

**CONSTITUTION OF THE STUDENT BAR ASSOCIATION
UNIVERSITY OF BALTIMORE SCHOOL OF LAW**

Preamble

Section 1: The name of this organization is the Student Bar Association of the University of Baltimore School of Law.

Section 2: The purposes of this organization are:

- a. To coordinate student activities in the law school and
- b. To be the official representative of law students to the law school and university administrations; and
- c. To further academic achievement through participation by law students in the formation and revision of standards of legal education; and
- d. To become involved with and participate in the direction and goals of the organized bar at all levels; and
- e. To promote professional responsibility.

Section 3: In this constitution, the following words have meanings indicated:

- a. "SBA" means the Student Bar Association of the University of Baltimore School of Law.
- b. "SBA Member" means a student maintaining current enrollment in the University of Baltimore School of Law.
- c. "Officer" means an officer of the SBA, and the a member of the General Council.
- d. "Elected position" means an office in the General Council.
- e. "Appointed Position" means a justice on the Honor Court, Board of Preliminary Review, or Prosecutor.
- f. "Prosecutor" means a Chief Prosecutor or individual prosecutor, as the usage of the word requires. "Prosecutor" also refers to the Chief Prosecutor and individual prosecutors collectively.
- g. "School day" means any day on which classes are held.
- h. "Day student" means a student maintaining current enrollment in the day division of the University of Baltimore School of Law as determined by the University Registrar.
- i. "Evening student" means a student maintaining current enrollment in the evening division of the University of Baltimore School of Law as determined by the University Registrar.
- j. "Quorum" means the presence of at least two-thirds (2/3) if the members eligible to vote.
- k. "Administrative Committees" shall include but are not limited to faculty appointments committee, curriculum committee, student life committee, and all other committees created by the university administrators on which students sit.

Article Two: General Council

- Section 1: The officers of the SBA consist of the Executive Board, the Class Representatives and the ABA Representative, collectively known as the General Council.
- (A) The Executive Board consists of a President, Day Vice-President, Evening Vice-President, Recording Secretary, Corresponding Secretary, and Treasurer.
 - (B) The Class Representatives consists of:
 - (1) Two (2) students from each of the second and third years of the day school, and the second, third and fourth years of the evening school
 - (2) One (1) student from each first years section of the law school
 - (C) Each member of the General Council has one vote. The President may vote only in the case of a tie vote.
- Section 2: To be elected an officer of the SBA, and to continue in that office, person shall:
- (A) Be a SBA member.
 - (B) Be attending the year of law school corresponding to the requirements of the office. A day student in attendance for fourth and subsequent years may seek office as a third year day student.
 - (C) An evening person in attendance for fifth or subsequent years may seek office as a fourth year evening student.
 - (D) Have completed one semester of law school, except that a person seeking first year office need not have completed one semester.
 - (E) Take an oath agreeing to uphold this Constitution, the Bylaws of the SBA, and the Honor Code. The General Council shall designate the form of this oath.
- Section 3: An officer may serve more than one term in office.
- Section 4: The duties of the Council shall be to legislate for, establish policy for, and make rules and regulations for extracurricular activity on and off campus. These duties shall include but shall not be limited to the following:
- (A) To collaborate with the faculty, administration, and the Alumni Association in matters affecting the welfare of the law school and the students and keep the student body informed of such matters.
 - (B) To propose legislation, rules, regulations, and policies to the General Council for adoption thereby.
 - (C) To encourage student organizations and individuals to participate in legal, educational, and social activities.

- (D) To supervise the official activities calendar of all law school events and to allocate facilities.
- (E) To have control of SBA bulletin boards.
- (F) The General Council shall be empowered to create committees considered necessary and proper to carry out the functions of the SBA.

Section 5: The general duties of the members of the General Council are to represent the members of the SBA; and

- (A) The President shall:
 - (1) Preside at all meetings of the SBA General Council and Executive Board
 - (2) Appoint, with advice and consent of the General Council, members to committees created by the General Council and may designate a chairperson for each committee, and the Student Administrator of the Honor Board.
 - (3) Serve as the official spokesperson for the SBA in accordance with the policy officially adopted by the General Council.
 - (4) Sign, with the Treasurer, warrants for money from the treasury.
- (B) The Vice-President of the opposite division than that of the President shall:
 - (1) Assume the duties of President in absence of the President.
- (C) The Vice-President of the same division as that of the President shall:
 - (1) Call meeting to order in the absence of the President and Vice-President of the other division than that of the President and preside over those meetings.
- (D) The Recording Secretary shall:
 - (1) Maintain current copies of and record amendments to the Constitution, Bylaws, and minutes of the SBA, and other documents designated by the President or General Council on file at the law library, and in the SBA office.
 - (2) Cause copies of the Constitution, Honor Code, and SBA Bylaws to be made available to the members of the SBA at least once each year.
 - (3) Record the proceedings of all meetings of the SBA, General Council, and Executive Board.
 - (4) Notify officers and committees of their election or appointment and committees with materials referred to them.
 - (5) Prepare other documents at the direction of the President.
- (E) The Corresponding Secretary shall:
 - (1) Prepare an agenda for each meeting of the General Council, circulate the agenda to members of the General Council prior to each meeting, and post the agenda in appropriate places prior to each meeting.
 - (2) Conduct the general correspondence of the organization as directed by the President and the Vice-President.
 - (3) Prepare and post an official activity calendar.
- (F) The Treasurer shall:
 - (1) Be responsible for the distribution and maintenance of all Student Activities Funds.
 - (2) Maintain records of all financial transactions of the SBA.

- (3) Sign, with the President warrants for money from the treasury.
- (4) Submit a monthly report to the General Council.
- (5) Prepare a statement of financial position at least twice yearly.
- (6) Submit a written annual report at the first SBA meeting at the start of the academic year.
- (7) Serve as a member of the Budget Committee.
- (G) Class Representatives shall:
 - (1) Be spokesperson and act on behalf of the members of the SBA and their respective classes.
 - (2) Report back to their respective classes all actions taken by the General Council subsequent to each meeting.
- (H) The American Bar Association Representative shall:
 - (1) Promote American Bar Association Law Division membership and programs.
 - (2) Represent University of Baltimore School of Law at Circuit meetings and vote for the law school at all Circuit meetings and at the ABA/LSD Annual Meeting.
 - (3) Develop and implement an action plan that encourages membership, programs/activities, and dissemination of information to the student body.
- (I) All officers shall deliver to their respective successors all materials pertaining to the office they hold.

Section 6: General Council:

- (A) The General Council shall meet at least once a month except during those times when classes are not held.
- (B) The General Council shall announce and post dates of meeting in advance to encourage participation.
- (C) All General Council and Executive Board meetings are open to all SBA members except those meetings required to be closed by the Constitution.
- (D) All matters of personal appointments shall be discussed in a closed meeting, unless the General Council votes to open the meeting.
- (E) Only the General Council may create committees.
- (F) The General Council shall enact Bylaws to carry out the intent of this Constitution, and may enact other Bylaws consistent with the Constitution.
- (G) The General Council shall require all persons appointed to make periodic reports to the General Council.
- (H) The General Council shall vote on any matters unless a quorum is present at the The General Council meeting.
- (I) Student representatives to administrative committees shall be appointed by vote of the General Council. The General Council shall post requests for applications for these appointments. The General Council shall promulgate Bylaws to effectuate this section.

Section 7: Impeachment

- (A) For good cause, the General Council may impeach a general council member, or any appointed committee in the following manner:
 - (1) Any officer if the SBA, or member of the Board of Preliminary or Honor Court is subject to impeachment by a two thirds vote of all officers of the General Council.
 - (2) If the General Council votes to impeach, the Honor Court shall receive the impeachment for trial of the person impeached. If the person is a member of the Honor Court, that person may not sit on the Court for the trial.
 - (3) The Chief Prosecutor of an individual prosecutor shall represent the General Council in prosecuting the impeached person.
 - (4) Impeachment and trial do not constitute disciplinary proceedings under the Honor Code. The only sanction the Honor Code may impose under this Article is removal from office. Removal requires a unanimous vote of the Honor Court.
 - (5) All proceedings in the General Council and Honor Court relating to impeachment and trial of an impeached person are confidential.
- (B) For good cause, any SBA member may petition for the impeachment of any member of the General Council or an appointed committee member in the following manner:
 - (1) The petition must:
 - (a) Be submitted to the SBA President or Recording Secretary; and
 - (b) be accompanied by the signatures, printed names and social security numbers of at least 100 members of the SBA; and
 - (c) state that the members signing the petition favor the impeachment of the officer to be impeached; and
 - (d) state the reasons for the proposed impeachment.
- (C) A petition that complies with Section 7 (B) shall then be submitted to the SBA members at an election, which must take place within 15 school days from the date of submission of the petition to the President or Recording Secretary of the SBA. A petition may be submitted no later than one month prior to the last day of classes, and
 - (1) The full text, without signatures, of the petition submitted to the SBA must be posted with notice of the election at least ten (10) school days prior to the first day of the election. The SBA shall, before the, place a notice of the election, along with a copy of the full text of the petition in the Student Newspaper; and
 - (2) Within ten (10) school days before the election, the SBA shall hold an open forum to allow all interested parties an opportunity to be heard; and
 - (3) At least 1/3 of the SBA membership must vote in the election to deem the election valid and the results of the election binding; and

- (4) The impeachment shall be considered approved and effective of 2/3 of the votes favor it.

Article Three: Judiciary

Section 1: The Judicial Branch of the Student Bar Association shall consist of the Honor Board and the Student Administrator.

Section 2: The Student Administrator shall be appointed by the President and be confirmed by a majority of the General Council. The duties shall include:

- (A) Soliciting applicants for the Honor Board by posting notice throughout the school and in the law school newspaper.
- (B) After soliciting applicants, the Student Administrator shall present the pool of applicants to the General Council within forty-five (45) calendar days from the first day of school.
- (C) When necessary, the Student Administrator shall select the members of the Honor Board needed to serve for an Honor Code hearing.
- (D) The Student Administrator shall recuse Honor Board members asked to serve on an Honor Code hearing if the member of the Honor Board has a conflict of interest.

Section 3: The members of the Honor Board shall be confirmed, individually, by a vote of the General Council. Any member of the Student Bar Association in good academic standing who has completed one full semester of law school may apply to be a member of the Honor Board.

- (A) The Honor Board shall consist of twenty-five (25) persons.
- (B) The term of office for a member of the Honor Board is one year. An individual may serve more than one term on the Honor Board.
- (C) An officer of the Student Bar Association shall not be a member of the Honor Board.
- (D) If selected to serve on an Honor Code hearing board, a member of the Honor Board must recuse themselves for a conflict of interest. Failure to recuse themselves shall constitute grounds for immediate and permanent removal from the Honor Board.

Article Four: Elections

Section 1: Elections

- (A) The General Council shall schedule two elections each year to be known as the Fall and Spring General Elections.
 - (1) At the Fall elections, the first year class representatives shall be elected. Positions shall be held from election to election.

- (2) The General Council shall schedule the Fall General Elections on Monday through Thursday of a week not later than the third (3rd) week in September of the Fall semester.
 - (3) At the Spring General Election, the Executive Board and class representatives, except the first year, shall be elected. The Executive Board shall consist of one President, two Vice-Presidents, one corresponding and one Recording Secretary, and one Treasurer. All positions except the two Vice-Presidents will be elected at large. The two Vice-Presidents shall be elected as follows “one from the day and one from the evening divisions.”
 - (4) The General Council shall schedule the Spring General Election to last from Monday through Thursday, of a week between the middle of March and the first week of April.
- (B) The General Council may schedule special elections at any time. The General Council shall specify notice requirements for special elections. Other requirements are the same as for the General Elections.

Section 2: Notice

- (A) The General Council shall post notice of all Fall General Elections at least two weeks prior to the first day of the election and shall post notice of Spring Elections at least one month prior to the first day of elections. The General Council will include in this notice a listing of all positions to be included on the ballot.
- (B) When the General Council posts a notice of General Elections, it shall make available applications for nomination for elected position.

Section 3: Nomination

- (A) A SBA member may nominate himself or herself for any office that person is qualified to hold. A SBA member may nominate another SBA member for any office the nominee is qualified to hold. The nominee and fifteen (15) SBA members must sign nomination applications for the executive board.
- (B) A nomination application shall be returned in at a place designated by the President at least one (1) week prior to the first day of the election. The General Council shall cause to be notified all nominees prior to the first day of election that the nominees name will be placed on the ballot.

Section 4: Voting

- (A) A SBA member may vote for those persons running for office from the member’s year of law school. For those persons running for offices not designated by year, except that in the case of Vice-President, each SBA member will vote for only one Vice-President from his/her day or evening division respectfully.
- (B) A member shall present a valid University of Baltimore student identification card in exchange for a ballot, and shall sign a roster indicating that he or she has voted.

- (C) A SBA member may only vote once at each position.
- (D) All offices are awarded to those persons who received the most votes for that particular elected position.
- (E) Unless otherwise specified in the Constitution, questions presented on the ballot are considered approved if they receive a simple majority of those voting.

Section 5: Swearing In:
 Newly elected officers of the General Council and newly appointed members of the Honor Board are sworn in and assume the office at the regularly scheduled meeting of the SBA or General Council held right after the election. The Chief of Justice of the Honor Court will conduct the swearing in and shall administer the oath of office to incoming persons. Any persons may not assume elected position until that person has taken the oath prescribed by the Constitution.

Section 6: Election to fill vacancies may take place at either a general or special election.

Section 7: Vacancies

- (A) If the office of President becomes vacant, the General Council shall immediately elect a President to be chosen from the two Vice-Presidents then in office and he/she shall immediately be sworn in as President.
- (B) If a vacancy occurs in any other elected or appointed position under the Constitution, the General Council may:
 - (1) Immediately call a special election pursuant to section (1)(B) of this Article to fill vacancy, or;
 - (2) Appoint a replacement by a majority vote of the members of the General Council. The replacement shall immediately be sworn in and assume the office vacated, and shall hold office until the next election for that office at which time, an election for that office shall take place.

Article Five: Budget

Section 1: Intent
 The intent of the Article is that the budget process be structured to allow ample opportunity for input from SBA members.

Section 2: Budget Committee Formation

- (A) The General Council shall create a budget committee. The Budget Committee shall be comprised of the Treasurer of the SBA and four additional General Council members.
- (B) The General Council shall provide, in writing to the Budget Committee the amount of funding which the President requests for funding function

of the SBA and General Council. The SBA budget shall be in accordance with the Bylaws promulgated by the Budget Committee.

- (C) The Budget Committee shall accept budget proposals from representatives of law school organizations, which have filed current constitutions in the Student Activities Office. The SBA will only allocate funds to law school organizations. To qualify as a law school organization, membership must be composed of law school students and officer positions must be held by law school students. The stated purpose of these organizations shall be to promote and support the study and discussion of legal issues germane to the organizations of the Law School. Budgets shall be submitted in accordance with the Bylaws promulgated by the Budget Committee. The Budget Committee shall file one copy of each budget proposal in the Center for Student involvement (CSI), including the budget of the SBA.
- (D) The Budget Committee shall review all proposals and recommend to the General Council a budget allocation. The recommendation shall be filed in CSI.
- (E) The General Council shall hold hearings to provide discourse from the SBA members regarding the Budget Committee recommendations.
- (F) In a meeting subsequent to and separate from that defined 2(E) contained herein, the General Council shall make a final determination as to all budget allocations. Passage of the final budget allocation requires a majority vote of the officers of the General Council.
- (G) The final budget allocation shall be filed for review in the CSI.
- (H) The budget process will take place during the fall semester and all allocation will be reviewed and approved during that period only. At the discretion of the General Council, the budget process may be changed.

Section 3: Appeals

Appeals of the budget approved by the General Council shall be in accordance with the Budget Committee Bylaws.

Section 4: Bylaws

The General Council shall enact Bylaws to effect the provisions of the Article.

Article Six: Process for Amending this Constitution

Section 1: Proposing Amendments

Any SBA member may propose amendments to this constitution by submitting the proposal to the SBA President or Recording Secretary as provided for in Section 2(A) contained herein.

Section 2: Submission

- (A) The submission of the proposal to the SBA President or Recording Secretary shall be accompanied by the signatures and printed names of at least 100 members of the SBA on a petition stating that the members signing the petition favor the adoption of the proposed amendment to this Constitution.

- (B) The petition shall be in a format such that the entire proposed amendment is affixed to the petition.

Section 3: Constitution Committee

The Constitution Committee may propose amendments to this Constitution by submitting the proposal to the SBA President or Secretary without the required signatures provided the General Council subsequently approves the proposed Amendment by a two-thirds (2/3's) vote of all Council members.

Section 4: Enactment

- (A) A proposal that complies with either Section 1 and 2 or Section 3 contained herein shall then be submitted to the SBA members at an election which must take place within fifteen (15) school days from the date of submission of the proposal to the President or Recording Secretary of the SBA.
- (B) A proposal submitted to the SBA members must be posted with notice of the election at least ten (10) school days prior to the first day of election. The full text of the proposed amendment must be posted at a place near (within ten (10) feet) of the ballot box.
- (C) At least 1/3 of the SBA membership must vote in the election to deem the election valid and the results of the election binding.
- (D) The proposal shall be considered approved and effective if 2/3 of the votes favor it.

Section 5: Effective Date

A newly amended Constitution takes effect immediately upon voter approval provided in Section 4(D) contained herein, unless the amendment itself expressly provides an alternative effective date.