

The Florida State University Student Bar Association CONSTITUTION

ARTICLE I – NAME

This association shall be known as the Florida State University Student Bar Association (SBA).

ARTICLE II - OBJECT

SBA shall serve as the official representative of the College of Law student body to discover and manifest its collective desires, to secure the benefits of mutual association, and to further the legal, academic, and social interests of its members and of the College of Law.

ARTICLE III - MEMBERSHIP

SECTION 1.

Every student enrolled in the Florida State University College of Law shall be a voting member of the association. No university student may be denied membership due to inability to pay dues. The payment of dues as may be established by the bylaws by the Executive Board shall only affect privileges unrelated to voting.

SECTION 2.

Honorary memberships may be awarded pursuant to the bylaws.

SECTION 3.

Membership may be revoked without mutual agreement for misconduct or violation of any provisions of the Constitution. The member will be notified in writing of the possible revocation at least 72 hours prior to the vote and will be allowed to address the organization in order to relate to members any relevant defense prior to the voting for removal. Membership can only be revoked upon 2/3rd majority vote of eligible members. Revocation will be valid for two (2) semesters.

SECTION 4.

Any student whose membership is revoked will have seven (7) calendar days to appeal the revocation. The appeal must be submitted in writing to the President and Secretary and must include any relevant information that has not already been presented. The President will then submit the appeal to the Appeals Committee. This committee consists of three executive board members and four general body members. This committee will then render a decision at the next SBA Board Meeting or in seven (7) calendar days, whichever occurs first. The committee's appointed representative will notify the student of the decision in writing within seven (7) calendar days of the decision.

ARTICLE IV - OPERATIONS

SECTION 1. Authority and Composition of Executive Board -

The Executive Board shall be the governing body of SBA and shall be composed of the officers of SBA, as described in Article V, section 1 of this Constitution. The Executive Board shall set its own rules of procedure for exercising its power to formulate policies and manage the affairs of SBA subject to the other provisions of this Constitution.

A decision by the President in the absence of the full Executive Board shall be binding unless overridden by a majority vote of the Executive Board, excluding the vote of the President.

SECTION 2. Meetings -

All meetings of the Executive Board shall be open to the public, and shall be held in a College of Law room large enough to accommodate those who wish to attend. Meetings of the board shall be weekly during the academic year, and notice shall be posted by the Secretary at least 24 hours in advance of each meeting, including a proposed agenda created in cooperation with the President. Any member of the association shall be free to speak at any meeting after being recognized by the President.

A majority of the Executive Board shall comprise a quorum to do business. The President shall chair all meetings and verify a quorum. Attendance by officers is mandatory, and nonattendance may be sanctioned as provided in the bylaws.

Except as otherwise posted, each member of the Executive Board shall have one (1) vote on all matters before it.

SECTION 3. Bylaws -

The Executive Board may by majority vote adopt bylaws consistent with this Constitution, to establish procedures for the conduct of SBA affairs or furthering of other SBA goals.

A proposed bylaw shall be submitted in writing to the Secretary by any member of the SBA and posted with notice of the Board meeting at which it will be considered. Disposition shall be recorded in the minutes of the meeting.

The Secretary shall be responsible for maintaining a complete file of approved bylaws including date of adoption and effective date records. This file shall be available for inspection by any member of SBA in the SBA office.

A bylaw approved by the Executive Board shall be effective unless annulled under the procedures in Section 6 of this Article, or amended by a majority vote of the Executive Board.

SECTION 4. Committees -

The President of SBA shall have the authority to appoint a committee of SBA members for any purpose. Creation of any such committee and appointment of its members and chair, shall be subject to majority vote approval of the Executive Board. Such action shall be recorded in the minutes.

The chair or any member of any committee may be removed by majority vote of the Executive Board.

Each member of the Executive Board shall serve on at least one committee.

Committees may include, but are not restricted to:

- Academic Affairs
- Alumni
- Communication
- Community Service
- Judiciary
- Diversity
- Elections
- Graduation
- Social
- Speakers

- Sports
- Transfer Student

A committee shall issue reports as directed by the Executive Board and may issue reports by decision of the committee members. The Secretary shall include a summary of any such report in the minutes of the meeting at which it is presented, and shall retain the report itself for inspection in the SBA office.

SECTION 5. Minutes

The Secretary shall submit for approval, via e-mail or typed hardcopy, minutes of the prior Executive Board meeting at the start of the every meeting. Upon approval of the minutes by the Executive Board they shall be regarded as the official chronicle of SBA activities and may be relied on by SBA members.

The Secretary shall insure that all important activities of the Executive Board, and the material required by other parts of this Constitution, be included in each meeting's minutes.

After approval, the Secretary shall post the minutes on a public board outside the SBA office in a space maintained for that purpose. Posting shall begin the running of any period triggered by Board activity reflected in the minutes. Such a period may be created either by this Constitution or Bylaws.

SECTION 6. Petition and Referendum -

All acts and decisions of the Executive Board shall be considered acts and decisions of SBA, except that on petition presented in writing by five percent of the members of the Association within ten (10) days of posting by the Secretary of minutes reflecting those acts or decisions, the question shall be referred to the Association for referendum.

On receipt of a proper petition the President shall within five (5) class days call for a referendum of the SBA Membership on the matter in question. The referendum shall be by secret printed ballot and shall not take place earlier than five (5) class days nor later than ten (10) class days after the call for the referendum. Annulment or affirmance of any act or decision shall require a majority vote of the ballots cast and shall require moreover that the total number of ballots cast exceed thirty percent of the membership.

Such annulment or affirmance shall be binding upon the President and Executive Board for the remainder of the term in office.

SECTION 7. SBA Sponsorship

SBA sponsorship cannot be attached to any event in absence of an Executive Board decision to do so. The SBA President, acting in her executive capacity, cannot attach SBA sponsorship to any event without first providing formal notice, either in writing or by email, to all members of the Executive Board, and allowing at least 3 business days for Executive Board input on the decision before sponsorship may be granted. Should an Executive Board member protest a presidential decision concerning SBA sponsorship, the Executive Board must vote on whether sponsorship is to be allowed.

The President may call an emergency meeting in order for the Executive Board to uphold or veto her decision, provided that 24 hours formal notice is given.

A majority vote of the Executive Board shall decide contested issues of SBA sponsorship.

ARTICLE V - OFFICERS

SECTION 1.

The **officers of the Association** shall be:

- President
- Vice President
- Secretary
- Treasurer
- Florida Bar Representative
- American Bar Association/Law Student Division Representative
- American Bar Association/Law Student Division Junior Representative
- Transfer Student Representative
- Two Third-Year Law Student Representatives
- Two Second-Year Law Student Representatives
- Four First-Year Law Student Representatives

SECTION 2. Duties -

The duties of the President shall be to preside at all meetings of SBA and the Executive Board; to make the decisions of SBA in the absence of the Board; to appoint committees with the advice and consent of the Board pursuant to this Constitution; to make all appointments required by other university officials subject to the approval of the Executive Board; and to assume such other duties prescribed in the bylaws and this Constitution. The President cannot disburse and/or spend more than (fifty) dollars of SBA funds, at any one time and not to exceed \$200 per semester, without a majority vote of the Executive Board. Further, all SBA Expenditures must be promptly reported to the Executive Board.

The duties of the Vice-President shall be to assume the duties of the President in his/her absence, and to assume such other duties as prescribed in the bylaws and this Constitution. The Vice-President shall be responsible for first-year orientation and the supervision of the Committees.

The duties of the Secretary shall be to permanently record in typewritten form the minutes of all meetings; to keep posted at all times a current edition of the SBA Constitution in a prominent place in the SBA office; to keep current the bylaws and committee reports; to post notice as required of each meeting and other events; and to assume such other duties as prescribed in the bylaws and this Constitution.

The duties of the Treasurer shall be to act as custodian of SBA funds, to disperse funds pursuant to the bylaws and to keep records thereof; to conduct the collection and supervise the disbursement of the funds; to submit a weekly report to the Executive Board of Association income, expense and the weekly balance of Association funds; and to assume such duties as prescribed in the bylaws.

Florida Bar Representative shall serve as the liaison to the Florida Bar and shall be responsible for communicating information and coordinating programs related to the Florida Bar for the benefit of the student body. The Florida Bar Representative should attend the Florida Bar Annual Meeting.

American Bar Association/Law Student Division (ABA/LSD) Representative is responsible for the membership and programs of the ABA/LSD. The ABA/LSD Representative shall represent the College of Law at all ABA/LSD regional and annual meetings.

American Bar Association/Law Student Division Junior Representative shall assist the ABA/LSD Representative in promoting membership and the programs of the ABA/LSD.

Two Third-Year Law Student Representatives shall represent the interests of third-year law students to the Executive Board and shall assist the Board in preparation for fall and spring graduations.

Two Second-Year Law Student Representatives shall represent the interests of second-year law students to the Executive Board.

Four First-Year Law Student Representatives shall represent the interests of first-year law students to the Executive Board.

Transfer Student Representative shall serve as the Chair of the Transfer Student Committee, and will assist the Admissions office in transfer orientation, planning social activities, and providing information and advising to the transfer class. The Transfer Student Representative shall have full voting rights and general privileges of an Executive Board member.

SECTION 3. Vacancies -

A vacancy in the office of President shall be filled by an election not earlier than five (5) class days, not later than ten (10) class days after the vacancy occurs.

The Executive Board shall act as the Judiciary Committee for such elections, with the Vice-President acting as chair.

All other vacancies shall be filled by appointment of the President subject to approval by the Executive Board.

Any office shall be deemed vacant if the officer is not registered at the College of Law.

SECTION 4. Recall -

Any officer may be recalled from office without prejudice to further eligibility to hold office upon petition submitted and referendum held. The petition must be signed by five (5) percent of the members of the Association and submitted to a member of the Executive Board. The Board shall call for a referendum on the petition within five (5) class days, the referendum shall be by secret printed ballot and shall take place not earlier than five (5) class days nor later than ten (10) class days after the call for referendum. Removal of any officer shall require a three fifths (3/5) vote.

SECTION 5. Impeachment-

Any officer may be impeached from office without prejudice to further eligibility to hold office. Reasons for impeachment are limited to serious misconduct, delinquency of duty, or violation of bylaws. The procedure to impeach is as follows:

- A motion by any Officer to the Board for the Officer in Question to be relieved of their duties.
- The Officer in Question can then speak on their own behalf for no more than five minutes.
- This right is waived if the Officer in Question is not present and the Officer was given verifiable notice of three business days.
- Immediately following, and outside of the Officer in questions presence, there shall be discussion from any voting or non-voting member of the Board.
- Discussion shall be limited to two (2) minutes per person. Immediately following discussion a vote shall be taken outside of the Officer in Question's presence.

- A two-thirds majority (2/3) vote determines the Officer may be removed.
- Immediately following the removal vote, the Officer in Question can then submit their resignation.
- If the Officer in Question does not resign, a second two-thirds majority (2/3) vote shall impeach the Officer in Question from office, or the Board may vote by a simple majority to suspend the vote of impeachment.
- The Board may vote to suspend a vote of impeachment until no later than the next Board Meeting.
- In the case of a delayed impeachment vote, and until the Officer in Question's future position is determined, he/she shall not hold office hours, but shall still be required to attend all mandatory functions including Board Meetings, and their voting privileges shall be suspended.
- Vacancies shall be filled as stated by this Constitution.

SECTION 6. Resignation-

Any officer who no longer wishing to serve on the board must submit their resignation to the President at least two (2) weeks in advance. Prior to the officer's final day he/she shall provide all documents relating to the organization and brief his/her replacement of current projects in his/her care. Vacancies shall be filled as stated by this Constitution.

ARTICLE VI - ELECTIONS OF OFFICERS

SECTION 1. Registration -

Candidacy for any office shall become effective by filing with the chair of the Elections Committee a signed statement of candidacy containing:

- The name of the individual,
- The office sought, and
- The signatures of thirty (30) students registered in the College of Law.

All statements must be filed no later than 5:00 p.m. one week before the election.

No student may register for more than one office.

No student may sign more than one statement of candidacy for any one office. Each petition must name the candidate and office sought before any student may sign.

SECTION 2. Procedure -

Timing of Elections

Except as provided in (A)(2) and (A)(3) of this section, all officers shall be elected in April as directed by the Elections Committee, and shall assume office at the end of the semester.

The Representatives of the first year class shall be elected from members of the first-year class by October of each year.

The American Bar Association/Law Student Division Junior Representative shall be elected during the Spring SBA Elections, and shall be a first-year law student or a student with two years before graduation. The Junior Representative shall automatically become the Representative after serving as Junior Representative for one year or at such time that the Representative position becomes vacant for a term not to exceed one semester. In the event that there is a vacancy in the Junior Representative position, this vacancy shall be filled in the manner prescribed for all other vacancies. In the event that there is a vacancy in the Junior Representative position, this vacancy shall be filled in the manner prescribed for all other vacancies.

The Transfer Representative will be a Second-Year Transfer, Visiting or Transient Student appointed by the SBA Executive Board during 1L elections. The term of this position will run from the day of the appointment until the end of the following summer semester.

(a) For the summer of 2003, an SBA Board member shall co-chair the duties of the Transfer Representative until one is elected in the Fall of 2003.

Candidate's Forum

A candidate's forum shall be held at a time designated by the Elections Committee in the last two days before the election.

Each candidate shall be given, at a minimum, two minutes of time, except for the Presidential candidates who shall have three minutes.

The Elections Committee may provide for questioning of the candidates for any office.

Election shall be by secret printed ballot.

The polls shall remain open from 8:00 a.m. to 3:00 p.m.

The procedure for determining the winner will be as stated in the Bylaws.

SECTION 3. Judiciary Committee-

There shall be a Judiciary Committee, which shall ensure the fairness, expediency, and finality of SBA elections. It shall consist of three members. It shall be chaired by the SBA Vice President. The other two members shall be appointed by the President with the approval of the Executive Board. It shall consist of three members of the Executive Board. If any member of the Judiciary Committee has declared herself to be a candidate for any LSAC office or Executive Board office as described in Article V, section 1 of this Constitution, she must resign from the Judiciary Committee. In the event that one or more of the Judiciary Committee cannot serve for any reason, the vacancy shall be temporarily filled in accordance with Article V, section 3 of this Constitution. This temporary appointment may be made permanent by a majority vote of the Executive Board.

The responsibilities of the Judiciary Committee shall be outlined in the Bylaws.

ARTICLE VII - AMENDMENTS

SECTION 1.

The Executive Board may temporarily amend this Constitution by a 2/3 majority of the members present at a properly held meeting. The proposed amendment must have been printed in full in the posted agenda for the

meeting for the proposal to be in order. Such a proposal may be offered by any member of the Board, and must be included by the Secretary in the following week" posted agenda, unless delay is agreed to by the offering member.

Upon approval the temporary amendment must be included in full in the minutes of the meeting, and shall not be effective until posted.

Five (5) percent of the members of the Association may petition the President within ten (10) school days of the posting for a referendum on the amendment. Such a petition suspends the amendment until a referendum can be held.

Such a referendum must meet the requirements of Section 3 of this Article. The Executive Board may not reconsider an annulled amendment for one year after the referendum.

Any temporary amendment not already subjected to referendum under this article must be placed on referendum on the next regular Student Bar Association officer election ballot. The Executive Board may not reconsider an annulled amendment for one year. The referendum must meet the requirements of Section 3 of this article.

An amendment under this Section not annulled by referendum becomes permanent at the end of the semester in which it was approved and the Secretary shall record the change in the posted copy of the Student Bar Association Constitution in the Student Bar Association office.

SECTION 2.

Petition and referendum of the members of the association may permanently amend this Constitution.

An amendment proposal petition must contain the complete proposed changes and shall be signed by 5 percent of the members of the Association.

A referendum under this Section must meet the requirements of Section 3 of this Article.

The Secretary shall record any amendment approved under this Section in the official copy of the Student Bar Association Constitution posted in the Student Bar Association office.

SECTION 3.

On receipt of a proper petition the President shall within 5 class days call for a referendum of the Association on the matter in question. The referendum shall be by secret ballot and shall not take place within 5 class days nor later than 10 class days after the call for the referendum. Annulment or affirmance of any amendment shall require a 3/5 majority vote of the ballots cast and shall require moreover that the total number of ballots cast exceed thirty percent of the membership of the Association.

ARTICLE VIII - TRANSITION

SECTION 1.

This Constitution shall become effective only after approval by 3/5 of the members voting in referendum. Such referendum shall be held April 6, 1983.

All officers elected in the April 6 & 7, 1983 elections under the previous Constitution shall take office under this Constitution as if elected under this Constitution.

The third Class Representative for the second and third year classes for the Fall Semester of 1983 shall be appointed as required under Article V, Section 3 at the same time as the appointment of The First Year Representative Committee for the Fall Semester of 1983.

SECTION 2.

This Constitution shall supercede, on May 1, 2003 all previous Constitutions and Bylaws of this Association that shall then be null and void, and of no effect.

ARTICLE IX - NON-DISCRIMINATION STATEMENT.

No university student may be denied membership in SBA on the basis of race, creed, religion, gender, age, sexual orientation, national origin, marital status, parental status, disability, or the inability to pay dues.

ARTICLE X - NON-HAZING STATEMENT.

No hazing or discrimination will be used as a condition of membership by the SBA.

ARTICLE XI - ADVISOR

SECTION 1.

The advisor shall be selected by the officers of this organization and must be approved by a simple majority vote of eligible members. The advisor shall serve as a mentor to the organization providing guidance to the officers and members. The advisor has no voting rights. The advisor position has no term limit other than he/she must be a current FSU faculty or staff member.

SECTION 2.

The advisor will be notified in writing of the possible removal at least 72 hours prior to the vote and will be allowed to address the organization in order to relate to members any relevant defense prior to the voting for removal. Upon a 2/3 majority vote of eligible members the advisor will be remove from his/her duties. In the event that an advisor is removed or resigns, a new advisor shall be elected within 14 calendar days.

ARTICLE XII - FINANCES

SECTION 1.

Membership dues shall be twenty-five (25) dollars per year. Membership dues will be collected on a rolling basis with the final date for payment set by the Executive Board. **As stated in Article III Section 1, no university student may be denied membership due to inability to pay dues. If a member is not able to pay dues, other arrangements will be made.**

SECTION 2.

For the protection of the organization and its officers it is required that two authorized signatures sign all monetary transactions. Only the President, Vice-President, Treasurer, and/or FSU Faculty/Staff Advisor can be signers on the organization's account. Organizational funds may be spent on items such as office supplies, events/activities, publicity, travel expenses, conference fees, etc., but will not be used for anything illegal under University, local, state, and federal laws.

SECTION 3.

It shall be the responsibility of all account signers to change contact information as well as assist in the update of new account signatures after each election with the organization's financial institution. In addition, the Treasurer will be responsible to pass along all information from previous year's budget and current budget.

SECTION 4.

In the event that the organization ceases to exist, any funds remaining in the organization's account shall be remitted back to the Student Government Association, or donated to a charitable organization chosen by the Executive Board members.

ARTICLE XII - PUBLICATIONS

SECTION 1.

All advertisements of the organization must comply with the University Posting Policy (<http://www.fsu.edu/~posting/fsupolicy.html>).

SECTION 2.

The Secretary and President must approve all publications, shirts, flyers, etc. prior to duplication and distribution.

The Florida State University Student Bar Association BYLAWS

ARTICLE I - ATTENDANCE:

As required by the Constitution of the Student Bar Association, Article IV, Section 2 (B), attendance by Officers is mandatory, and nonattendance may be sanctioned as provided in these Bylaws.

SECTION 1.

Be it resolved that the Student Bar Association hereby adopts the following policy on attendance.

SECTION 2. Definitions -

"Officer" is defined in Article V, Section 1, of the Constitution of the Student Bar Association.

"Mandatory Board Meeting" or "Meeting" is defined as the weekly scheduled Board Meetings during the fall or spring semester, or is any Meeting of which two weeks prior written notification has been given to the Board.

"Officer in Question" is defined as the Officer who may be sanctioned under these bylaws.

"Board Member" is defined as any member of the Board, or any member of any of the Board's committees.

An **"Absence"** is any absence from a Board Meeting. Meetings shall not wait to commence for any Board member.

"Office hour" is defined as the weekly scheduled time between eight in the morning and five in the evening (8:00 AM - 5:00 PM) during the fall or spring semester designated by each Officer at the beginning of each semester. One hour must be scheduled for each Officer per week, and one additional office hour per week for the President, Vice-president, Secretary, and Treasurer.

SECTION 3. Sanctions -

Officers who fail to attend mandatory Board Meetings or fail to hold their scheduled Office Hours shall be sanctioned as follows:

Board Meetings

Attendance is mandatory to the position of an Officer, and failure to attend may be considered misfeasance, malfeasance, or nonfeasance, and may be grounds for removal.

At the commencement of each Board Meeting, attendance shall be taken, and any absences shall be noted in the Minutes of the Meeting. There shall be a notation and announcement made in the event that the reason for the absence of any Officer is known.

Two (2) Absences shall result in a documented warning by the President of the Student Bar Association, or in the President's absence, by the Vice President, Secretary, or Treasurer, to the Officer in Question.

Three (3) Absences may result in a motion by any Officer to the Board for the Officer in Question to be impeached as stated in Article 5, Section 5 of the Constitution of the Student Bar Association.

Tardies to Board Meetings shall not exceed four (4) for any one Officer per semester.

Tardies may be excused at the discretion of the President of the Student Bar Association.

At the time that the number allowed has been exceeded, one week's notification shall be required before proposing that the Officer be relieved of their duties.

The process for removal shall be as stated Article 5, Section 5 of the Constitution of the Student Bar Association.

Any Absence or Tardy may be appealed to the Board within two Meetings of the absence.

At this time, the Board may take into account any extenuating circumstances, as well as the reasoning of the President for the determination.

A two-thirds majority (2/3) vote shall determine if an absence is excusable, and neither the Officer in Question nor the President shall cast a vote.

Office Hours

The holding of regularly scheduled office hours is mandatory. Failure to attend regularly scheduled office hours may be used in Article V Section 5 impeachment proceeding discussions.

Extreme failure to attend regularly scheduled office hours may also be viewed as delinquency of duty under Article V Section 5.

Vacancies shall be filled as stated by the Constitution.

SECTION 4.

The Student Bar Association hereby adopts this language into our Bylaws on October 25, 2000, effective immediately, and covering the 2000-2001 academic school year and all future academic school years.

ARTICLE II: ELECTION CODE

SECTION 1. Purpose -

This "Election Code" is hereby enacted in accordance with Article VI of the Student Bar Association ("SBA") Constitution, to insure fairness, expediency, and finality. The Election Code shall be placed within and become a part of the SBA bylaws, in accordance with Article IV, Section 3, of the Student Bar Association Constitution.

SECTION 2. Timing of Election -

There shall be an election in the fall to elect the SBA 1L Representatives. The Fall Election should take place within 30 days of the beginning of Fall Semester classes.

There shall be an election in April to elect the SBA President, Vice President, Secretary, Treasurer, 3L Representatives, 2L Representatives, Florida Bar Representative, and ABA Jr. Representative. The Spring Election shall take place in April.

The polls shall remain open from 8:00 a.m. to 3:00 p.m.

SECTION 3. Determination of Winner -

No candidate may run for, or hold more than one position on the SBA Board at the same time.

In order for a candidate for President, Vice President, Secretary, Treasurer, 3L Representatives, 2L Representatives, Florida Bar Representative, or ABA Junior Representative to win a position, he/she must receive more than 50% of the vote.

If no one candidate for a candidate for President, Vice President, Secretary, Treasurer, 3L Representatives, 2L Representatives, Florida Bar Representative, or ABA Junior Representative receives more than 50% of the vote, a run-off election will be held.

The position of 1L Representative will be filled by the four candidates who receive the most votes.

There will be a run-off election for the position of 1L Representative only in the event of a tie between the fourth and fifth highest vote-getter.

The candidate in the run-off election receiving the most votes shall be declared the winner.

The Chair of the Judiciary Committee shall appoint three non-candidate, disinterested members of the Executive Board to count the ballots.

The ballots shall be counted in private and the results must be certified by report to the Secretary.

After the results have been certified, and no challenges remain, the results will be released to the candidates and the students as a whole.

SECTION 4. Election Campaign Rules -

The SBA Elections Committee has broad powers to interpret the rules of this section, subject to the veto of a majority of the SBA Executive Board.

"Campaign materials" include, but are not limited to the following: posters, signs, or WebBoard postings.

Materials that are not defined as "campaigning," and are not subject to these policies, are: personal e-mails, e-mails using aliases, and materials placed in mail folders (however nothing with even remote value may be given in the course of campaigning or during the election at any time).

Campaign materials may be no larger than an 8 ½ x 11 piece of paper.

Any posted campaign materials must comply with College of Law posting policies and be approved by the Office of Student Affairs

No campaigning or campaign material is permitted after 12:00 a.m., the morning of Election Day. It is the responsibility of the candidate to remove any posted campaign materials before this time.

E-mail is a permitted form of campaigning, so long as it complies with current College of Law standards. Further, e-mail is not subject to Section IV (e) of these bylaws.

"Mass-emails" through the Office of Student Affairs are forbidden in campaigning.

Announcements with the intent of campaigning are permitted in class, prior to Election Day. No announcement by a candidate should in any way interfere with a class.

The candidate or the candidate's supporters may give no candy, food, drink, or other campaign incentive to students during the course of the election. Nothing with even remote value may be given in the course of campaigning.

Candidates are responsible for the conduct and actions of their supporters regarding the rules in this section.

SECTION 5. Petition of Candidacy -

In order to be eligible to run for an SBA Office, a candidate must successfully complete a "Petition of Candidacy" form. This form shall be provided by the Student Bar Association and shall include:

- The name of the candidate,
- The office sought, and
- The signatures of (30) College of Law students.

Further, no student may sign the form of more than candidate for a single office.

SECTION 6. Election Ballot -

The Election Ballot shall clearly indicate what SBA Office(s) is (are) being voted upon, immediately followed by an alphabetical listing of all the candidates who are running for that office. Write-in candidates are not eligible under Section 5 of this Article. (For example, if there are four positions open, one person may sign up to four petitions regardless of how many people are running for those positions.)

SECTION 7. Run-Off Elections -

If a candidate receives more than 50% of the total votes cast for that office in the general election, that person shall be declared the winner, in accordance with Section III(a) of these bylaws.

If no candidate in any race receives more than 50% of the total votes cast, or there is a tie in the case of the 1L election, leaving an open position, the remaining seats shall be filled by the run-off election. The number of candidates allowed to participate in the run-off shall be decided in this fashion:

The number of candidates allowed to participate in the run-off for a position shall be equal to the number of available seats, plus one.

The run-off ballot slots will be filled by the highest vote getters in descending order from the initial election that have not already been guaranteed a seat.

If the number of candidates available to participate in the run-off is equal or less than the number of available seats, then those candidates shall be allowed to claim those seats without a run-off election.

The person(s) receiving the most votes in the run-off election will win the open seat(s), so long as they still meet the qualifications.

If after this process there remains an open seat, and there are no related appeals in progress, the SBA President may appoint a student to the position, subject to a vote by the SBA Executive Board, as described in the SBA Constitution, Article V, Section 3.

SECTION 8. LSAC Elections -

The Law School Appropriations Committee (LSAC) shall follow the same procedural and campaigning guidelines outlined in these Bylaws as provided in their governing doctrine.

The current LSAC Chair, or designee from the LSAC board in the case of absence or conflict will fulfill the role of the SBA Elections Committee in LSAC elections.

However, the Judiciary Committee will fulfill the same role in LSAC elections.

SECTION 9. SBA Elections Committee -

There shall be an SBA Elections Committee, which shall be chaired by a member of the SBA Executive Board, who is not a candidate for office.

This Committee shall be comprised of all interested students, and shall meet in a public place where any student can reasonably participate in the proceedings.

The Committee shall concern itself with the administration and fairness of all SBA elections. Its activity shall include, but not be limited to:

- Creation and dissemination of the Petition of Candidacy,
- Dissemination of general campaign information to the candidates and the student body,
- Organizing the polls to be attended by at least one SBA Board member at all times, and ensuring the ballot box remains locked, and
- Running a campaigning forum provided for the candidates by SBA.

The Committee shall also be in charge of running the "Candidate's Forum," described in Article VI s. (2) (B) of the SBA Constitution.

The Committee shall set the time at which campaigning may begin for an election. This information, as well as all pertinent election rules and procedures, must be communicated to all interested persons at a "Candidates' Meeting." The Candidates' Meeting should be held no later than one week before the election.

SECTION 10. Challenges to Election Results -

Any candidate for office may file a written petition of complaint, contesting the election, with the chair of the Judiciary Committee.

A petition must be filed within 24 hours of the closing of the election polls (by 3 p.m. the day following Election day), to be considered timely.

A petition of complaint must include the petitioner's name, the office sought, the alleged violation, and the relief sought.

Upon the filing of a timely petition, the Judiciary Committee shall hold a hearing, within 48 hours, to decide the merits of the complaint.

All (3) members of the Judiciary Committee must be present at the hearing.

While Florida State "Sunshine Laws" require such hearings to be open to the public, only interested parties shall be allowed to address the Judiciary Committee while they review a challenge. However, interested parties are not required to be present, and they may submit a written statement to the committee before the hearing.

The Judiciary Committee shall only rule on the merits of the complaint.

Relief is limited to that found in Section XIII of this Election Code.

SECTION 11. Recounts -

Upon a successful complaint, the Judiciary Committee shall perform a recount of the votes.

All members of the Judiciary Committee shall be present at the recount, and may be attended by the parties to the complaint.

SECTION 12. Sanctions -

One or more of the following sanctions is available in any given case. The decision is left to the discretion of the Judiciary Committee.

The Judiciary Committee deliberations and the decision of the Judiciary Committee must be open to the public.

Sanctions are listed by increasing severity:

- Perform a recount of the votes in accordance with Section XII of these bylaws.
- Private reprimand: a reprimand in front of the Judiciary Committee and other attendees, a letter of apology and explanation to the complainant and copied to the Judiciary Committee.
- Public reprimand: a letter of apology and explanation to the complainant, copied to the Judiciary Committee; a mass e-mail public reprimand carbon copied to the Dean of Student Affairs.
- Invalidation: resulting in a new election involving all qualified candidates.
- Disqualification: the candidate is disqualified from the election-in-question.
- Report to the Florida Board of Bar Examiners: in addition to disqualification, the Chair of the Judiciary Committee shall write, and all Judiciary Committee members will sign, a letter explaining the circumstances to the Florida Board of Bar Examiners (carbon copied to the Dean of Student Affairs). This sanction will be reserved for only the most egregious of violations.

SECTION 13

The Student Bar Association hereby adopts this language into our Bylaws on April 15, 2003, effective immediately, and covering all future academic school years.

ARTICLE III: FINANCES

SECTION 1.

All expenditures of SBA funds, including, but not limited to, LSAC and SBA membership dues, shall be voted and passed upon by a majority of the Executive Board.

SECTION 2

Per the SBA Constitution, the President cannot disburse and/or spend more than (fifty) dollars of SBA funds, at any one time and not to exceed \$200 per semester, without a majority vote of the Executive Board. Further, all SBA Expenditures must be promptly reported to the Executive Board.