

Harvard Law School Council

Bylaws of the Harvard Law School Council

Effective February 16, 2005

ARTICLE I: Council Membership

- § 1. The Harvard Law School Council (“Council”) shall consist of
- (A) The President, the Vice-President, the Treasurer, the Student Advocate, and the Internal Affairs Coordinator (“Officers”) elected from and by candidates for a degree from the Law School, including candidates for joint or concurrent degrees who are registered at the law school, at the time of the election.
 - (B) Two Section Representative elected from and by each 1L Section,
 - (C) Nine 2L Representatives elected from and by the 2L class,
 - (D) Nine 3L Representatives elected from and by the 3L class,
 - (E) Four LL.M. Representatives elected from and by the LL.M. degree candidates,
 - (F) Two S.J.D. Representatives elected from and by the S.J.D. degree candidates.
- § 2. Each member of the Council elected in accordance with Article I, § 1(A)-(F) above must take at least half of his or her credits for the year of Council membership in the Law School.

ARTICLE II: Elections

- § 1. Any candidate for a degree from the Law School, including candidates for joint or concurrent degrees who are registered at the Law School, may vote in Council elections.
- § 2. Spring Elections for Officers and 2L and 3L Representatives shall be held at least one, and no more than six, weeks prior to the start of Spring Break. Although a student may run for both an Officer position and a Representative position during Spring Elections, she shall forfeit her position as a Representative if also elected an Officer. Officers and 2L and 3L Representatives shall serve a one year term from the first Council meeting after the Spring Elections until the first Council meeting after Spring Elections the following year.
- § 3. Fall Elections for LL.M., S.J.D., and 1L Section Representatives, and for any unfilled Officer or 2L or 3L Representative positions, shall be held during September. Officers and 1L, 2L, and 3L Representatives elected in the Fall Elections shall serve a term from the first Council meeting after the Fall Elections until the first Council meeting after Spring Elections. LL.M. and S.J.D. Representatives shall serve a term from the first Council meeting after the Fall Elections until the last Council meeting of the academic year.
- § 4. The President, with the assistance of the Officers, shall be responsible for operating elections. An Officer may not participate in operating an election if that Officer is a running for a position in that election. If the President is running for a position in an election, the order of succession in Article III, §2 shall determine who will administer the election.
- § 5. Election results shall be certified by the Dean of Students and candidates shall be notified of their election as soon as is feasible.

- § 6. No person who has not begun service on the Council shall be counted as a voting member for purposes of determining quorums (as defined by Article VIII, § 15) or voting majorities.
- § 7. The Council shall establish Election Guidelines. The Constitution, Bylaws, and Election Guidelines shall govern all elections.

ARTICLE III: Filling Vacancies

- § 1. A vacancy occurs whenever a member of the Council is unable to serve due to absence, resignation, removal from office, lack of student status, or when there are insufficient candidates after the fall elections to fill an available seat.
- §2. If the position of President becomes vacant, the order of succession shall be the Vice-President, Treasurer, Student Advocate, and then the Internal Affairs Coordinator.
- § 3. In the event of any other vacancy the unelected candidate in the election for that position with the highest number of votes who is willing to serve shall assume the vacant position. If there is no eligible candidate willing to serve, the Council shall at its discretion appoint a new member upon recommendation by the President or hold a special election, using the following procedure:
 - (A) The President shall announce any vacant seats at the Council meeting immediately following the vacancy.
 - (B) The President shall place an announcement in the *HLS Adviser* as well as an announcement in Flashmod that states procedures for applying for the position. If a vacancy exists for a 1L Section Representative, the President shall also request that an email be sent to the 1L Section announcing the vacancy and stating procedures for applying for the position.
 - (1) In the event of a vacancy due to insufficient candidates the President shall make a submission to the *HLS Adviser* that meets the first submission deadline following the certification and announcement of election. In the event of any other vacancy, the President shall make a submission to the *HLS Adviser* that meets the first submission deadline after the vacancy arises.
 - (C) Applicants for vacant positions shall have at least 48 hours from the first announcement of the vacant position to submit their application.
 - (D) The Council shall vote on the vacant position at the first Council meeting after the deadline for submitting applications for the vacant position. If the Council votes not to appoint anyone or there are no candidates, the Council can consider applications at a later date repeating the requirements set forth in Article III, §§ 3 (B)-(C).
 - (E) In filling these vacant seats, the Council must give preference to applicants who are of the same class as the class of the vacant seat. If, and only if, there are no eligible applicants from the same class of the vacant seat, the Appointments Committee may consider students from other classes in filling the vacant seat, with the exception that 1L Section Representative seats may only be filled by students currently in that section.

ARTICLE IV: Officer and Representative Duties

- § 1. The President shall have the following duties:

- (A) The President shall be the official spokesperson of the Harvard Law School student body.
 - (B) The President shall preside over Council meetings and functions, voting only when his or her vote would break a tie.
 - (C) The President shall, with Council approval, appoint a Parliamentarian and such other agents helpful to the functioning of the Council.
 - (D) The President shall, with Council approval, create ad hoc committees to address special issues inappropriate for the standing committees.
 - (E) The President shall, with Council approval, appoint students to all Council committees.
 - (F) The President shall organize the appointment procedure for vacant Council positions.
 - (G) The President shall, with Council approval, have the power to remove any agent or committee member appointed by the President.
 - (H) The President shall call and preside over meetings of the members of the Executive Committee, which shall consist of the President, Vice-President, Treasurer, Internal Affairs Coordinator, Student Advocate, and all standing committee chairs. The Executive Committee shall supervise the affairs of the Council, but is without the authority to take any action without prior explicit approval of the Council.
 - (I) The President may request the Vice-President, Treasurer, Student Advocate, or Internal Affairs Coordinator to oversee Council committees.
- § 2. The Vice-President shall have the following duties:
- (A) The Vice-President shall organize the appointment process for student positions on Student-Faculty Committees and university-wide committees as requested by the Dean of the Law School or his or her designate.
 - (B) The Vice-President shall preside over meetings of the Council or Executive Committee in the President's absence.
 - (C) The Vice-President shall serve as Organizational Liaison. In this capacity, he or she shall regularly contact the leaders of all Law School student organizations, and shall chair meetings with all of the organization leaders once each semester to discuss problems, activities, and common concerns.
- § 3. The Treasurer shall have the following duties:
- (A) The Treasurer shall prepare, administer, and regularly report on the Council's budget.
 - (B) The Treasurer shall, with the approval of the Council, appoint the membership of the Student Funding Board in conjunction with the Office of the Dean of Students. The Treasurer shall also preside over all meetings of the Student Funding Board. Per Harvard University guidelines, this duty shall continue until June 30, the close of the fiscal year, any other provision of these Bylaws notwithstanding.
 - (C) The Treasurer shall, upon request, provide any Harvard-affiliated person with a copy of the Council budget or with an accounting of Council expenditures within seven days.
- § 4. The Student Advocate shall have the following duties:
- (A) The Student Advocate shall act as a contact for the student body to voice comments and complaints to the Law School administration.

- (B) The Student Advocate shall administer the Sound Off Board in the Harkness Commons as part of this obligation.
 - (C) The Student Advocate shall promote or adopt any other methods, including electronic means, to better garner student opinion and complaints regarding the Law School Community.
- § 5. The Internal Affairs Coordinator shall have the following duties:
- (A) The Internal Affairs Coordinator shall keep all the official records of the Council.
 - (B) The Internal Affairs Coordinator shall record attendance at Council meetings.
 - (C) The Internal Affairs Coordinator shall keep the Constitution and Bylaws, and provide them at request to any Law School student.
 - (D) The Internal Affairs Coordinator shall take minutes at every meeting of the Law School Council. The minutes shall include the text of any motions upon which a vote is included, the result of such a vote, the substance of any reports and announcements made, and attendance.
 - (E) The Internal Affairs Coordinator shall provide an unofficial copy of the minutes to each member of the Law School Council no more than 48 hours following the meeting for which the minutes are taken. Council members may object to the minutes by filing an objection with the Internal Affairs Coordinator and the President of the Council within 48 hours after the minutes are distributed. Upon such properly filed objection, a majority vote of the Council is necessary to make the minutes official. If no objection is properly filed, the minutes become official 48 hours after the distribution of minutes.
 - (F) The Internal Affairs Coordinator shall oversee all 1L Section Representatives in the performance of their Section Representative duties.
- § 6. 1L, 2L, 3L, LL.M., and S.J.D. Representatives (“Representatives”) shall have the following duties:
- (A) The Representatives shall represent and seek feedback from their constituencies.
 - (B) The Representatives shall actively serve on at least one Council committee.
 - (C) The Representatives shall recruit faculty members for the faculty student lunch program.
 - (D) The Representatives shall receive bar monitoring training and oversee the Council Happy Hours.
- § 7. Each Officer and Representative shall have all other duties and powers granted him or her by the Constitution, Bylaws, or the Council.

ARTICLE V: Attendance

- § 1. The Internal Affairs Coordinator shall excuse absences for good cause provided members notify him or her prior to the meeting. “Good cause” includes, but is not limited to, a class or other compulsory university appointment, a civic or religious obligation, inclement weather, an employment interview, or the illness of the member or a close friend.
- § 2. No member may be absent without excuse from more than two Council meetings per year. The Internal Affairs Coordinator shall warn a member in writing upon his or her second unexcused absence. After the member’s third unexcused absence, he or she shall

be removed unless the Council retains him or her by a two-thirds vote at the next regular Council meeting.

- § 3. No member may be absent, with or without excuse, from more than four Council meetings per year. The Internal Affairs Coordinator shall warn a member in writing upon his or her third absence. After the member's fourth absence, he or she shall be removed unless the Council retains him or her by a two-thirds vote at the next regular Council meeting.
- § 4. In the event that the Internal Affairs Coordinator is not present for a meeting, the President or a designee thereof shall ensure that all duties of the Internal Affairs Coordinator, including the taking of attendance, are fulfilled.

ARTICLE VI: Student-Faculty Committee Appointments Process

- § 1. The Vice-President shall chair the Appointments Committee. The Appointments Committee shall be responsible for nominating students to serve on Student-Faculty Committees as requested by the Dean of the Law School or his or her designate. The nominations must be approved by a simple majority vote of Council members, who are not being considered for any Student-Faculty Committee, at a Council meeting. The Appointments Committee shall observe the following guidelines:
- (A) Each Spring, the Dean of the Law School shall designate committees which shall continue to exist the following school year. An application process for open positions for rising 2Ls and/or 3Ls on those committees shall take place in the Spring. Applications shall be due on the same day as candidate statements for 2L and 3L Representative Candidates. Any open positions in the Fall shall be appointed in the Fall.
 - (B) The Appointments Committee must announce the availability of positions on Student-Faculty Committees at a Council meeting and in the following *Adviser* and give potential applicants at least two full days after the announcements to indicate their interest in the position before the committee can make any official nominations.
 - (C) Based on the timeline for elections, the number of Spring meetings the newly-elected council will have, and the appointments process timeline, the outgoing Vice President shall determine, prior to the deadline for Student-Faculty Committee application, whether outgoing Council members or newly-elected Council members shall comprise the Appointments Committee.
 - (D) Although Council Member applicants may be given preference, any student, whether or not an elected member of the Law School Council, may serve on a Student-Faculty Committee. The Appointments Committee shall nominate one applicant from all of the applicants for each post to be considered by the Law School Council as a whole. For the Spring Appointments process, the entire, newly-elected Law School Council must vote on these nominations by its final Spring meeting.
- § 2. Student-Faculty Committee Appointees shall have the following duties:
- (A) Students appointed to Student-Faculty Committees shall be expected to make a good faith effort to keep the Council informed of the activities of the Student-Faculty Committee on which they serve. Students appointed to Student-Faculty

Committees shall be expected to submit monthly written reports to the Vice-President on his or her involvement in the committee that he or she has been appointed to. Students appointed to Student-Faculty Committees shall be required to attend Law School Council meetings at least once during the Fall and Spring terms to report on the progress of the Student-Faculty Committee on which they serve and to answer questions of Council members at the request of an officer of the Council.

- (1) Notice should be served at least 24 hours in advance of the time for appearance, but notice with less time is permissible when circumstances make this unavoidable and when such appearance is not unreasonably inconvenient for the appointee(s).
- (B) The Council may not require appointees to vote in accordance with the Council's position but may, at its discretion, treat a failure to do so as "cause" for removal under Article VII of these bylaws.
- (C) Appointees shall serve until the last meeting of the Law School Council in the Spring following their appointment. Service of appointees may be extended for an additional academic year by a majority vote of the Law School Council.
- (D) Upon application for appointment, all prospective members of student-faculty committees shall be provided with a copy of these bylaws or the provisions of these bylaws which are relevant to their service.

ARTICLE VII: Removal

- § 1. Any person holding office under the Constitution or these Bylaws, including students appointed to Student-Faculty Committees, may be removed for cause upon twenty-four hours notice by a three-fourths vote of all Council members at a Council general meeting or special meeting (called in accordance with the procedure outlined in Article VIII, § 4) in which quorum is present.
- § 2. Removal proceedings will begin when a Council member makes a motion to remove the officeholder and the motion is properly seconded by another Council member at a Council general or special meeting.
- § 3. Proceedings will continue as follows: The moving member will have up to five minutes to explain to the Council why the officeholder should be removed. The officeholder will have up to five minutes to speak before the Council in his or her defense. The officeholder then will leave the room, the Council will follow debate procedures as specified in *Robert's Rules of Order, Newly Revised* in considering the motion, and the Council will then vote on the motion to remove the office holder. At any time before a final vote on the motion is taken, the Council may request that the officeholder return to the room to answer any pertinent questions. The motion to remove the officeholder may not be tabled.
- § 4. If the motion to remove the officeholder passes, the officeholder is immediately removed from the office. The officeholder may appeal the decision to the Dean of Students, who has the authority to overturn a removal.

ARTICLE VIII: Council Meetings

- § 1. The Council shall meet the first and third Wednesday of the month at 8pm. The Officers can alter this regularly scheduled meeting date and time as long as the new date and time does not conflict with any Council members' regularly scheduled class meeting times.
- § 2. The President shall determine the order of business for meetings.
- § 3. The President shall notify the membership of the time and place of each meeting at least 24 hours prior to the meeting. Notice shall include the agenda, and motions which have the effect of amending the Bylaws, adopting special rules of order, discharging a committee, or changing or nullifying previous actions of the Council.
- § 4. The Council may hold special meetings upon the call of the President or upon petition by ten members. If three days notice cannot be given for the special meeting due to an emergency, absences will not be recognized under Article V of these Bylaws.
- § 5. Except as otherwise provided in the Constitution or these Bylaws, the Council shall be governed by *Robert's Rules of Order, Newly Revised*.
- § 6. Quorum for Council meetings is defined as 50% plus 1 of the Council membership. No decision made by vote of the Council shall be considered valid unless quorum is met.
- § 7. Unless otherwise provided for by these bylaws, Council approval means a simple majority vote (defined as 50% plus 1 of voting members) in favor of the proposed motion at a Council meeting in which quorum is met.
- § 8. The Council Officers must hold an Executive Board meeting at least once every two weeks, preferably during the week between Council meetings if Council meetings are every other week, except during January and exam periods. Whenever possible, Council members should introduce any motions or other agenda items that they wish to present at the next Council meeting to the President at least 48 hours prior to the meeting.

ARTICLE IX: Standing Committees

- § 1. Except for the Appointments Committee which shall function as described in Article VI, each standing committee shall consist of a chair or co-chairs elected by the Council from its membership and those students appointed to the committee under Article IV, § 1(E).
- § 2. The Facilities and Student Services Committee shall work to improve the quality of Law School facilities and student services.
- § 3. The Academic Affairs Committee shall work to improve the quality of the Law School's academic climate.
- § 4. The Programming and Public Service Committee shall work to improve the quality of the Law School's social atmosphere and the student body's public service.
- § 5. The Rules and Procedures Committee shall interpret the Constitution and the Bylaws and propose appropriate amendments thereto. The Parliamentarian shall serve as a non-voting member of this committee.
- § 6. The Graduate Student Affairs Committee shall work to improve the quality of life for LL.M and S.J.D. students.
- § 7. The State of the School Committee shall prepare the biannual State of the School Report which describes student concerns and possible solutions.
- § 8. The Technology Committee shall work to improve the quality of technology at the Law School.

- § 9. The Forums Committee shall plan forums among the Council, Law School administration, and student organizations.
- § 10. The Happy Hour Committee shall plan Council Happy Hours and schedule Council members to serve as bar monitors.
- § 11. The Appointments Committee shall be chaired by the Vice-President, shall include all members of the Law School Council who wish to serve on the committee with a minimum of four in addition to the Vice-President, and shall be responsible for nominating individuals to serve on Student-Faculty Committees as described in Article IV, § 2(A) .
- § 12. The American Bar Association Law Student Division Committee (or “ABA”) shall be chaired by the American Bar Association Representative (“ABA Representative”), who will be chosen by the Council after Spring Elections, but prior to the beginning of spring finals, using the same procedure for Student-Faculty Committee appointments. Refer to the Council Directive to the ABA Committee for the Committee’s responsibilities.

ARTICLE X: Compensation

- § 1. No member or officer of the Law School Council shall solicit or accept personal compensation in any form for duties performed in the name of the Law School Council.
- § 2. Violation of this Article shall be considered a “cause” for removal under Article VII.

ARTICLE XI: Initiative

- § 1. Upon presentation to the President of a petition bearing the signatures of ten percent of the members of the Law School student body requesting a specific measure upon matters within the Council’s authority, the Council must either adopt the measure by a simple majority vote at a Council meeting or submit it to a vote of the student body within twenty-one days of the presentation of the petition.
- § 2. To be adopted by the student body, a measure must receive the approval of more than 50% of the votes cast and the approval of more than 25% of all eligible voters.

ARTICLE XII: Recall

- § 1. Upon presentation to the President of a petition for the recall of any Council or Student-Faculty Committee member or officer bearing the signatures of fifteen percent of the constituent class and containing a statement of specific grounds for removal, the Council shall call a specific recall election within fifteen days.
- § 2. A Council or Student-Faculty Committee member or officer shall be recalled if the recall measure receives the approval of more than two-thirds of the votes cast by members of the constituent class and more than one-third of all eligible voters of the constituent class.
- § 3. For purposes of this Article, the constituent class for a Student-Faculty Committee member is the entire Law School student body.

ARTICLE XIII: Amending the Bylaws and Suspending the Rules

- § 1. These Bylaws may be amended at any regular meeting of the Council by a two-thirds vote.
- § 2. The Council may “suspend the rules” by a two-thirds vote at a Council meeting. “Suspending the rules” allows the Council to temporarily suspend a particular provision of the Bylaws or Election Guidelines, and thereby act as if that provision does not exist. In “suspending the rules,” the moving party must specify what rules will be suspended and for long the rules will be suspended.

ARTICLE XIV: Authorization

- § 1. These Bylaws shall take effect immediately upon receiving a two-thirds vote at any regular Council meeting.
- § 2. These Bylaws shall replace all previously enacted Bylaws.

END OF DOCUMENT