**SUPREME COURT OF STUDENT GOVERNMENT AT TEXAS STATE UNIVERSITY**

**No. 02-02**

ADVISORY OPINION

Syllabus

Petitioner: WILLIAM FRANK-CADOREE, STUDENT

Heard November 4, 2021 – Decided November 4, 2021

Petition for an Advisory Opinion was brought by Student William Frank Cadoree concerning the perpetuity of past Court opinions and orders. Mr. Frank Cadoree would like to know whether the Supreme Court decisions are binding under the previous Session of Student Government, or if they are forever binding.

The primary questions before the Supreme Court were:

1. Are Supreme Court opinions and orders binding forever, or solely for the previous Session of Student Government it is decided in?

2. If they are binding only under the previous Session, does the Supreme Court have to rehear these cases to be binding in the ongoing Session?

3. Also, do decisions made by the Supreme Court impact future administrations and legislative sessions?

Advisory Opinion

In relation to the first question by the petitioner on: Are Supreme Court opinions and orders binding forever, or solely for the previous Session of Student Government it is decided in?

The Supreme Court decided yes, Court opinions and orders are binding. In accordance with the Student Government Constitution Article XIII Section 10a 2., “the passage of time has no effect on the value of any court precedent.” Moreover, according to Article XIII Section 10a 4., “the courts are permitted to overturn precedent so long as the decision is justifiable under existing law, rooted in the legal text behind the case, and the justification is thoroughly and accurately explained in the order overturning the precedent.”

On the second question: If they are binding only under the previous Session, does the Supreme Court have to rehear these cases to be binding in the ongoing Session?

The Court has decided they are binding; therefore, this question is void.

Regarding the third question: 3. Also, do decisions made by the Supreme Court impact future administrations and legislative sessions?

The Supreme Court decided yes, decisions made by the Court will impact future administrations and legislation in accordance with the Student Government Constitution Article XIII Section 10a: “The orders and opinions of the Supreme Court must have persuasive precedential value on future Supreme Court proceedings. This means that previous rulings of the Supreme Court must be used to help answer future cases of the same general subject matter so that the same case does not often result in different outcomes. Supreme Court decisions have binding precedential value overall proceedings of all other courts. This means all courts below the Supreme Court, which include the Election Board, must adhere to, as a matter of case-law, the decisions of the Supreme Court and may never decide counter to the Supreme Court’s rulings.”

In summary, all Supreme Court rulings will be regarded as follows.

The Supreme Court has agreed by a Majority that all Court opinions and decisions are binding unless the Court finds reason, rooted in existing law and legality, to overturn the precedent. Therefore, the Supreme Court will not need to rehear cases from previous Sessions unless it is brought before them with a new challenge or question. The Supreme Court’s rulings and opinions will hold precedent for future Sessions and administrations indefinitely unless they are overturned.

***It is so ordered.***