CONSTITUTION OF THE STUDENT BAR ASSOCIATION

THE UNIVERSITY OF GEORGIA SCHOOL OF LAW

PREAMBLE

We, the students of the University of Georgia School of Law, to establish a more perfect 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, do hereby 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 only of each and every member of the student body regularly enrolled in the University of Georgia School of Law.

Section 2. Good Standing.

Paragraph 1. No member shall attend any SBA sponsored function unless that member is a member in good standing of the SBA or that member is attending by permission of a majority vote of the Executive Board of the SBA.

Paragraph 2. This provision allows the Board, by a simple majority vote, to open SBA parties to non-dues paid members and charging or not charging admission.

Paragraph 3. A member is not in good standing if he or she is delinquent in his SBA dues or any other financial obligation to the SBA; otherwise said member shall be deemed in good standing.

Paragraph 4. A determination of "good standing" status may be made by any Executive Officer of the SBA or a majority of the SBA Governing Board.

Section 3. Non Discrimination Policy as Required by University of Georgia

Paragraph 1. Membership and all privileges, including voting and officer positions, must be extended to all students without regard to age, ethnicity, gender, disability, color, national origin, race, religion, sexual orientation, or veteran status. *However* Religious student organizations will not be denied registration solely because they limit membership or leadership positions to students who share the same religious beliefs.

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. However, religious student organizations will not be denied registration solely because they limit membership or leadership positions to students who share the same religious beliefs. Title IX of the Higher Education Amendments Act of 1972 and Section 504 of the Rehabilitation Act of 1973 prohibit discrimination on the basis of sex or handicap in most educational programs and activities within the University.

ARTICLE II

EXECUTIVE BOARD

Section 1: Composition and Powers. The activities of the SBA shall be administered by a Executive Board/Governing Board, which shall be vested with all powers necessary to promote the general interest and welfare of the SBA and its membership. The Board shall be composed of the Executive Officers of each of the three law school classes.

Section 2: Executive Officers.

Paragraph 1. Qualifications. The Executive Officers of the SBA consist of the President, Vice President, Secretary and Treasurer of the SBA. The terms of office for the Executive Officers shall be one year. Any candidate seeking any of the aforementioned offices shall be an enrolled student and a member of the SBA in good standing for the immediately preceding semester and enrolled as a J.D. student through the entire Spring semester of the academic year in which he or she is to serve. This provision is not to be construed to mean that the officers must attend during the Summer semester.

Paragraph 2: Duties. The duties of the Executive Officers shall be as follows:

A. President of the SBA shall:

- **1.** Preside over meetings of the SBA and the Executive Board.
- 2. Serve as the Chief Executive Officer of the SBA.
- **3.** Appoint, with the advice and consent of the Executive Board and the members of all standing, student-faculty, and special committees and their chairs.
- 4. Instruct the secretary to give all members of the Board and the SBA adequate and timely written notice of all meetings, within or without the Law School, where Board or student representation has been requested or would be deemed desirable. Special attention should be directed toward the announcement of all Board meetings, Board of Visitors meetings, and conferences with the Deans of the Law School and with prospective faculty members.
- 5. Have the power, with 2/3 approval of all members of the Executive Board, to remove members from the Board due to excessive absences, provided for in Article IV, Section 2.

- 6. Take any action the President deems necessary to promote the welfare of the SBA, subject to subsequent revision by a simple majority of the Board.
- 7. 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.

B. Vice President of the SBA shall:

- 1. Call, plan and preside, in absence of the President, over meetings of the SBA and the Board.
- 2. Be responsible for all publicity relating to the Law School itself, its students and related activities.
- 3. See that the standing committee meet regularly and perform the functions for which they are authorized.
- 4. Manage and oversee the conduct of all elections for offices constituting the SBA Governing Board and any referenda or polls initiated thereby.
- 5. 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.
- 6. Take the position of SBA President if the SBA President is unable to complete his/her term for any reason.

C. Secretary of the SBA shall:

- 1. Keep accurate minutes of all meetings of the SBA and the Board.
- 2. Post one copy of the minutes on the SBA bulletin board within four days after the each meeting and file one copy with the records of the SBA.
- **3.** Maintain all correspondence necessary to and in the furtherance of the SBA.

- 4. Maintain and display a calendar of Law School and University Events
- **5.** Maintain a file for the keeping of all reports and minutes.
- 6. 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.

D. Treasurer of the SBA shall:

- 1. Be responsible for collecting from the student body the dues owed the SBA as fixed by the Board.
- 2. Formulate a budget by September 30th for the period of his or her term of office and present it to the Board for approval by simple majority.
- **3.** Be responsible for all checks, bank accounts, and financial statements of the SBA.
- 4. Make a monthly report to the Board of the financial status of the SBA.
- 5. Oversee all revenue-generating enterprises engaged in by the SBA and collect and disperse funds pertaining to such enterprises.

Section 3: Class Officers.

Paragraph 1: Composition.

- A. First Year 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 of the first year sections.
- **B.** Second Year Officers. The class officers shall consist of a President and Vice President elected at large (by all members of the second year class).

C. Third Year Officers. The class officers of the third year class shall consist of a President and Vice President elected at large (by all members of the third year class).

Paragraph 2: Terms and

Qualifications. The terms of office and qualifications of class officers shall be the same as those of the Executive Board with two exceptions: (1) a candidate for a third year office must be enrolled as a regular student through the Spring semester: and (2) the term of office for first year class officers shall run from the time such officers are installed until the time of the general installation program of the next years incoming officers.

Paragraph 3: Duties. The duties of the class officers shall be to represent their respective classes on the Board and to handle all class business.

Section 4: Law Student Representative to Law Student Division of the American Bar Association (ABA/LSD Representative).

Paragraph 1: Duties and Responsibilities. The duties of the ABA/LSD Representative include:

- A. To solicit members for the Law Student Division and the various sections of the ABA.
- **B.** To report back and inform the student body of all LSD and relevant ABA programs, including writing competition, client counseling competition, section activities, law school services such as fund availability and life and health insurance programs, the Fall SBA Roundtable, LSD publications, law day programs and speakers programs.
- C. If financially possible, to attend the Fall SBA Roundtable, the Spring Circuit Conference, and the annual meeting of the LSD, and to report to the SBA as well as the student body the substance of the meetings.

D. To serve as a liaison between the school and the LSD, and to assume full responsibility for all LSD activities within the school.

Paragraph 2: Terms and

Qualifications. The qualifications for the ABA/LSD Representative are the same as for the SBA Executive Officers. The ABA/LSD Representative shall be appointed on the basis of expression. During the first year after appointment, the Representative shall be the Junior Representative and serve as a voting member of the Board. During the second year after appointment, the Representative shall be the Senior Representative and shall be a nonvoting member of the Board.

ARTICLE III

ELECTIONS

Section 1: Conduct of Elections. Elections shall be conducted by the Board acting under the guidance of the SBA Vice President.

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

Paragraph 1: Student Bar Elections shall be held between March 1 and the end of classes but not within 7 days of the end of spring break at a time designated by the Board. All Executive Officers and class officers for the rising second and third year classes shall be elected in these elections. All amendments to the SBA Constitution shall be voted on in the General Election. Any amendment receiving favorable votes from 70% or more of the voters in a General Election will be considered ratified and become part of the SBA Constitution.

Paragraph 2: First Year Class Elections shall be held within three to six weeks after the beginning of the Fall semester classes at a time designated by the Board.

Paragraph 3: Special Elections may be held to fill any vacancy which occurs on the

Board, with the exception of vacancies created by the graduation of a Board member at the end of the Fall semester of the academic year in which that member is serving. The time for the election shall be set by a majority vote of the Executive Officers. If a vacancy occurs in the positions of SBA President, 3L President, 2L President, or 1L President, the executive board may vote to have the respective Vice President(s) for that position assume the role of President in lieu of an election. There will be a presumption that this person(s) should assume this role without an election if they won a contested election for their current position. There should be a presumption that an election should be held if the person did not win a contested election for their current position. Any Vice President who could possibly become President shall not be present during meetings or votes to determine whether an election should be held to fill the vacancy. If any Vice President or the SBA Secretary or Treasurer is unable to complete their term, the Board shall decide whether current members of the SBA board can complete the assigned duties or if a new election is needed. If the 3L Vice President cannot complete his or her term, a new 3L vice president shall be elected due to this person's duties at graduation.

Section 3: Announcement of Elections. No election shall be held unless notice has been posted at least ten days prior to that election announcing the date of the election and the offices to be filled.

Section 4: Nominations. Each person seeking nomination shall obtain an official petition setting forth his or her desire to run for office from the SBA Vice President. The candidate shall then fill in the petition to include name and title of the office sought. Thereafter, the candidate shall obtain the signature of 60 fellow students for class officers. Once completed, the petitions shall be turned in to the SBA Vice President or his or her designated representative.

Section 5: Number of Voters Required.

Paragraph 1: First Ballot Elections. For any person to be elected on the first ballot the

candidate must receive a majority of all valid votes cast. A valid vote does not include a vote for more than one candidate for the same office or an illegible vote.

Paragraph 2: Run-Off Elections. In the event that no candidate receives a majority of votes on the first ballot, then a run-off election must be held. The run off election shall be between the two candidates drawing the most votes or in the event of plurality between several candidates, the top three candidates will enter the run-off.

Section 6: Voter Eligibility. Only the members of each individual class shall be eligible to vote for their respective class officers. Graduating third year students may vote for Executive Officers in the Spring SBA elections, and they also may vote on amendments to the constitution. Should a vacancy in such an Executive Office occur necessitating a Fall election, first year students may vote in the special election. Eligibility for voting in any SBA elections shall not be determined based on payment of SBA dues because the SBA represents all law students, both member and nonmenber.

Section 7: Installation of Members of the Board of Governor.

Paragraph 1: Officers Elected During SBA Elections. All members of the Board elected in the Spring shall be installed before the end of Spring semester classes. From the time of their election, until the time of their installation, all newly elected officers shall be deemed officers elect and shall work with and assist the outgoing officer to whose position the officer elect is to succeed. The outgoing officer shall retain his or her full position throughout the interim period between election and installation of the officers elect. with all rights, privileges, and duties pertaining to that office. Throughout the interim period, officers elect shall be required to attend SBA meetings and other functions in the same manner as outgoing officers to whose position the officer elect is to succeed and shall cooperate fully with the outgoing officer with the goal of facilitating a smooth

transition from the old to the new administration.

Paragraph 2: Officers Elected During Special or First Year Elections. All first year class officers, officers elected in a special election and organizational representatives shall be installed within three weeks following their election or appointment at a time chosen by the Board.

Paragraph 3: Outgoing Third Year Class Officers. Since they will not be succeeded in office by anyone elected in the Spring SBA elections, shall continue in office until Spring graduation in May.

Section 8: Early Graduation of Outgoing Board Members.

Paragraph 1: Filing Vacancy by Appointment. In the event that any outgoing member of the Board should be graduating at the end of the Fall semester, the SBA President shall recommend to the Board a single individual to serve as the "acting officer" to fill the vacancy during the transition period from the beginning of the Spring semester until the installation of the officer-elect, provided that appointee meets the requirements of Paragraph 2 of this section and a simple majority of the Board approves the nominee.

Paragraph 2: Qualifications. Only the following individuals may serve as acting officers:

- **A.** Any member of the then serving Board.
- **B.** The officer-elect who would normally assume the particular office subsequent to his installation in April.

Paragraph 3: Replacement of Governor Appointed Acting Governor. Any position on the Board which is vacated due to the appointment of that member to serve as acting officer in another position shall be filled from the beginning of Spring semester by the officer-elect of that position.

ARTICLE IV

MEETINGS OF THE EXECUTIVE BOARD

Section 1: Time of the Meetings. Regular meetings of the Board shall be held at times specified by the SBA President, but at least once during every full month of classes during the Fall and Spring semesters. Notice of meetings shall be given to all members of the Board at least three days in advance by posting written notice on the SBA bulletin board and/or notifying them via email. Special meetings may be called by the SBA President or any other members of the Board.

Section 2: Absences. Except as otherwise provided, any member of the Board who has a total of three absences from regular meetings of the Board during any one semester may be removed from office. The Board may not remove such person from office without notifying that person after he or she has missed two meetings and before he or she missed the third and then the Board may vote by a 2/3 vote. The Board has the power to reinstate the person if the Board deems reinstatement is in the best interests of the SBA, the Board and Law School. The vote of each member of the Board shall be entered in the official minutes. Should the Board vote for removal, the Board shall call a special election.

Section 3: Quorum. A simple majority of the Board then serving shall constitute a quorum.

Section 4: Notice of Interested

Parties. Before the Board may take any action affecting any organization within this Law School, the organization must be given an opportunity to appear before the Board and present its views.

Section 5: Procedure. <u>Roberts Rules of</u> <u>Order</u> shall govern all meetings unless otherwise provided by this constitution or a 2/3 majority of the Board.

Section 6: Presentation of Matters Before the Executive Board. Any member of the student body may upon request to the SBA President present for consideration of the Board any matter relating to the welfare of the student body of the Law School.

Section 7: Sunshine Provision. Because the basic purpose of student government requires government within the view of students who elected the members of the Board, all meetings of the Board shall be open to all SBA members except upon affirmative vote of at least ¾ of the entire membership of the Board. The vote of each Board member shall be recorded in the minutes as well as the reasons for closing the meetings.

Section 8: Impeachment. The Board may by a 2/3 vote of the entire Board bring charges of impeachment against any member of the Board and at the next meeting, the Board may remove the Board member by a ³/₄ vote of the entire Board. Notice of such action shall be given. 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.

Section 9: Majority Defined. Whenever voting is mentioned in this constitution, such term shall mean a simple majority (50% plus 1) of all votes cast, rather than the entire membership of the group unless otherwise specified in the provision in question.

ARTICLE V

AMENDMENTS

This constitution may be amended if votes in favor of any amendment receive 70% or more of the votes cast in a General Election. Amendments may be presented by any member of SBA, whether or not in good standing. For an amendment to be proposed and included on the ballot in an SBA election, the amendment must win a majority vote of the SBA executive board and have at least 60 signatures of SBA members. Any provision in this constitution may be changed by amendment.

ARTICLE VI

COMMITTEES

Section 1: Appointment of Standing Committees and Student Members of Student-Faculty Committees.

Paragraph 1: Appointment of Standing Committees. The SBA President shall have the power to nominate persons to chair the following standing committees with the following duties (and other committees that the Dean of the Law School may request):

- **A.** Social—to plan and promote all social functions of the SBA.
- **B.** Intramural—to publicize an organize teams for all intramural sports activities.
- **C.** Alumni Relations—to foster understanding and interaction between students and alumni of the Law School and help utilize alumni as a valuable resource.
- **D.** Library—to create an implement policies for the minimization of disputes between students and library faculty and staff and the betterment of the library's ability to serve the students' needs.
- E. Placement—to create and implement policies for assisting the Law School's Career Services Office in serving the needs of all law students.

- **F.** Faculty-Student Relations—to create and implement policies to encourage positive relations and minimize problems between students and faculty.
- **G.** Services—to create and implement policies to manage SBA provided services and adjust these services to accommodate more fully students' interests.
- **H.** Committee Oversight—chaired by the Vice President, to oversee the operations of all standing and select committees of the SBA, especially to ensure that these committees properly perform the duties assigned them.
- I. Finance—chaired by the Treasurer, to oversee finances of the SBA, compile a budget, ensure compliance with that budget, encourage membership, plan other revenue raising measures, and otherwise assist the Treasurer in carrying out the duties of his or her office.
- J. Activities Coordination—chaired by the Secretary, to coordinate the activities of the SBA and other student groups in the Law School, to minimize conflicts.

ARTICLE VII.

RATIFICATION

This Constitution shall be deemed ratified upon receiving votes in favor from 70% or more of the students voting in the Fall 2008 Election. Because Fall 2008 Election is solely a First Year Election, the SBA President will inform the student body of the proposed Constitution and the need for upperclassmen to vote on the updated Constitution.