

[REDACTED]

**DEFINITIONS:**

Abuse of Power: "The basic abuse of power that can occur when they become too manipulative with those around them, and the trust given to them."

Malfeasance: "The wrongful or unjust doing of some act which the doer has no right to perform, or which he has stipulated by contract not to do."

Nonfeasance: "The neglect or failure of a person to do some act which he ought to do."

Definitions come from The Law Dictionary (<https://thelawdictionary.org/>)

**ALLEGATIONS AND REQUEST AGAINST THE ACTING CHIEF JUSTICE:  
CONCERNING PRELIMINARY HEARINGS:**

[REDACTED], A.C.J. Julia Van De Bogart would often deflect cases or questions, brought by several different students, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

She would decline cases via email by occasionally citing a principle of law (mootness, ripeness, justiciability) but at other times would simply decline a case without citation of a reason. Regardless of the reasoning, students under our Student Body Constitution have a right to have their case reviewed before the Court. If the Court believes the case fails to have legitimacy to be reviewed, per the Courts own Rules of Practice & Procedure, they are required to have a preliminary hearing to decide this (see Court Rule 3.1 and Court Rule 3.3). This is the only place they may dismiss a case.

The seemingly unilateral deflection and declination of cases via email without any public hearing to discuss a case is, in my view, an abuse of power she is granted as Acting Chief Justice (see Court Rule 6.1) Given she is not taking a legal action, especially one taken under the previous Chief Justice, Ryan Wiele, this constitutes her nonfeasance. The unilateral dismissal of cases as done by the Court at times when she cites no reasonable purpose, beyond the nonfeasance of not holding a hearing, constitutes the allegation of malfeasance.

**CONCERNING JURISDICTION RULES:**

In the new rules adopted by the Court, they have neutered the ability for students to argue against unconstitutional laws or to declare laws constitutional with twenty supporting signatures (see Const. Art. V 3(b)(1)).

Several cases have been argued under the jurisdiction of this article and section to maintain a law (see In re: "Interpretation of a Student Body Statute" section 340.41

Allegations Against Julia Van De Bogart, in her official capacity as Acting Chief Justice of the UF Supreme Court

[REDACTED]

(2005), In re: Election Cycle (2012), BILLY VRANISH, APPELLANT VS. TJ VILLAMIL, IN HIS OFFICIAL CAPACITY AS STUDENT BODY PRESIDENT, APPELLEE (2013), In re: “GREEN” (2018), In re: Shaw (2019), and In re: “Ortiz” (2020)). Others have argued to strike down a law (see In re: Election Cycle (2012), In re: “Murphy” (2019), and In re: “MERWITZER I” (2020)). Neither list of citations is exhaustive and are based on a cursory look through the Court Reporter.

The Court amended its rules to claim jurisdiction under this article & section only permits laws to be interpreted, not stricken or upheld (see Court Rule 1.2.1.1). This is an odd choice, as this makes any case tried under this jurisdiction an advisory opinion. The Court has affirmed repeatedly under Van De Bogart that it does not deliver advisory opinions, deflecting cases [REDACTED]. Whether this was out of a lack of understanding of my legal duties or an abuse of office, I will not decide. But to be amend the rules to decline to ever strike down unconstitutional laws under this jurisdiction is facially identical to an advisory opinion. This, in totality, constitutes further malfeasance.

REQUEST:

The full extent of these types of actions can be seen in interactions she has had with students including [REDACTED]. Additionally, this action extends to other students, such as [REDACTED], who were represented to the Court via [REDACTED] who did not get the challenge their allegations to the Court (see Court Rule 4.2). Considering how small our Judicial Branch is, as compared to the Legislative Branch and especially our exceedingly large Executive Branch, there exist few ways for students to engage with it. Considering that all positions, save for the Supervisor of Elections and ASOEs, are law students, this creates an environment where one-third of our three branches is dominated by one college. It is imperative for the legislature, constituting members of all colleges and both graduate and undergraduate students, to balance this.

A censure, while it does not order an action, indicates the stance of the Student Body against abuse by another in SG. This action would serve to indicate that the Court a need to correct their actions. Failure by the Court to do so, I feel, should result in the Senate voting down Van De Bogart and demanding another nominee for Chief Justice from our Student Body President. I will also note that the other justices have acted with nonfeasance by not acting against the actions of the Chief Justice. However, I have not made allegations against them as they have taken no specific acts.

I have not presented evidence as I have learned about these abuses via conversations with affected students [REDACTED]. Despite that, I implore the Student Senate to subpoena the email records from the Chief Justice and ask that [REDACTED] provide corroborating information. Both hold an office in SG and as such are subject to subpoena for testimony or to produce documents.