

STUDENT BAR ASSOCIATION CONSTITUTION

PREAMBLE

WE, THE STUDENTS of St. Thomas University School of Law, in order to promote the general welfare of our Student Body, and in partnership with the Faculty and the Administration of the School of Law, herein and hereby set forth the fundamental principles of Student Government for ourselves and our successors with the power to enact suitable regulations for the purpose of initiating and carrying out our Law School activities in an orderly and efficient manner, and do therefore ORDAIN AND ESTABLISH THIS CONSTITUTION.

ARTICLE I.

The objectives of the Student Bar Association of St. Thomas University School of Law shall be:

1. To ensure a Student Government based upon the will of the Student Body.
2. To provide a forum for the expression of ideas concerning the social, ethical, and intellectual aspects of student life.
3. To encourage the initiation of educational programs in order to achieve and maintain a high standard of education at the School of Law.
4. To provide for association among students, faculty, and administration; and to promote a close affiliation between students and members of the legal profession.
5. To pursue the high standard of professionalism necessary to excel in the legal community.

ARTICLE II.

SECTION 1.

This organization shall be known as the Student Bar Association of St. Thomas University School of Law.

SECTION 2.

The membership of the Student Bar Association shall consist of all students officially enrolled at St. Thomas University School of Law.

SECTION 3

The Government of the Student Bar Association shall be composed of Officers and the Senate.

ARTICLE III.

SECTION 1.

The Student Bar Association shall be managed by the Student Bar Association Officers and Senate through the powers enumerated herein.

SECTION 2.

The Officers of the Student Bar Association shall consist of a President, a Vice-President, a Secretary, and a Treasurer. The Senate shall be composed of Senators from each of the three classes. The Officers and Senators shall be elected by the membership of the Student Bar Association as set out in Article VI.

SECTION 3.

The official Student Bar Association meetings shall consist of the Officers and Senate and shall meet regularly, at least once a month, and from time to time for such special meetings as may be necessary. For the purpose of conducting business, a quorum shall consist of fifty percent (50%) plus one (1) of the Officers and the Senate with at least two (2) Officers present.

SECTION 4.

The Officers and Senate shall:

- (A) Serve as a forum for the initiation of ideas and programs for the Student Bar Association; make recommendations to the President; consider student grievances presented to the Officers and Senate; and pass resolutions deemed by the Officers and Senate to be in the best interest of the Student Bar Association.
- (B) Have the power to pass proposals to execute its duties.
- (C) Adopt Robert's Rules of Order to govern the procedure of all meetings of the Board.
- (D) At each meeting of the Board, keep a journal, which shall include all details of the proceedings, the presence or absence, and vote on any issue of each member. The Student Bar Association journal, which shall be prepared by the Secretary, will be published to the students within a week after each meeting and shall remain available thereto for five (5) school days.
- (E) Create, oversee, and dissolve select committees of the Student Bar Association.
- (F) Review and approve the yearly budget of the Student Bar Association as submitted by the Budget Committee. Require from the Treasurer a regular accounting of all funds of the Student Bar Association.
- (G) At each regular meeting, receive reports from the President and committee chairpersons as to the status of the Student Bar Association programs and activities. Receive reports from the Law School representatives to St. Thomas University Student Government Association as to all matters pertinent to the Law School. Receive reports from the American Bar Association/Law Student Division representative relative to that organization.
- (H) After appropriate hearing, a vote of no-confidence by two-thirds (2/3) vote of the Officers and Senators present, shall remove any chairperson of any committee from office.
- (I) Have the power to enact by-laws not inconsistent with this Constitution, by majority vote of the Officers and Senate, in order to set out any rules and regulations deemed necessary for the maintenance of the Student Bar Association. Such by-laws shall be amended by a majority vote of the Officers and Senate.
- (J) Elect by majority vote from the nominations made by the Officers and Senators to fill the vacancy of any elected office of the Student Bar Association. Such elected Officers shall hold office until the holding of the regularly scheduled elections as enumerated in this Constitution.

ARTICLE IV.

SECTION 1.

The Officers of the Student Bar Association shall consist of a President, a Vice-President, a Secretary, and a Treasurer.

- (A) The President of the Student Bar Association shall:
- (1) Represent the Student Bar Association of St. Thomas University School of Law.
 - (2) Schedule regular meetings of the Officers and Senate, and call special meetings as he or she deems necessary, or upon petition by five (5) members of the Senate. Adequate notice of all special meetings must be given.
 - (3) Preside at all meetings of the Officers and preside at combined meetings of the Officers and Senate and the Student Bar Association.
 - (4) Have the power to submit proposals and programs of action to the Officers and Senate for their consideration at any regular or special meeting, which must be approved before implementation.
 - (5) Report to the Officers and Senate at all regular and special meetings as to the state of the Student Bar Association.
 - (6) Appoint members and chairpersons of all standing and select committees of the Student Bar Association subject to advice and consent of the Senate by simple majority of all members present.
 - (7) Assist in review and presentation of the budget to the Administration of St. Thomas University School of Law.
 - (8) Coordinate the committee chairpersons for the purpose of executing the daily responsibilities of the Student Bar Association.
 - (9) Have the power and discretion to remove any chairperson or member of any committee who is not carrying out his/her duties, subject to a two-thirds (2/3) approval vote of the Officers and Senate, collectively.
 - (10) Delegate such duties to the Vice-President as may be necessary to the administration of the responsibilities of the Office of the President.
 - (11) Co-sign all vouchers presented for payment on Student Bar Association accounts.
 - (12) Perform such other duties as are customary to said office.
- (B) The Vice-President of the Student Bar Association shall:
- (1) In the absence or inability of the President to perform his/her duties as such, the same shall be performed by the Vice-President, who shall have all powers and be subject to all responsibilities imposed upon the President.
 - (2) In the event of a vacancy in the office of the President, the Vice-President shall succeed to such office.
 - (3) Preside over all Senate meetings and have a vote during meetings of the Senate only to resolve a tie.
 - (4) Perform such other duties as may be necessary and proper to the exercise of the foregoing powers.
- (C) The Secretary of the Student Bar Association shall:
- (1) Post in a permanent public place the date of regular meetings of the Student Bar Association not later than seventy-two (72) hours before the meeting is to be held.
 - (2) Ensure that an agenda is posted on the Student Bar Association bulletin board at least twenty-four (24) hours prior to each Senate meeting, and that the individual copies of the agenda are available for each member of the Senate at the same time of the Student Bar Association meeting.

- (3) Keep a journal of the proceedings of each meeting of the Student Bar Association. Such journal shall be made available to the students within one (1) week after each meeting, and shall remain available thereafter for five (5) school days.
 - (4) Annually publish the Constitution and be responsible for the distribution of such to all entering students.
 - (5) In general, shall aid the President and the Senate in all correspondence and also be responsible for seeing that each new member of the Senate receives a copy of the Student Bar Association Constitution.
 - (6) Perform such other duties as may be necessary and proper to the performance of the foregoing powers.
- (D) The Treasurer of the Student Bar Association shall:
- (1) Administer the financial affairs of the Student Bar Association; receive and expend all monies of this Association, and maintain an accurate set of records showing all receipts and disbursements of funds, and indicate the source of all income and the purpose of all disbursements, which shall be at all times open to the inspection of any member of the Student Bar Association upon written request.
 - (2) With the Budget Committee, prepare a Student Bar Association budget annually for Senate approval, and assist in presenting the budget to the Administration of the School of Law.
 - (3) Require a monthly accounting from organizations funded through the Student Bar Association.
 - (4) Render an account of current finances to the Officers and Senate at each regular meeting, and advise on financial matters.
 - (5) Perform other such duties as may be necessary and proper to the performance of the foregoing powers.

ARTICLE V.

SECTION 1.

The President, immediately upon assuming office, shall appoint the members and the chairpersons of the Student Bar Association Standing Committees subject to advice and consent of a simple majority of the Senate. Such members and chairpersons shall assume their duties immediately upon appointment. In the case of resignation or removal of a chairperson, a new chairperson shall be appointed by the President, subject to the advice and consent of the Senate by a simple majority of all members present, who shall take office immediately and fill the unexpired term.

SECTION 2.

The chairpersons of the several committees shall, when required, attend meetings of the Officers and Senate, to report the current status of each committee. If a chairperson is unable to attend a meeting, he/she shall provide a status report to the Secretary within a reasonable time prior to the meeting.

SECTION 3.

The standing committees of the Student Bar Association are as follows:

- (A) Student Affairs Committee - It shall be the responsibility of this committee to plan and promote activities of a social, educational, and cultural nature for the students of St. Thomas University School of Law.

- (B) Budget Committee - This Committee shall prepare the budget of the Student Bar Association and assist the Treasurer in any other matters of a financial nature.
- (C) Orientation - This committee may plan the logistics of any incoming student orientations; tasks will include but are not limited to creating the schedule of events and other organizational matters.
- (D) Career Services - This committee shall work in conjunction with the Career Services office to efficiently implement and communicate job prospects and assist in planning networking opportunities for the current law students and alumni.
- (E) Alumni Affairs - This committee shall create a symbiotic relationship between the law students and alumni in an effort to provide successful channels of communication, university recognition, and essential services that benefit the St. Thomas University Community.
- (F) Academic Standards - This committee shall make recommendations to the law school, administration, and faculty, regarding academic endeavors which will include but are not limited to issues concerning attendance, grading curves, ranking policies, and bar preparation (following American Bar Association Standards).

ARTICLE VI.

SECTION 1.

The Officers and Senators of the Student Bar Association shall be elected for the term of one (1) year. A candidate for any office of the Student Bar Association must be a duly registered student in the School of Law and must plan to be enrolled in the School of Law for the entire term he or she is to serve. No student shall be a candidate for more than one (1) office in any election. No student shall hold more than one elected Student Bar Association office at any one time. Members seeking or holding office shall maintain a cumulative average of 2.5, shall not be on probation or under any disciplinary action.

SECTION 2.

All Student Bar Association elections shall be by secret ballot.

- (A) There shall be one (1) election held to fill the offices of President, Vice-President, Secretary, Treasurer, and Senate positions, except for the Senate Representatives entering the first year class. (Note: repealed by the Second Amendment)
- (B) The President, Vice-President, Secretary and Treasurer shall be elected by the entire membership of the Student Bar Association. The number of votes necessary for election to each of these offices shall be one more than half of the votes cast for the office. In the event that no candidate receives the number of votes necessary for election, the two (2) candidates receiving the greatest number of votes shall meet in a run-off election to be held within one (1) week of the initial election.
- (C) The three (3) Representatives to the Senate from the rising second and third year classes shall be elected by the respective class. The three (3) Representatives to the Senate from the first year class shall be elected in the Fall Semester by the all entering first year students. (Note: changed by the First Amendment). The number of votes necessary for election to each of these offices shall be a plurality of the votes cast for the office. In the event that there is a tie between candidates, the tied candidates shall meet in a run-off election to be held within one (1) week of initial election.
- (D) Only the members of each respective class can nominate or vote for their class representatives. Class membership will be defined as follows:
 - (1) Entering first year class - a person having no law credits.

- (2) Second year class - a person having at least thirty (30) but less than fifty-four (54) law credit hours.
- (3) Third year class - a person having fifty-four (54) or more law credit hours.
- (4) Law credit hours shall be the hours attempted (includes summer semester registration).

SECTION 3.

The election in the Spring Semester shall be held on the Tuesday or Wednesday within the two (2) weeks prior to the commencement of Spring Break. The elected Student Bar Association Officers and Senators shall take office on the following Monday after said election is held. If no Spring Break is scheduled, April 1st will be the determining date. (Note: repealed by the Second Amendment)

SECTION 4.

The election of the first year class representatives of the Senate shall be held in the Fall Semester no earlier than four (4) weeks nor later than six (6) weeks after the first day of classes. The first year class representatives shall take office on the next Monday following the election.

SECTION 5.

This section shall apply notwithstanding any other provisions to the contrary. The elections are to be held in the Spring Semester, and will fill positions in the following manner (Note: changed by the First Amendment):

- (A) Rising third year representatives - three (3) elected by a plurality of the third year students.
- (B) Rising second year representatives - three (3) elected by a plurality of the second year students.
- (C) Entering first year representatives (shall be filled fall semester) - three (3) elected by a plurality of the first year students.
- (D) President, Vice-President, Secretary, and Treasurer, shall be elected by a majority vote of the Student Bar Association membership voting.

SECTION 6.

The Election Committee shall be composed of the three members of the student body elected Honor Council and two 3L senators to be elected by an in-house Senate vote to serve on the elections committee for two semesters.

(A) The Election Committee shall be established within two (2) weeks following the results of the Spring Elections.

(B) The votes of all elections will be counted exclusively by the Elections Committee, and the ballots will be kept secret until the Elections Committee certifies the results.

The sole purpose of the Election Committee is to write and clarify any election rules in question.

The duties of the Election Committee shall be as follows:

- (1) Set the date of elections and the last date and time for filing petitions for candidacy.
- (2) Post notices of the date of elections and the last date and time for filing petitions for candidacy.
- (3) Accept and verify petitions for candidacy.
- (4) Insure that all candidates possess the qualifications for their respective offices.

- (5) Conduct any other elections as may be required by this Constitution.
- (6) Prepare the ballot(s) to be used in the election.
- (7) Supervise the polling place, tally the votes and certify the results of the election.
- (8) Ballot boxes will not be opened until the polls are closed.

(C) The Elections Committee will make decisions based on these rules and adjudicate any complaints that arise concerning these rules.

(D) One member of the five (5) shall be selected from within the committee to serve as Election Commissioner.

The duties of the Election Commissioner shall be as follows:

- (1) It will be the sole responsibility of the Election Commissioner to ensure that the election ballots are properly counted and accounted for.
- (2) The Election Commissioner will be accountable for the actions of any persons who assist in the ballot counting process, as well as any inconsistencies which develop during said process. Therefore, the Election Commissioner should ensure that any aspects of the ballot counting procedure are strictly supervised by him or her until certification of the results is possible.
- (3) The term of office of the Election Commissioner shall expire immediately following the election in the semester succeeding the semester in which he or she was appointed.

SECTION 7. PETITION FOR CANDIDACY

- (A) All candidates for any office provided by this Constitution shall submit a petition for candidacy to the Election Committee no earlier than 12:00 o'clock noon on the 21st day, and no later than 12:00 o'clock on the 7th day prior to the date of the election, including Saturdays, Sundays and Holidays.
- (B) All petitions for candidacy shall contain at least ten (10) signatures. In the case of a Student Bar office, the signatories of the petition must be regular students, but in the case of a Senatorial office to be elected by classes, the signatories must be of regular students who are members of the class of which that office is representative.
- (C) Failure to file a petition of candidacy within the time set by the Election Committee shall render a candidate ineligible to have his/her name appear on the ballot.
- (D) It shall be the duty of the Election Committee to certify that all candidacy requirements have been met as set forth in this Constitution.

SECTION 8. MAINTENANCE OF GOOD ORDER AT THE POLLS

- (A) Elections will be held in the breezeway.
- (B) The Election Commission shall possess full authority to maintain order at the polls and to enforce obedience to its lawful commands during an election and the canvass of the votes.
- (C) No person may solicit voters within 350 feet of any polling place.
- (D) The term "solicit" shall include, but not be limited to, soliciting or attempting to solicit any vote or opinion for any purpose; distributing or attempting to distribute any campaign material.

ARTICLE VII.

SECTION 1.

The membership of the Student Bar Association may initiate proposals by presenting to the Officers a petition containing the proposal, and the signatures of no less than thirty percent (30%) of the membership of the Student Bar Association.

SECTION 2.

Within fifteen (15) school days of receipt of such petition, the Officers shall call for a secret ballot to be conducted by the Elections Committee. A proposal thus initiated must be ratified by two-thirds (2/3) of the members voting.

SECTION 3.

A ratified proposal shall have the same effect as that of a binding proposal passed by the Officers and Senate, but shall not be subject to a Presidential veto.

SECTION 4.

Such ratified proposals shall be implemented by the President and the Senate.

ARTICLE VIII

SECTION 1.

Amendments to this Constitution shall be proposed by vote of two-thirds (2/3) of the members of the Officers and Senate collectively, or by petition of at least thirty percent (30%) of the members of the Student Bar Association, which petition shall be filed with the Secretary of the Student Bar Association.

SECTION 2.

Amendments shall be ratified by secret ballot of the members of the Student Bar Association. The vote necessary for ratification shall be two-thirds (2/3) of the members voting. The amendment shall take effect immediately upon approval, unless otherwise specified by the amendment.

SECTION 3.

The amendment as proposed shall be posted in a public place with notice of the ballot for ratification two (2) weeks before the vote is taken. The date for such ballot shall be set by the Officers and the vote shall be conducted by the Election Committee.

SECTION 4.

Any amendments to this Constitution shall be written as an addition or repealed amendment to this Constitution and shall be valid, for all intents and purposes, as part of this Constitution.

ARTICLE IX.

RATIFICATION: This Constitution shall be presented to the members of the St. Thomas University School of Law Student Body for ratification by two-thirds (2/3) majority of the members voting Fall Semester 1985.

Amendments to the Constitution of the Student Bar Association
ST. THOMAS UNIVERSITY SCHOOL OF LAW

AMENDMENT I.

SECTION 1.

The number of Senators from each class is raised to five (5) students.

SECTION 2.

In the Fall Semester of 1990, two (2) additional Senators from both the second and third year classes will be elected at the same time as the five Senators from the first year. In the event that less than five (5) students from any class run for the five (5) available seats, the resulting vacancies shall be filled in accordance with Article III, Section 4 (J).

SECTION 3.

No class will have an unequal number of Senate votes. The Senate and Officers shall have the power to enact By-Laws to uphold and enforce this section.

AMENDMENT II.

Adopted 02/22/95

SECTION 1.

Article VI, Section 2 (A) and Section 3 of the Constitution of the Student Bar Association of St. Thomas University School of Law are hereby repealed. All other Sections of Article VI remain in full force and effect.

SECTION 2.

There shall be one (1) election held to fill the offices of President, Vice-President, Treasurer and Secretary and one (1) election held to fill Senate positions, except for the Senate Representatives entering the first year class.

SECTION 3.

The election in the Spring Semester shall be held in two parts - first, the election of Officers and second, the election of Senators. The election of Officers will be held first in time. Both elections shall be held and completed within the month of March. The election of Senators shall be held at least one week after the election the Officers. The elected Student Bar Association Officers and Senators shall take office on the following Monday after said elections are held.

ADVISORY NOTES FROM THE SBA OFFICERS AND SENATE for the Second Amendment:

The intent of this Amendment is to allow candidates who run for an Officer position and lose to then run for a position as Senator. Students who have the time and energy to run for and possibly win an Officer position should not be denied the opportunity to run for Senator. Students who run for President, Vice-President, Secretary and Treasurer are students who want to give the school all they can. If they do not win, these highly motivated students should be allowed to run for Senate the following week.

Also note, the language linking the election to Spring Break has been removed. The new language will allow greater flexibility for the SBA to best determine the best dates for the two elections. For example, if the SBA decided to hold the Officer election in the second week of March, and Spring Break is the third week, the SBA has the flexibility to postpone Senate elections until the week after Spring Break (the fourth week). The SBA is not tied into having both elections before Spring Break.

Also note, that Article VI, Section 1 states: "No student shall be a candidate for more than one office in any election." This Section need not be addressed, because technically, under the above language there are two separate elections and Section 1 will remain in full force and effect.

By-Laws of the Student Bar Association
ST. THOMAS UNIVERSITY SCHOOL OF LAW

By-Laws enacted by majority vote of the Officers and the Senate of the SBA. Such By-Laws may be amended by a majority vote of the Officers and the Senate of the SBA.

-Article III, Section 4 (I)

BY-LAW 100

Adopted: 01/90

Amended: 04/91

Amended: 09/03

Amended: 11/05

100.00

CAMPAIGN RULE AND REGULATIONS - These rules apply to all those running for any positions of the Student Bar Association and the American Bar Association representatives until a committee is established.

(A) Anyone with the intent to transfer to another school will be prohibited from participating in the election. The intent to transfer is identified as a letter of good standing to another university for the purpose of transferring.

100.01

The time and date of the commencement of campaigning is set by the Elections Committee and will be announced at the mandatory candidate meeting.

100.02

All propaganda is subject to the approval of the Elections Committee. A copy of all paper propaganda will be kept on file with the SBA.

100.03

All posted material must be on or affixed to paper, cardboard, or cardstock. All campaign propaganda must be approved by the Elections Committee prior to being distributed. A ruling will be given on all propaganda by the Elections Committee within a twenty-four (24) hour period following submission of such material to the Elections Committee.

Propaganda will be reviewed for compliance with the by-laws as herein stated and will be based on the criteria listed in this by-law.

100.04

There will be no campaign materials affixed to paint.

100.05

Nothing over 650 square inches is allowed.

100.06

There will be no profanity in any propaganda. Propaganda should not be discriminatory. Therefore, the race, ethnicity, gender, religious affiliation, or sexual preference of any other candidate should not be used as propaganda.

100.07

All campaigning must be within the Law School Buildings, which does not include the law school bathrooms.

100.08

Commencement of all campaigning begins at the time and date set by the Elections Committee, which will be announced at the mandatory candidate meeting.

100.09

All campaign material must be removed within twenty-four (24) hours after voting is completed.

100.10

No defacing of property.

100.11

All campaign material must not represent more than one candidate.

100.111

Propaganda may only advertise the candidate who is running for office and may not advertise an office currently held by the candidate, or a prior office held by the candidate. To clarify, "re-elect" or "re-election" is the only term appropriate.

100.12

The Elections Committee will be responsible for approving the campaign material and will have already obtained approval from library and cafeteria staff, however, no campaign literature will be permitted on library or cafeteria windows without approval of their respective Directors.

100.13

No posted campaign materials may be posted within ten (10) feet of your own campaign materials with the exception of the student mailboxes.

100.14

No campaign materials on ceilings, floors, desks, or chairs. Double-sided flyers posted on hall windows are allowed. No campaigning material shall be affixed to doors of any kind, the elevator, or hanging from the rails.

100.15

There will be no campaigning in the breezeway or upstairs common area during Election Day while the polls are open.

100.16

Only one campaign flyer per student mailbox, per candidate, per election.

100.17

Any violations of the following rules will subject the Candidates to a deduction of ten (10) votes per each individual violation or other disciplinary action per each individual violation.

100.18

The Elections Committee will not release election results until at least twelve (12) hours and no later than thirty-six (36) hours following the close of the polls.

BY-LAW 101

Adopted 01/16/90

Amended 04/28/96

Amended 11/3/05

101.00

SBA OFFICERS AND SENATE ATTENDANCE POLICY.

101.01

Removal of office if an SBA Officer or Senate misses two (2) or more meetings per semester of the SBA Officers and Senators.

101.02 ...(DELETED)...

101.03

Such removal will not take place until the Officer or Senator in question has had a disciplinary hearing before the SBA Officers and Senate, at which time they may, by majority vote, waive such removal.

101.04

The definition of meeting shall include SBA Meetings (emergency and regularly scheduled), and mandatory SBA Sponsored Events.

101.05

Senators shall be required to do office hours in the Fall and Spring Semesters as designated by the officers for approximately one (1) to three (3) hours per week established at the beginning of each semester and based on seniority. Priority will be given to 3Ls, followed by the 2Ls, and finally the 1Ls will select their office hours. Each senator's office hours will terminate the last full week prior to the final day of class.

BY-LAW 102

Adopted 08/23/90

102.00

STUDENT AFFAIRS COMMITTEE.

102.01

A Student Affairs Committee will be formed. Article IV, Section 1 (A) (6). Article V, Section 3 (A).

102.02

The Chairman shall be appointed by the President of the SBA as called for in Article IV, Section 1 (A) (6) and Article V, Section 1.

102.03

Members of the committee will include the Committee Chairman and members appointed by the President of the SBA. Article IV Section 1 (A) (6), with the advice and consent of the Senate.

102.04

The Chairman will conduct all meetings.

102.05

It shall be the responsibility of this committee to plan and promote activities of a social, educational, and cultural nature for the students of St. Thomas University School of Law. Article V, Section 3 (A).

BY-LAW 103

Adopted 08/23/90

103.00

TEACHER EVALUATIONS.

103.01

Teacher evaluations shall be conducted by the Officers and Senate of the SBA.

103.02

Evaluations shall be completed seven (7) days before the last day of class.

103.03

Evaluations shall be administered once per semester, excluding summer.

BY-LAW 104

Adopted 08/23/90

104.00

COMMUNITY SERVICE PROJECT.

104.01

The Officers and the Senate of the SBA shall organize and conduct a Community Service Project for participation for all members of the SBA.

104.02

The service project will be held once during the academic year and will be completed no later than the first week in April.

104.03

A project will be proposed by any member of the SBA, and will be subject to the simple majority vote of the Officers and the Senate in order to pass.

104.04

Projects may only be proposed during regularly scheduled meetings of the SBA Officers and Senate.

BY-LAW 105

Adopted 10/22/90

105.00

OATH OF OFFICE.

105.01

The following Oath of Office will be administered to duly elected, or appointed Officers and/or Senators to the SBA on the first regularly scheduled meeting following the posting of election results:

I ...(state your name)... do solemnly swear, that I will faithfully execute the Office of ...(Office Title or Senator)... of the Student Bar Association and will to the best of my ability ensure a Student Government based upon the will of the Student Body and preserve, protect and defend the Constitution of the Student Bar Association and the Constitution of the United States of America so help me God.

105.02

The Oath of Office shall be administered by the President of the SBA, or in their absence, the Vice-President of the SBA. The individual will be sworn-in, raising their right hand, and repeating the oath of office.

105.03

In the case of swearing in of the SBA President, the Oath of Office will be given by the immediate outgoing SBA President.

105.04

In the event that an individual being sworn-in objects to the oath of office provided in this by-law, they may within reason, request that the President administer a variance deemed appropriate by the current Executive Board.

BY-LAW 106

Adopted 08/23/90

Amended 03/28/96

Amended 11/3/05

106.00

A BUDGET COMMITTEE SHALL BE FORMED. Article V, Sections 1, 2, & 3 (B).

106.01

The Chairman and the members shall be appointed by the President of the SBA subject to the advice and consent of the Senate by simple majority vote. Article IV, Section 1 (A) (6).

106.02

The President and the Treasurer of the SBA are permanent members of the Budget Committee. Article IV Section 1 (A) (7) and (D) (2).

106.03

The Budget Chairman shall conduct all meetings of the Budget Committee.

106.04

The Budget Committee shall prepare the budget of the Student Bar Association and assist the Treasurer in any other matters of a financial nature. Article V, Section 3 (B).

106.05

All Student Organizations seeking SBA funds for the next academic year must submit a written, itemized expense list to the Budget Committee upon two weeks written notice by the SBA Treasurer.

(A) The SBA values the cultural, ethnic, gender, racial, and religious diversity of its students and is committed to equal access to all Student Organizations. Be it resolved that all Student Organizations seeking SBA funds or other privileges must comply with the following policy in order to be recognized as a legitimate Student Organizations:

(1) All Student Organizations Charters, Constitutions, recruitment procedures, voting privileges, and practices must be free of any and all regulations or restrictions for membership on the basis of gender, race, creed, color, religion, sexual orientation, or national origin. Policies or practices not so in accordance, be they written or unwritten, are strictly prohibited and the SBA reserves the right to take appropriate action including, but not limited to, withdrawal of funding.

(2) For the purpose of the Student Bar Association Constitution, student organizations shall be defined as a student-run group promoting legal opportunities, networking, diversity, and/or community service.

(3) Student organizations such as journals, law reviews, and competition teams shall not receive funding from the Student Bar Association.

106.06

Requests for funding will be reviewed by the Budget Committee, and amended, rejected, or recommended to the SBA Officers and Senate.

106.07

All recommended funding requests will be brought before the SBA Officers and Senate in block by the Budget Committee at the final SBA meeting preceding the summer break.

106.08

The Budget will be subject to the majority vote of the SBA Officers and Senate. Article III, Section 4 (F). The Budget will then be submitted to the University for approval.

106.09

Once budget allocations have been determined they will be disbursed by the Treasurer of the SBA on a per event basis to the Student Organization provided requests are made in writing and approved in the budget.

106.10

Once disbursements have been made, proof of expenditures must be presented to the SBA Treasurer no later than two days following the event, before future disbursements will be made to that Student Organization. Validity of proof is at the discretion of the SBA Treasurer.

106.11

If these procedures are not followed, checks will only be issued on a reimbursement basis when receipts are received.

106.12

If a Student Organization needs additional funding they must explain to the SBA during a regularly scheduled meeting the reason for additional funding. The SBA will vote whether additional funds will be allocated.

BY-LAW 107

Adopted 04/01/91

107.00

VOTING RULES.

107.01

For the purpose of conducting business, a quorum shall consist of fifty percent (50%) plus one (1) of the Officers and the Senate, with at least two (2) Officers present. Article III, Section 3.

107.02

A simple majority of members present is needed for passage of all SBA votes and bills, not withstanding any contrary procedure as called for in the SBA Constitution.

107.03

Only the President, Vice-President, Treasurer, Secretary and members of the SBA Senate shall have a voice to constitute quorum or a simple majority.

BY-LAW 108

Adopted 04/01/91

108.00

PROCEDURE FOR PLACING ITEMS ON THE SBA AGENDA.

108.01

All articles of business to be addressed at SBA meetings of the Officers and the Senate must be turned into the SBA Secretary no later than seventy-two (72) hours before such meeting commences.

108.02

All such articles of business to be presented to the SBA Secretary must be in writing.

108.03

All such articles of business to be presented to the SBA Secretary must be made by an Officer or a Senator of the SBA.

108.04

No other business will be addressed at SBA meetings of the Officers and the Senate unless it is in accordance with this By-Law.

108.05

A two-thirds (2/3) vote of approval by the Officers and the Senate of some business not in accordance with this By-Law at the end of the regularly scheduled SBA meeting of the Officers and the Senate will, however, be addressed at that meeting.

BY-LAW 109

Adopted 02/21/95

Amended 03/14/96

109.00

SR. ABA REPRESENTATIVE GUIDELINES

109.01

The Sr. ABA Rep will have an equal vote in all matters decided by the SBA. They may give written proxy authorization to the Jr. ABA Rep.

109.02

The Sr. ABA Rep shall be considered an Officer. They shall take the oath and assume office when the new Executive Officers are sworn in following the spring election.

109.03

If the position is vacated for any reason, it will be filled in the same manner other Officer and Senate seats are appointed.

109.04

The Sr. ABA Rep shall represent the law school during meetings of the ABA/Law Student Division.

109.05

The Sr. ABA Rep shall adhere to the all guidelines set forth in St. Thomas University School of Law Constitution, as well the guidelines determined for school representatives by the ABA/Law Student Division.

109.06

The Sr. ABA Rep shall report to the SBA Officers and Senators during regularly scheduled meetings of the Senate.

109.07

The Sr. ABA Rep is responsible for creating and submitting a budget to the SBA for funding as set forth in the Constitution, Amendments, and By-Laws.

109.08

The Sr. ABA Rep is responsible for providing guidance and training to the Jr. ABA Rep. They may assign duties to the Jr. ABA Rep to strengthen law student participation in programs and activities sponsored by the law school, circuit or Division as a whole.

BY-LAW 109(A)

Adopted 03/14/96

109(A).00

JR. ABA REPRESENTATIVE GUIDELINES

109(A).01

The Jr. ABA Rep shall not have a vote in matters decided by the SBA, unless given written proxy authorization by the Sr. ABA Representative. The Jr. ABA Rep shall not be considered an Officer for Senate purposes. However, the Jr. ABA Rep is required to attend all SBA Meetings as an ad hoc member.

109(A).02

This position shall be filled during the Officer Elections in the Spring and will be for the term of two years, beginning as a 2L. The Jr. ABA Rep will not be considered an Officer for Senate purposes, but is required to attend all SBA Meetings as an ad hoc member. All regulations regarding election and campaign procedures set forth for Officers and Senators apply to the Jr. ABA Rep.

(a) During the Spring 1996 election the position will be filled during the Senator Elections.

109(A).03

If the position is vacated for any reason, it will be filled in the same manner other Officer and Senate seats are appointed.

109(A).04

The Jr. ABA Rep may accompany the Sr. ABA Rep during meetings of the ABA/Law Student Division. This is to facilitate exposure to the formalities within the ABA/LSD and provide training to strengthen the ABA/LSD within the law school.

109(A).05

The Jr. ABA Rep shall adhere to the guidelines set forth in St. Thomas University School of Law SBA Constitution, as well as the guidelines determined for school representatives by the ABA/Law Student Division.

109(A).06

The Jr. ABA Rep shall report to the SBA Officers and Senators during regularly scheduled meetings of the Senate when the Sr. ABA Rep is unable to attend or if they have undertaken a project as directed by the Sr. ABA Rep.

109(A).07

The Jr. ABA Rep is responsible for assisting the Sr. ABA Rep in creating and submitting a budget to the SBA for funding as set forth in the Constitution, Amendments, and By-Laws.

109(A).08

The Jr. ABA Rep will undertake responsibilities as determined by the Sr. ABA Rep.

BY-LAW 110

Adopted 09/16/95

110.00

PROCEDURE FOR SUPPLEMENTAL APPOINTMENT OF SBA OFFICERS, SENATORS, SR. ABA REP and JR. ABA REP.

110.01

In the event that an SBA Officer, Senator or an ABA Rep is removed or withdraws from office, for any reason, the following method of appointment will be used in connection with those methods outlined in the Constitution.

110.02

Notice for the open position shall be posted on the SBA Bulletin Board and placed in the mail folders of all eligible students. The notice will clearly state the position open, the responsibilities of that position (as outlined in the appropriate section of the Constitution), and the deadline for submitting a letter of intent.

110.03

The letter of intent may be up to three pages in length, double spaced with one inch margins. It must be submitted to the SBA Secretary prior to the deadline. No verbal nominations will be accepted.

110.04

The deadline will be one week (seven days including weekends and holidays) from when the notice is posted.

110.05

Candidates will be notified if they are eligible for the position by the SBA. These candidates will be placed on the agenda for the next SBA Meeting.

110.06

The meeting shall be closed to the public during the candidate process.

110.07

At the meeting, each candidate shall receive five minutes to make presentation of their qualification and answer any questions posed to them by the Officers and Senators.

110.08

The Officers and Senate shall vote by ballot. A majority vote (51%) shall determine which candidate will take office.