAL REVIEW #1

COMMITTEE REASSIGNMENT AUTHORITY

October 28th, 2025

Introduction

This Judicial Review is issued by the Student Judicial Court (SJC) of the Undergraduate Student Government (USG) at the University of Iowa in response to a formal request for clarification regarding the authority to reassign members of the Internal Affairs Committee if a conflict of interest were to arise. Specifically, the Court was asked to interpret whether the Internal Affairs Committee may vote on the reassignment of one of its own members, or whether such an authority resides with the Speaker of the Senate under the USG Bylaws.

This Review seeks to provide a clear, constitutionally grounded interpretation of the USG Bylaws to prevent conflicts of interest, ensure impartiality, and preserve procedural integrity within the reassignment process in the legislative branch of USG.

Background

On October 21, 2025, at 8:28 a.m., the Court received a formal request for a Judicial Review concerning the process for removal and reassignment of committee placements. The request specifically questioned the process by which committee placements may be changed, including the Internal Affairs Committee's role in approving committee changes, including its own membership.

This presents a potential self-regulatory system, in which members may be required to vote on their own removal or reassignment. The request went on to question the scope of the Speaker's authority as the Speaker can remove a senator, but they do not have the ability to alter committee placements independently. Additionally, it questioned whether requiring the full Internal Affairs Committee to deliberate on voluntary reassignments is ethical. This Judicial Review seeks to evaluate these concerns and advise the proper procedures and authorities governing committee membership and reassignment within USG.

Analysis and Findings

Under current USG practice, committee assignments are governed by Article II, Section C.1.b.iv of the Bylaws, which states:

“The Speaker shall appoint all committee members for the second Senate Session, based on individual committee selection preferences submitted by each senator. The Speaker shall retain the authority to change committee assignments with a majority vote from the Internal Affairs Committee.”

This provision establishes that mid-session changes to committee assignments typically require the Internal Affairs Committee’s approval. In practice, this means that the Speaker must consult the Internal Affairs Committee before reassigning any senator to a new committee. However, this arrangement becomes problematic when the committee being consulted, the Internal Affairs Committee, is tasked with voting on the reassignment or removal of one of its own members. Such a scenario creates an unavoidable conflict of interest, as committee members would be asked to vote on a matter that directly affects their own composition, roles, or relationships.

The principle of recusal in situations of conflict is not only an ethical governance standard but is also explicitly supported by the Bylaws. Article II, Section G.7.e.vi.3.a. of the USG Bylaws, states that members of the Internal Affairs Committee must recuse themselves when a conflict of interest would impair their ability to make an objective decision regarding a candidate:

“If members have a conflict of interest with a candidate that would prevent the member from making an objective decision regarding the candidate, they shall make the conflict known to the Internal Affairs Chair and recuse themselves from the interviews, deliberations, and voting on the candidate.”

In other words, if a member of the Internal Affairs Committee were unable to make a decision “ . . . not influenced by personal feelings or opinions in considering and representing facts . . . ” then they should recuse themselves from voting on the matter at hand (“Objective,” def. I.8.a.). Although this bylaw’s mandate for a member of the Internal Affairs Committee to recuse themselves when faced with a conflict of interest is in the context of candidate reviews, the principles of objectivity and recusal apply more broadly to any decisions of the Internal Affairs Committee in which a member’s impartiality is reasonably in question.

When the members of the Internal Affairs Committee are asked to vote on the reassignment or removal of one of its own members, a conflict of interest arises. Members may be placed in a position where they are influenced to vote to protect their own standing or their relationships with others. Therefore, asking members of the Internal Affairs Committee to vote on the reassignment or removal of one of its own members would prevent members from making decisions “ . . . not influenced by personal feelings or opinions in considering and representing

facts . . . ” thereby constituting a conflict of interest (“Objective,” def. I.8.a.). Consequently, to avoid any potential conflict of interest, and to ensure impartiality in the reassignment process, the Court recommends that the Internal Affairs Committee recuse itself from voting on the reassignment of the member of the Internal Affairs Committee.

Once the Internal Affairs Committee recuses itself due to such a conflict, authority to act must fall elsewhere. The Bylaws provide an alternative pathway in Article II, Section G.5.:

“Senators may switch committee assignments upon approval or recommendation from the Speaker.”

This clause establishes a second form of reassignment authority that is independent of a majority vote from Internal Affairs. It reflects a more flexible, administrative mechanism for addressing reassignments, particularly when they are voluntary or arise in situations where the Internal Affairs Committee cannot reasonably deliberate. Notably, this section does not condition the Speaker’s authority on Internal Affairs approval, unlike the language in Article II, Section C.1.b.iv. Therefore, when the Internal Affairs Committee must recuse itself due to a conflict of interest such as making a decision regarding a member of its own committee, the power to reassign a committee member shall be vested within the Speaker of the Senate.

This flexibility is supported by the Speaker’s broader administrative duties. Specifically, Article II, Section C.1.b.i. says:

“The Speaker shall be responsible for the administration and affairs of the Student Senate. This shall include, but is not limited to, chairing Student Senate Sessions, managing committees, and communicating with the other branches of USG on behalf of the Student Senate.”

As the person responsible for the administration of the Senate, the Speaker has authority over managing committees. Seeing as the Speaker oversees the management of committees they have authority to “To take charge of, control, or direct . . . ” any administrative tasks necessary to the operations of committees, including but not limited to the reassignment of committee members (“Manage,” def. 4.a.).

Conclusion

The Court concludes that the Internal Affairs Committee must recuse themselves from voting or deliberating when a member of the Committee is subject to reassignment or removal. Such circumstances present a direct conflict of interest, violating the spirit of the Bylaws, which require that all committee decisions must be made with objectivity and impartiality. It explicitly states that members must withdraw from consideration when their involvement would violate this principle of objectivity. Allowing the Internal Affairs Committee to vote on its own

composition would compromise the integrity of its oversight role and erode public trust in USG's legislative fairness.

When a recusal like this occurs, the authority to determine the reassignment is transferred to the Speaker of the Senate. The governing documents of USG state that senators may switch committee assignments upon the Speaker's recommendation or approval. This preserves both fairness and separation of powers within USG by ensuring that no committee is permitted to regulate its own membership.

The basis of this decision is grounded in a commitment to ethical governance. It is essential that transparency and objectivity guides every action taken within the Senate. Recusal due to self-interest is not only a formal procedure, but rather a mechanism that upholds the legitimacy of the internal operations of USG. Empowering the Speaker to act in these limited, clearly defined cases reflects a balanced reading of USG's governing documents. It ensures both accountability and institutional integrity while setting a precedent that prioritizes transparency and fairness in Senate operations.

Recommendations

Considering the findings and conclusions presented, the Student Judicial Court recommends the following actions to ensure procedural integrity, transparency, and uphold the principles set forth in USG's governing documents.

1. The Internal Affairs Committee should recuse itself from any deliberations or voting processes involving the reassignment or removal of one of its own members. This procedure is necessary to uphold the principle of impartiality required by the USG Bylaws and to prevent any bias in committee proceedings.
2. Upon such recusal, the authority to determine reassignment should default to the Speaker of the Senate. This aligns with Article II, Section G.5. of the Bylaws, which allow Senators to switch committee assignments upon the Speaker's recommendation or approval.
3. The Senate should consider amending the USG Bylaws to explicitly codify the reassignment process in cases involving committee conflicts of interest. Such amendments should outline the standard for recusal, the transfer of authority to the Speaker, and an optional appeals mechanism. Codifying these procedures will reduce ambiguity and eliminate the possibilities for similar issues in the future.

Limitations

This review is based on the facts and procedural concerns presented in the original request. Its applicability to other future cases involving committee changes or leadership conflicts may vary depending on the specific context, such as the nature of the reassignment (voluntary vs. disciplinary), the positions involved, or additional relevant facts not considered in this review. Reassignments made at the request of a senator should be processed efficiently and respectfully, under the Speaker's existing authority.

Further, this review does not apply to full removals from USG, nor does it extend to cases where a senator's reassignment is contested but not based on ethical or procedural conflicts. It also does not propose permanent changes to the Bylaws or create new enforceable rules; such changes must be proposed and passed through the proper legislative process.

The recommendation for recusal and reassignment of authority is specific to the Internal Affairs Committee due to its unique oversight role and potential for conflict of interest. This opinion does not extend to other standing or ad hoc committees unless similar circumstances involving conflicts of interest arise and are brought before the Court for Review.

Any future amendments to the USG Bylaws, Constitution, or Internal Affairs procedures could affect the relevance of applicability of this opinion. Should governing documents be revised to include explicit provisions for recusal, appeals, or Speaker discretion in committee placements, the recommendations in this opinion may no longer be applicable or necessary.

Compliance Statement

This advisory opinion was issued in accordance with the governing documents and procedures of the University of Iowa's Undergraduate Student Government (USG) and the Student Judicial Court (SJC). All relevant provisions of the USG Constitution and Bylaws, as well as the established procedures of the SJC, were followed in the issuance of this opinion.

Please note that this advisory opinion is non-binding but serves as guidance for decision-making purposes within the Undergraduate Student Government at the University of Iowa. For further assistance or clarification, please contact Chief Justice Briones.

Thank you,

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