



THE UNIVERSITY OF GEORGIA SCHOOL OF LAW
STUDENT BAR
ASSOCIATION 2023-2024

CONSTITUTION

PREAMBLE

We, the students of the University of Georgia School of Law, to establish a system of student government and to represent more effectively the interests of the Law School's student body to the Law School and to the University, adopt the following Constitution of the Student Bar Association.

ARTICLE I

MEMBERSHIP IN THE STUDENT BAR ASSOCIATION

Section 1. Composition. The Student Bar Association (SBA) shall consist of every person of the student body regularly enrolled in the University of Georgia School of Law.

Section 2. Good Standing.

Paragraph 1. A member is in good standing if he or she is a current dues paying member of the Student Bar Association.

Paragraph 2. SBA meetings and events are open to all members of the University of Georgia Law School community, including faculty, staff, spouses, significant others, and others, unless otherwise limited by the Board of Governors or a member of the Board of Governors charged with overseeing an event or meeting.

Paragraph 3. A determination of "good standing" status is made by the Secretary. If a member is without good standing and challenges that status, the President must hear that challenge and determine the status of the member after consulting with the Secretary.

Section 3. Non-Discrimination Policy

Paragraph 1. Membership and all privileges, including voting and officer positions, must be extended to all students without regard to race, color, sex (including sexual harassment and pregnancy), sexual orientation, gender identity, ethnicity or national origin, religion, age, genetic information, disability, or veteran status.

Paragraph 2. Membership and all privileges, including voting and officer positions, must be extended to all students as stated in the University of Georgia Non-Discrimination and Anti-Harassment Policy. Title VI of the Civil Rights Act of 1964 protects people from discrimination based on race, color or national origin in programs or activities that receive Federal financial assistance. Title IX states that: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

ARTICLE II

Governance Structure

Section 1. The Student Bar Association Board. The Student Bar Association Board shall administer the activities of the Student Bar Association. The Board shall consist of the members of the Student Bar Association Board of Governors, Appointed Chairs, and Appointed Committees. The Board shall be responsive to the direction, policies, and instructions of the President of the Student Bar Association and the Board of Governors.

Section 2. The Student Bar Association Board of Governors. The Student Bar Association Board of Governors shall be vested with all powers necessary to promote the general interest and welfare of the Student Bar Association and its membership. The Board of Governors shall also direct the activities of the Student Bar Association Board. The Board of Governors shall be comprised of the Executive Officers of the Student Bar Association and the officers of each of the three law school classes. The Board of Governors shall meet once in August and once in January and then on an as-need basis. A meeting of the entire Board of Governors may be called by any member of the Board.

Section 3. Executive Officers.

Paragraph 1. Offices. The Executive Officers of the Student Bar Association shall consist of a President, Vice President, Secretary, and Treasurer.

1. All officers must have paid their Student Activity Fee.

Paragraph 2. Terms. The terms of office for the Executive Officers shall be one year, running from one spring General Election to the next.

Paragraph 3. Qualifications. Any candidate seeking an office on the Board of Governors must be a member in good standing of the Student Bar Association. This provision is not to be construed to mean that the officers must attend during the summer semester.

Paragraph 4. Authority and Duties. The authority and duties of the Executive Officers shall be as follows:

1. The President of the Student Bar Association shall:

- a. Serve as the Chief Executive Officer of the Student Bar Association;
- b. Call, plan, and preside over meetings of the Student Bar Association, the Student Bar Association Board, and the Board of Governors;
- c. Serve as the Law School Student Representative to the University Council and attend all meetings in person or by proxy;

- d. Meet regularly, and no less than bi-weekly, with the Student Bar Association advisor;
- e. Attend all specially called meetings with the Law School Dean, including lunches and student leader committees;
- f. Appoint, with the advice of the Board of Governors, student chairs, committees, and representatives to the Student Bar Association Board.
- g. Set, with the advice of the Vice President, all Election Dates and make calls for Special Elections in accordance with Article VI;
- h. Have the authority, with 2/3 approval of all members of the Board of Governors, to remove members from the Board of Governors;
- i. Have the authority, with 3/4 approval of all members of the Board of Governors, to appoint an Board of Governors officer to fill a vacant position in accordance with Article VI, Section 10;
- j. Have the authority to remove appointed chairs, committee members and other representatives from the Student Bar Association Board;
- k. Have the authority to create new positions or remove all non- Constitutionally required positions from the Student Bar Association Board;
- l. See that the standing committees meet regularly and perform the functions for which they are authorized;
- m. Set, with the advice and consent of the Student Bar Association Board of Governors, SBA membership dues;
- n. Take any action the President deems necessary to promote the welfare of the Student Bar Association;
- o. Make at the expiration of his or her term of office a written report of all actions undertaken and proposed by the administration in which he or she served;
- p. Have the authority to vote on all matters before the Board of Governors;
- q. And conduct himself or herself with the greatest integrity, honesty, and professionalism.

2.

The Vice President of the Student Bar Association shall:

- a. Call, plan and preside, in absence of the President, over meetings of the Student Bar Association, the Student Bar Association Board, and the Board of Governors;
- b. Manage and oversee the conduct of all elections for offices constituting the Student Bar Association Board of Governors and any referenda or polls initiated thereby;
- c. Have the authority to create all rules that are necessary and proper to ensure ease in the electoral process;
- d. Make at the expiration of his or her term of office a written report of all actions undertaken and proposed by the administration in which he or she served;
- e. Take the position of Student Bar Association President if the Student Bar Association President is unable to complete his or her term for any reason;
- f. Have the authority to vote on all matters before the Board of Governors;
- g. And conduct himself or herself with the greatest integrity, honesty, and professionalism.

3. The Secretary of the Student Bar Association shall:

- a. Keep accurate minutes of all meetings of the Student Bar Association Board and Board of Governors;
- b. Maintain all correspondence necessary to and in the furtherance of the Student Bar Association;
- c. Manage all membership matters;
- d. Maintain a file for the keeping of all reports and minutes;
- e. Make at the expiration of his or her term of office a written report of all actions undertaken and proposed by the administration in which he or she served;
- f. Have the authority to vote on all matters before the Board of Governors;
- g. And conduct himself or herself with the greatest integrity, honesty, and professionalism.

4. The Treasurer of the Student Bar Association shall:

- a. Manage the budgets for all Student Bar Association Events and the master budget for the Student Bar Association;
- b. Be responsible for collecting dues from the members in good standing;
- c. Be responsible for all checks, bank accounts, and financial statements of the Student Bar Association;
- d. Make a monthly report to the Board of Governors of the financial status of the Student Bar Association;
- e. Oversee all revenue-generating enterprises engaged in by the Student Bar Association and collect and disperse funds pertaining to such enterprises;
- f. Have the authority to vote on all matters before the Board of Governors;
- g. And conduct himself or herself with the greatest integrity, honesty, and professionalism.

Section 4. Class Officers.

Paragraph 1. Officers.

- A. Third Year Class Officers.** The class officers of the third year class shall consist of a President and Vice President elected at large by members of the third year class.
- B. Second Year Class Officers.** The class officers of the second year class shall consist of a President and Vice President elected at large by members of the second year class.
- C. First Year Class Officers.** The class officers of the first year class shall consist of a President elected at large by all members of the first year class and three Vice Presidents, one elected from each first year section.

D. First Year Senators. The Board of Governors, at its discretion, can create a First Year Senator Program to allow First Year Students the opportunity to experience a role within the Student Bar Association. These Senators shall be members of the Student Bar Association Board, but not of the Board of Governors. Senators shall not be considered “class officers.” They shall be elected by gaining 60 signatures of Student Bar Association members on an official petition for their first year section. Their terms shall expire at the time of the General Election following their installment as Senators.

Paragraph 2. Terms. The terms of office for Class Officers shall be one year, running from one spring General Election to the next with the exception of First Year Class Officers who will serve from the time of their election in the fall through the immediately following spring General Election.

Paragraph 3. Qualifications. Any candidate seeking a Class Office must be enrolled as a full-time student at the University of Georgia School of Law and be a member in good standing of the Student Bar Association. This provision is not to be construed to mean that the officers must attend during the summer semester.

Paragraph 4. Duties. Class officers shall:

- A. Represent their respective classes on the Board of Governors;
- B. Have the authority to vote on all matters before the Board of Governors;
- C. Attend to all class business;
- D. Attend every meeting of the Student Bar Association Board of Governors;
- E. Assist in the planning and orchestration of other events and meetings planned by the Student Bar Association;
- f. Conduct themselves with the greatest integrity, honesty, and professionalism;
- g. And plan and orchestrate events charged to the responsibility of their class:
 - a. First-year class officers shall plan and orchestrate Barrister’s Ball.
 - b. Second-year class officers shall plan and orchestrate Food Frenzy, facilitate events during alumni weekend, and maintain the SBA Outline Bank.
 - c. Third-year class officers shall serve ceremonial roles in the Graduation Ceremony subject to Paragraph 6 of this Section.

Paragraph 5. Graduation Duties. The third year class President and Vice President shall serve as graduation speakers. The Third Year Class President shall give the Welcome Address and the Third Year Class Vice President shall introduce the graduation speaker. However, if the SBA President for the preceding term was a third year student who had previously served as both the First Year and Second Year Class Presidents, that individual will replace the Third Year Class Vice President as a graduation speaker and he or she shall give the Welcome Address and the Third Year Class President shall introduce the graduation speaker. If the third year class President or Vice President does not wish to serve as a graduation speaker, a third year Executive Officer may replace them.

Section 5. Succession. If certain vacancies occur for elected positions on the Student Bar Association Board of Governors, other officers will succeed those positions subject to the Paragraphs below. To fill vacancies on the board caused by succession or any other factor, see the bylaws on Vacancies in Article VI, Section 10.

Paragraph 1. President of the Student Bar Association. If the position of President of the Student Bar Association is vacated, the Vice President of the Student Bar Association shall assume the office. If the office of Vice President is also vacant at the time the vacancy occurs for the Student Bar Association President, the Third Year Class President shall assume the office of President of the Student Bar Association.

Paragraph 2. Class Presidents. If the position of Class President for the Second or Third Year Class is vacated, the Vice President of that class shall assume the office. If the position of First Year Class President is vacated, the non-first year officers on the Board of Governors shall choose by secret ballot between the First Year Class Vice Presidents who will succeed in the office.

ARTICLE III

MEETINGS OF THE BOARD OF GOVERNORS

Section 1. Time of the Meetings. Regular meetings of the Board shall be held at times specified by the Student Bar Association President, but the Board of Governors shall aim to meet at least once every month from August through April, excluding December. Notice of meetings shall be given to all Board of Governors members. Special meetings may be called by the Student Bar Association President.

Section 2. Quorum. A simple majority of the Board of Governors, then serving, shall constitute a quorum.

Section 3. Presentation of Matters Before the Board of Governors. Any member of the student body may, upon request to the Student Bar Association President, present for

consideration of the Board of Governors any matter relating to the welfare of the student body of the law school.

Section 4. Sunshine Provision. All meetings of the Board of Governors shall be open to all SBA members.

Section 5. Majority Defined. Whenever voting is mentioned in this Constitution, the term shall mean a simple majority (50% plus 1) unless otherwise noted.

Section 6. Voting Ties. If a vote by the Board of Governors results in a tie, the President's vote shall count twice.

ARTICLE IV

CHAIRS, COMMITTEES, AND REPRESENTATIVES

Section 1. Standing Committees. These committees are standing committees to be filled by appointment and cannot be disbanded without Constitutional Amendment. All members of these committees shall be considered members of the Student Bar Association Board.

This section shall be reserved for standing committees.

Section 2. Standing Chairs and Duties. These positions are standing positions to be filled by appointment and cannot be disbanded without Constitutional Amendment. Students holding these positions shall be considered members of the Student Bar Association Board.

Paragraph 1. Merchandise Chair. A second or third year student must serve as the Merchandise Chair. The Merchandise Chair shall organize all merchandise orders including but not limited to apparel sales and items to be distributed at SBA events. Further, the Merchandise Chair will consult the University of Georgia Trademark Office to ensure compliance with University policies.

Section 3. Ad Hoc Chairs and Committees. The President and the Board of Governors have the power to create any chair positions not required in Section 2 of this section to better serve the interests of students.

Section 4. Process for Appointment. Appointments shall be made by the Student Bar Association President between April 1 and June 30 immediately following the President's General Election.

ARTICLE V

THE STUDENT LEADER ROUNDTABLE

This Article shall be reserved for the creation of a Student Leader Roundtable if its existence should be deemed necessary by a future Board of Governors.

ARTICLE

VI ELECTIONS

Section 1. Oversight of Elections. Elections shall be conducted under the guidance of the Student Bar Association Vice President.

Section 2. Categories of Elections. There are three categories of elections:

Paragraph 1. General Election. The Student Bar Association General Elections shall be held between March 1 and the end of classes but not within 7 days of the end of spring break. The President in consultation with the Vice President shall set the date for the election. All Executive Officers, Class Officers for the rising second and third year classes, referenda, ballot questions, and Constitutional Amendments are eligible to be voted on during the General Election.

Paragraph 2. First Year Class Elections. First Year Class Elections shall be held within the first five weeks after the beginning of the fall semester. First Year Class Elections are only open to the first year class. Only First Year Class Officers shall be eligible for election during First Year Class Elections. However, a Special Election can coincide with the First Year Class Elections. The President in consultation with the Vice President shall set the date for the election.

Paragraph 3. Special Elections. The President, in consultation with the Vice President, may call a special election at any point during the year while classes are in session.

Special elections cannot be held during the summer semester, over a break, or during the exam or reading periods. A special election shall not be held within 30 days before or after a General Election. Referenda, ballot questions, and Constitutional Amendments are eligible to be voted on during a Special Election.

Paragraph 4. Run-Off Elections. If no candidate receives a majority of votes, as described in Section 6, the President in consultation with the Vice President shall set the date for a run-off election. The run-off election shall be held within five business days of the closing of the initial election and last for exactly two business days.

Section 3. Election Day. Elections shall always occur on Thursdays and Fridays. The elections shall be held on MyGeorgiaLaw Portal from 9:00 am Thursday to 4:00 pm Friday. This section shall not be construed to prevent runoff elections from being held on days other than Thursdays and Fridays.

Section 4. Process for Elections.

Paragraph 1. Announcement of Elections. Elections must be announced at least ten days before the election is to take place.

Paragraph 2. Candidate Informational Meetings. Before an election can be held where candidates will appear on the ballot, an informational meeting for candidates shall be held no later than the second Tuesday before the Friday election. Candidates must attend the informational meeting to be eligible for placement on the ballot. Students shall be notified of the candidate informational meeting at least ten days in advance and the meeting shall be posted on the law school events calendar.

Paragraph 3. Nominations. Each person seeking election to office must obtain an official petition from the SBA Vice President at the Candidate Information Meeting. The candidate shall then fill in the petition to include his or her name, class year, and the title of the office sought. Thereafter, the candidate shall obtain the signature of at least 50 fellow students. A candidate for executive office may receive signatures from any student. A candidate for class office may receive signatures from any student who is in his or her class, notwithstanding that a candidate for First Year Vice President may only receive signatures from students in his or her first year section. Once completed, the petitions shall be turned in to the Vice President or his or her designated representative at a time to be determined by the Vice President, but before the campaign week begins.

Paragraph 4. Ballot Questions and Referenda. Ballot questions and referenda may be placed on the ballot by a majority vote of the Student Bar Association Board of Governors. Notice of the proposed question must be given at least ten days in advance of the election.

Paragraph 5. Rules Regarding Campaigning. A candidate shall not:

- A. Spend more than \$300 on his or her campaign, including any potential run-off campaigning.
- B. Campaign at any time before 12:00 am on the Monday prior to the Thursday and Friday election;
- C. Forge classmate's signatures;
- D. Seek the endorsement of any other Student Bar Association Executive or Class Officer;
- E. Use alcohol in any way to garner votes;
- F. Use the school listserv to send campaign emails;
- G. Violate bulletin board use policy in the course of the campaign; **or**
- H. Leave campaign materials posted within the law school after 4:00 pm the next business day following the conclusion of the election;
- I. Knowingly take credit for or associate themselves with any ongoing SBA or Deans' Office initiative; or
- J. Violate the honor code in any way.

A candidate shall:

- A. Submit all receipts for any and all expenses incurred to the Vice President before voting closes on Election Day; and
- B. Conduct themselves in a way that adheres to the honor code.

Nothing in the Rules Regarding Campaigning shall be construed to exclude any individual running for a position from posting campaign materials on social media during the campaign period beginning at 12:00 am on the Monday prior to the Thursday and Friday election.

Paragraph 6. Penalties. A violation of any provision in Paragraph 5 may result in the immediate removal of the candidate from the ballot. Violations found after the installation of the officer can result in the removal of the officer from his or her position in accordance with Article VII. Appeals for errant removal from the ballot are solely at the discretion of the Vice President. Exceptional violations will be referred to the Court.

- A. **Two violations of** any provision(s) in Paragraph 5 may result in the immediate removal of the candidate from the ballot.
- B. Violations found after the installation of the officer can result in the removal of the officer from his or her position in accordance with Article VII.
- C. Any candidate or current SBA officer may submit a complaint in writing regarding a candidate's campaign conduct to the President and Vice President for review. All complaints regarding campaign conduct must be submitted within 24 hours after the close of voting.
- D. The current executive officers (President, Vice President, Secretary, and Treasurer) will review the complaint and rule on the outcome. For any candidate to be removed from the ballot, pre or post-election, the candidate must receive a three fourths majority of the executive officers' votes in favor of removal.
- E. Appeals for errant removal from the ballot are at the discretion of the Vice President with counsel from the President.

Exceptional violations will be referred to the Honor Court.

Section 5. Number of Votes Required. For any person to be elected on the first ballot, the candidate must receive a majority of all valid votes cast.

Section 6. Run-Off Elections. In the event that no candidate receives a majority of votes on the first ballot, a run-off election shall be held. The run-off election shall be between the two candidates drawing the most votes. The run-off election shall be held within five business days of the closing of the initial election.

In the event of a tie, successive run-off elections shall be held until one candidate receives a majority of votes.

Section 7. Voter Eligibility. Only the members of each individual class shall be eligible to vote for their respective class officers. All law students shall be eligible to vote for Board of

Governors members. Graduating third year students may vote in the General Election. Eligibility for voting in any election shall not be contingent on payment of Student Bar Association dues.

Section 8. Invalid Votes. An invalid vote includes a vote for more than one candidate for the same office or an illegible vote.

Section 9. Installation.

Paragraph 1. Installation Generally. All officers are installed in their offices and the time of their election or appointment.

Paragraph 2. Outgoing Third Year Class Officers. The third year class officers and third year executive officers will retain their positions for purposes of graduation related events. Likewise, although they are succeeded in office, third year students who are outgoing Executive Officers shall not be deemed to misconstrue themselves professionally, ethically, or otherwise by use of their Student Bar Association title at graduation in May. This provision is to be construed to only allow titles to be used if they are appropriate at graduation.

Section 10. Board of Governors Vacancies. Subject to Article II, Section 5, if a vacancy occurs on the Board of Governors, the President shall take one of three actions. The President shall call for a special election, appoint a successor, or hold the position vacant if the vacancy occurs within 30 days of the General Election.

Paragraph 1. Special Election. If the President opts to hold a special election to fill a vacancy, the election must comply with this article.

Paragraph 2. Appointments. If the President opts to appoint a successor to the office, he must take the matter to the Board of Governors. The President must first request candidates for nomination to be named by the Board of Governors. The President can also name candidates. Candidates must be Student Bar Association members in good standing and meet all the other qualifications for the office. The President shall select a nominee from the list. The nominee must then be confirmed by a 3/4 vote of the Board of Governors.

Paragraph 3. Continued Vacancy. If the President opts to keep a position vacant, the position shall not be filled. This option is only available if the vacancy occurs within 30 days of a General Election.

ARTICLE VII

SUSPENSION AND REMOVAL OF OFFICERS

Section 1. Suspension and Removal of the President.

Paragraph 1. Suspension of the President. Upon a motion by the Vice President or any one of the Class Presidents, the Board of Governors may, by a majority vote, suspend the President from his or her position for 30 days. Notice of the action shall be given to the delinquent member one week in advance of the proposed vote, and the member shall be allowed to present a defense to the charge. Suspension should only be used in the case of an Honor Court investigation, dereliction of duty, actions that bring reproach on the Student Bar Association, or other objectionable action that does not comport with that person holding office but that could be resolved in a reasonable time.

Paragraph 2. Removal of the President. Upon a motion by the Vice President or any one of the Class Presidents, the Board of Governors may, by a 2/3 vote, remove the President from his or her position. Notice of the action shall be given to the delinquent President one week in advance of the proposed vote, and the President shall be allowed to present a defense to the charge. Removal should only be used in the case of a guilty Honor Court verdict, dereliction of duty, actions that bring reproach on the Student Bar Association, or other reprehensible action that does not comport with that person holding office and that cannot be resolved in a reasonable time.

Section 2. Suspension and Removal of Officers on the Board of Governors.

Paragraph 1. Suspension of Officers from the Board of Governors.

Upon a motion by the President, the Board of Governors may, by a majority vote, suspend an officer from his or her position on the Board of Governors for 30 days. Notice of the action shall be given to the delinquent member one week in advance of the proposed vote, and the member shall be allowed to present a defense to the charge. Suspension should only be used in the case of an Honor Court investigation, dereliction of duty, actions that bring reproach on the Student Bar Association, or other objectionable action that does not comport with that person holding office but that could be resolved in a reasonable time.

Paragraph 2. Removal of Officers from the Board of Governors.

Upon a motion by the President, the Board of Governors may, by a 2/3 vote, remove an officer from his or her position on the Board of Governors. Notice of the action shall be given to the delinquent member one week in advance of the proposed vote, and the member shall be allowed to present a defense to the charge. Removal should only be used in the case of a guilty Honor Court verdict, dereliction of duty, actions that bring reproach on the Student Bar Association, or other reprehensible action that does not comport with that person holding office and that cannot be resolved in a reasonable time.

Section 3. Removal of Student Bar Association Board Members. Student Bar Association Board Members are not eligible for suspension from office. The President can remove a board member at any time.

ARTICLE VIII

Section 1. The President, the Vice President, or a Class President must present amendments to this Constitution as a resolution to the Board of Governors. The Board of Governors can only adopt a Resolution for a Constitutional Amendment by a 2/3 vote. If the Board of Governors passes a Resolution for a Constitutional Amendment, the question for the adoption of the Amendment must be put to a vote for all SBA members. The Amendment must receive a simple majority to pass and can be voted on in a General Election or a Special Called Election in accordance with Article VI.

Section 2. Adopting the Constitution. Before every general election, the Vice President shall be responsible for administering the most recent version of the SBA Constitution to the Board of Governors. If there are no new amendments proposed by the President, Vice President, or Class president in a given school year, then the terms of that Constitution shall be automatically adopted for the following school year at the conclusion of the spring semester. If there are proposed amendments made in a given school year, the Vice President must oversee the amendment process and update the adopted Constitution to reflect any changes made before the start of the following school year.