

# **Constitution of the Student Bar Association, Washington University School of Law**

## **Preamble**

The Student Bar Association of Washington University School of Law ("SBA") represents and protects the interests of the students of the School of Law. While working closely with administration and faculty, the SBA as a whole, and each member individually, is ultimately responsible to the students represented.

## **Article I: The SBA Representative Body**

§1. The SBA shall be governed by a Representative Body comprising members of each class year, including the L.L.M. class, elected in accordance with the procedures outlined in Article II.

§2. Each class year shall be entitled to a number of representatives equal to five percent of its enrollment. If after an election any class voting in that election does not have a full delegation, the SBA President shall appoint qualified members of that class to fill any vacant positions. Such appointments shall be with the consent of a majority of Representatives voting at the next General Meeting.

§3. Representatives must meet the SBA membership requirements outlined in Article II in order to appear on a ballot. Representatives may be removed from office pursuant to Article VI.

§4. In addition to any authority granted by this Constitution, the SBA shall have the following authority and responsibilities:

- a. To regulate student activity within the confines of the School of Law facilities;
- b. To express its opinion on matters of general or specific concern to the student body, and such expression will be the representative expression of the School of Law student body as a whole;
- c. To pass such legislation as may be required to execute its duty to the student body;
- d. To create committees as it deems necessary to carry out its duties and responsibilities;
- e. To adopt and amend any Rules of Procedure and Standing Rules as it deems necessary, so long as those rules do not conflict with any provision of this Constitution or bylaws enacted pursuant thereto;
- f. To assess fees on students if approved by a two-thirds majority of students voting on the specific question;
- g. To conduct referenda if approved by a majority of the SBA Representative Body, or upon the petition of at least twenty percent of the student body;

- h. To impeach an officer or remove any member pursuant to article VI, and to remove a member of the Election Commission pursuant to two-thirds vote of the SBA Body;
- i. To convene a General Meeting at least once every other week during the academic year, except during a School of Law recess, on a day and time to be determined by the Executive Board;
- j. To convene Special Meetings to consider new or old business as deemed necessary by the President or any three members of the Executive Board;
- k. To make known in advance to the student body all General and Special Meetings and conduct such meetings in public;
- l. To maintain SBA services and equipment not provided by the School of Law;
- m. To consider and vote upon legislation submitted by any member of the student body if supported through the petition of at least ten percent of the student body; and
- n. To annually approve a set of Bylaws consistent with this Constitution to facilitate SBA governance and administration.

§5. The SBA Body shall form committees as deemed appropriate by the President and Executive Board. The following committees, however, shall be formed each year:

- i. i. Curriculum Committee
- j. j. Career Services Committee
- k. k. Community Service Committee
- l. l. Social Committee
- m. m. Student Environment Committee
- n. n. Constitution Committee, which shall sit every other academic year, beginning with the 1998-1999 year.

## Article II: Qualifications for Membership

§1. Subject to the provisions of this Constitution, any student enrolled at least part-time at Washington University School of Law or one of its joint-degree programs is eligible to be a member of SBA and serve as an Officer or Representative without regard to race, color, gender, religious beliefs, sexual orientation, physical disability, or national origin.

§2. SBA members must be in good academic and disciplinary standing and must never have been convicted of any offense under the Honor Code of the School of Law.

§3. SBA members must agree to uphold the principles of the SBA, abide by the rules as set forth in this Constitution and as ordered through the legislative mechanism provided by this Constitution, and must refrain from any actions or statements that are not congruent with the character and intent of the organization.

§4. Non-compliance with this Article shall constitute sufficient grounds for refusing eligibility to any individual to run in any election or for revoking the eligibility of any

individual. The Executive Board shall have final authority in the verification of these credentials and may seek the aid of the Dean of Student Affairs in making such decisions.

### Article III: Election Procedures

§1. By the start of the fall elections, the SBA Vice-President shall appoint a five-person Election Commission, to be headed by Vice-President, which shall have the responsibility for the conduct of all elections and referenda during the academic year, including the promulgation of any rules governing campaigns. The Chairperson of the honor council may be invited to serve on the Election Commission.

§2. During the first week of the fall semester, the Vice-President shall schedule, announce elections for 1L and L.L.M. Representatives to the SBA Body to be held no later than ten school days after the beginning of classes. Newly elected representatives will take office immediately and shall be seated at the next General Meeting after the election.

§3. Each February, the Vice-President shall schedule and announce the date of elections for the office of SBA President, who shall preside over the SBA in the following year. The election shall be conducted within twenty-eight calendar days of the announcement, and the new SBA President will take office at the next General Meeting after the election or within ten school days following the election, whichever is sooner.

§4. Within ten school days of the new SBA President assuming office, the Vice-President shall schedule, announce, and conduct elections for 2L and 3L Representatives to the SBA Body. Newly elected Representatives will take office at the next General Meeting after the election or within ten school days following the election, whichever is sooner.

§5. In conjunction with the fall elections of 1L Representatives, the Vice-President and the Chair of the Honor Council shall schedule, announce and conduct elections for seats on the Honor Council in numbers and composition to be determined by the Honor Code. Upon notification by the Chair of the Honor Council that a seat on the Council is or will shortly become vacant, the Vice-President will schedule, announce, and conduct a special election to elect a student member from the same class to fill the remainder of that term within ten school days.

§6. The Election Commission will be responsible for announcing and conducting any referenda considering amendments to this Constitution or to the Honor Code.

§7. Protests of election results or procedures shall be made to the Election Commission in writing. The Election Commission shall have sole responsibility for tallying votes, scheduling run-off elections, and declaring winners. Decisions of the Election Commission are final. The Election Commission shall make a written report of any protest and its disposition and shall present its report at the next General Meeting. Appeals of the Election Board's decision(s) shall be processed pursuant to the Election Bylaw.

## Article IV: The SBA President

§1. The SBA President must at all times meet the SBA qualifications for membership outlined in Article II.

§2. In addition to the other powers and duties that may be required to fulfill the duties and responsibilities of the office, the SBA President shall:

- a. preside over all Executive Board, Administrative Cabinet, SBA General and SBA Special Meetings in accordance with this Constitution and any Bylaws enacted pursuant thereto;
- b. be empowered to represent the entire law student body as an advocate thereof;
- c. be empowered to fill vacancies within the SBA pursuant to this Constitution;
- d. appropriate SBA funds as approved by resolution of the SBA Representative Body;
- e. report at each General Meeting all activities relating to the office;
- f. represent the SBA subject to decisions made by the Executive Board or the SBA Body (if neither has expressed an opinion the SBA President may act only as a general representative of the student body);
- g. have the sole power to commit or contract the SBA or to designate another who may commit or contract the SBA, but only in executing an approved resolution of the SBA body;
- h. have the power, by and with the advice and consent of the Executive Board, to appoint a SBA representative to serve as Chairperson of such ad hoc committees as the President deems necessary, provided a simple majority of the Executive Board concurs;
- i. cast the deciding vote on any resolution, motion or other matter requiring a vote by the SBA Body when the Body is evenly divided; and
- j. ensure that this Constitution and subsequent directives, as approved and ordered by the Executive Board or as enacted by the SBA Body, be faithfully executed.

## Article V: The SBA Officers

§1. The SBA President shall preside over an Executive Board, which shall consist of the following officers:

- SBA President
- SBA Vice-President
- SBA Treasurer
- SBA Secretary of Administration
- SBA Secretary for Media Relations
- SBA Parliamentarian
- Chairpersons of each SBA Committee

§2. The SBA Vice-President shall assist the SBA President in the execution of all executive duties. The SBA Vice-President shall also:

- a. chair the SBA Election Committee and serve as an ex-officio member of all other SBA committees;
- b. preside over any Executive Board, General or Special Meeting in the absence of the SBA President or in any other circumstance in which the President is unable to perform the duties of the office;
- c. assume the office and duties of SBA President in the event of any vacancy in the Office of the President; and
- d. shall have all other powers and responsibilities as delegated by the SBA President with the advice and consent of a majority (the Vice-President being excluded from the vote) of the Executive Board present and voting.

§3. The SBA Treasurer shall supervise SBA financial accounting and reporting requirements. The SBA Treasurer shall:

- a. be responsible for the timely completion of all budgetary requirements, as specified in the Budget Bylaw, and shall be personally responsible for keeping a ledger of SBA funds and accounts;
- b. authorize by signature each expenditure of funds in accordance with any valid expenditure approved by the SBA Representative Body;
- c. upon the request of the SBA President make financial statements available at a General meeting of the SBA Body;
- d. make available on demand of any SBA Representative the complete and comprehensive financial records of the SBA;
- e. shall be personally liable for any misappropriated SBA funds spent with the SBA Treasurer's authorization, provided the Treasurer knew that such funds were misappropriated, and unless relieved of such obligation pursuant to a resolution passed by a two-thirds majority of the SBA Body; and
- f. act as the official liaison between SBA and the administration on all matters pertaining to SBA finances and SBA budgets;
- g. shall have all other powers and responsibilities as delegated by the SBA President with the advice and consent of a majority (the Treasurer being excluded from the vote) of the Executive Board present and voting.

§4. The Secretary of Administration shall supervise of all SBA administrative affairs. The Administrative Secretary shall:

- a. maintain an accurate record of all Executive Board, General and Special Meetings including attendance and votes taken;
- b. maintain and make publicly available a roster of current SBA officers and members at all times;
- c. compile a bound record of all SBA business throughout the course of the year including votes, minutes, resolutions, and Executive Orders;
- d. be responsible for preparing any information to be disseminated to SBA members, and shall present such information upon its completion to the appropriate Officers for dissemination;

- e. perform other administrative duties required for the effective functioning of the SBA, including reserving adequate facilities for Executive Board and SBA Representative Body meetings, providing necessary supplies, etc.; and
- f. publicize this Constitution and all SBA Bylaws to the student body by disseminating them to all students during Orientation.

§5. The Secretary for Media Relations cooperate with the SBA President in maintaining positive and appropriate relations with all press and media organizations at Washington University and the general media community. The Media Relations Secretary shall:

- a. be responsible for the timely and appropriate dissemination of Press Releases to members of the Washington University press and general media community;
- b. maintain the SBA website by posting accurate information regarding SBA officers and activities as well as by posting this Constitution and all SBA Bylaws; and
- c. have all other powers and responsibilities as delegated by the SBA President, with the advice and consent of a majority (the Secretary for Media Relations being excluded from the vote) of the Executive Board present and voting.

§6. The SBA Parliamentarian shall maintain order at all SBA meetings according to Robert's Rules of Order and shall interpret Robert's Rules of Order should a procedural controversy arise.

§7. Nominations for officers of the Executive Board shall be taken at the first meeting of the SBA Body after the spring election of 2L and 3L Representatives. The SBA Body shall determine the time to elect the officers, but in no event shall it be later than ten school days after the first general meeting of the new representatives. Each Representative may cast one vote for each office. In the event no candidate receives a majority, a runoff election will be held between the two candidates with the most votes. In the event of a tie in the runoff election, the President shall cast the tiebreaking vote.

§8. With the consent of a majority of the Executive Board, the President may appoint such other members of SBA as deemed necessary to serve on the Executive Board for that academic year. Executive Board appointees may be relieved from the Board at any time by the President, with a majority of the SBA Body voting in support.

§9. The officers of the Executive Board shall meet at the President's discretion during the academic year. The Executive Board may choose to invite other SBA representatives or members of the general public to attend their meetings, but only those Executive Board officers listed in Section 1 above shall have the power to vote on any Executive Order or other issue.

§10. Executive Board members may delegate unto SBA Representatives such tasks as may be deemed necessary, proper, and expedient pursuant to the powers and responsibilities listed herein, and the Executive Board may organize ad hoc committees

to conduct specified tasks in pursuance of the powers and responsibilities listed herein or as approved by the Executive Board.

§11. If at any time a vacancy shall occur on the Executive Board, the SBA President may, with the advice of the Executive Board, appoint another member to fill the vacant office until the next General Meeting of the SBA Body. A retainer vote shall be taken at such time, and the appointed member shall be retained as a member of the Executive Board for the term of the original holder's office, unless a majority votes not to retain said member.

## Article VI: Impeachment and Expulsion

§1. Upon introduction of a Resolution for Impeachment or for Expulsion, the SBA Body shall convene an impeachment or expulsion hearing no sooner than five but no later than ten school days after the resolution is introduced if a two-thirds majority of those present vote to hold a hearing. The accused SBA officer or member and each member of the SBA Body shall be given a written statement of the charges and specifications at least 24 hours before the impeachment or expulsion hearing is convened.

§2. The SBA President or the Executive Board may appoint an independent commission to investigate the charges and specifications and that commission's findings shall be made available to the SBA Body at the impeachment hearing. In any event, the SBA President and the Executive Board shall review all charges and specifications and each member of the Executive Board shall make a recommendation to the SBA Representative Body to approve or not approve the resolution. In the event a member or members of the Executive Board is (are) the subject(s) of charge(s) and specification(s) for impeachment, a simple majority of the Body may appoint an independent commission in accordance with this section.

§3. The Executive Board shall determine the format for each hearing, but in every case the accused shall be consulted as to the format of the hearing; shall enjoy the right to be represented by counsel; shall have the right to address the SBA Body and present evidence at the hearing; shall have the right to confront the sponsors of the impeachment or expulsion resolution; and shall enjoy the right to vote on the resolution.

§4. No hearing shall consider charges against more than one person at a time, and with the exception of the SBA President, officers facing both impeachment and expulsion charges must be given an opportunity to separately address each resolution. For the SBA President, an impeachment resolution shall be treated as an expulsion resolution.

§5. At the conclusion of the impeachment or expulsion hearing, the SBA Body shall vote, and if two-thirds of the entire SBA Body votes in the affirmative, the resolution shall pass.

## Article VII: Amendments

§1. Any member of the SBA Body may propose an amendment to this Constitution, and discussion of such amendment shall be placed on the agenda for the General Meeting immediately following the meeting at which the amendment is first proposed.

§2. Upon the written petition of twenty percent or more of the student body, the SBA Body shall call a Convention for considering Amendments to this Constitution.

§3. During the academic years in which a Constitution Committee sits, that Committee shall propose any amendments to this Constitution that it deems necessary and appropriate.

§4. The SBA President and the Executive Board shall review all proposed amendments and shall make a recommendation to the student body to approve or not approve any amendment.

§5. Any amendments to this Constitution proposed in accordance with § 1, § 2, or § 3 of this Article shall become effective only when ratified by a majority of those students voting in a Special Election.

## Article VIII: Ratification

§1. This Constitution shall be ratified upon the affirmative vote of a majority of students voting at an election called to consider its passage.

***Ratified and Adopted March \_\_, 2003***