

# STUDENT BAR ASSOCIATION CONSTITUTION

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Preamble

We, the students of Loyola University of New Orleans School of Law, in order to strengthen the bond and relation among the students and faculty; to acquaint the law student with their responsibilities to society and to the legal profession; to improve the academic and social atmosphere within the School of Law; to contribute to the preparation of the members of the student community for entrance into the legal profession; and to be the vehicle of interaction and communication between the students, faculty, and administration, the entire collegiate community of Loyola University, alumni of the School of Law, and the community, do hereby establish the Student Bar Association of Loyola University of New Orleans School of Law.

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## **Article I**

### **Membership**

#### **Section 1 Regular Membership**

All students of Loyola University of New Orleans School of Law who are registered as candidates for the Juris Doctor degree, upon payment of the requisite dues shall be regular members of the Student Bar Association. Members are entitled and encouraged to attend any and all meetings of the Student Bar Association.

#### **Section 2 Dues**

All registered freshman and transfer students shall pay as membership dues a Student Bar Association fee, due and payable with tuition.

### **Section 3 Register of members**

The Treasurer and Secretary shall maintain an accurate register of all Association members.

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## **Article II**

### **Administration**

#### **Section 1 Executive Council**

The Executive Council shall be the governing body of the Association. All authority and responsibility for the policies and objectives of the Student Bar Association shall be vested in this Council. It shall be the final authority for the determination of any matter involving interpretation of the provisions of the Constitution.

#### **Section 2 Membership**

**The Executive Council shall be composed of the following members: a President, a Vice-President, a Secretary, Treasurer, a Representative from each class in the Evening Division, three Representatives for the Freshman Day Division, three Representatives for the Junior Day Division, three Representatives from the Senior Day Division, a Student Representative to the Law Student Division of the American Bar Association, and one Representative from each Law School organization whose membership is exclusively derived from the Loyola University of New Orleans School of Law, and the Law School Representatives to the Student Government Association. Each member shall have one vote.**

#### **Section 3 Powers and Duties**

**1. The duties and powers of the President shall be as follows:**

- a. The President shall serve as Chief Executive Officer of the Association and shall preside at the meetings of the Executive Council.**
- b. The President shall serve as the official spokesperson of the Association.**
- c. The President shall nominate all committee members and chairmen in accordance with the provisions of this Constitution and any By-Laws established there under,**
- d. The President shall represent the members of the Association at all faculty meetings of the Law School.**
- e. The President shall have the power to veto any vote passing the Executive Council. This veto can be overridden by a two-thirds (2/3) vote of the entire Executive Council. Such rights to the veto shall prescribe three school days after the**

**motion is passed; notice of this veto must be accomplished within the prescriptive period. Any vetoed motion must be called for vote at the next regularly scheduled meeting of the Executive Council. The action shall be conclusive as to the motion.**

**f. The President shall perform all other duties specified elsewhere in this Constitution.**

**2. The duties of the Vice-President shall be as follows:**

**a. The Vice-President shall assist the President in the performance of their duties and shall preside at the meetings of the Executive Council in the President=s absence.**

**b. The Vice-President shall stand in place of the President when necessary and shall assume the office and duties of the President upon occurrence of a permanent or extended vacancy in that office for the duration of such vacancy.**

**c. The Vice-President shall oversee the functioning of all Student Bar Association recognized committees and other organizations that the Association funds in order to insure that they comply with the requirements of Article III.**

**d. The Vice-President shall, upon determination that a committee or organization is not satisfactorily complying with Article III, inform in writing the President and Treasurer and the affected committee or organization that all funding of the particular committee or organization is to be suspended immediately until the officers determine that the offending committee or organization is in compliance with Article III.**

**e. If the Committee Chairperson or the organization=s SBA Representative does not comply with Article III within a reasonable amount of time, the Vice President shall recommend that the Chairperson or SBA Representative be removed from his or her respective position.**

**f. The Vice-President shall apprise the President as to the status of all committees and organization under the Vice-President=s supervision.**

**g. The Vice-President shall organize Freshman Registration and Organization.**

**h. The Vice-President shall perform all other duties specified elsewhere in the Constitution.**

**3. The duties of the Secretary shall be as follows:**

**a. The secretary shall maintain and publish an accurate record of all proceedings of**

**the Executive Council's Agendas.**

**b. The Secretary shall publish time and place of all meetings of the Executive Council.**

**c. The Secretary shall be responsible for all official correspondence of the Executive Council.**

**d. The Secretary shall perform all other duties specified elsewhere in the Constitution.**

**4. The duties of the Treasurer shall be as follows:**

**a. The Treasurer shall serve as chief financial officer of the Association and shall maintain and publish accurate records of all financial transactions of the Association.**

**b. The Treasurer shall regulate the collection and disbursement of Association funds in accordance with the provisions of this Constitution.**

**c. The Treasurer shall publish a proposed annual operating budget for his term of office not later than five weeks after the date that tuition is due for the Fall semester that immediately follows his election to this office. The budget shall specify tentative allocations to specific events subject to ratification by the Executive Council.**

**d. The Treasurer shall serve as a member of a Committee on the budget.**

**e. The Treasurer shall publish a comprehensive financial report of the Association not less than twice per academic semester or at any time upon majority vote of the Executive Council.**

**f. The Treasurer shall perform all other duties specified elsewhere in the Constitution.**

**5. The duties of the Class Representative shall be as follows:**

**a. The Class Representative shall represent the students of his class at meetings of the Executive Council.**

**b. The Class Representative shall be responsible for informing all members of his class as to the Executive Council proceedings and activities that may affect that class.**

**c. The Class Representative shall provide reasonable assistance in the operation of**

all activities that the Association is involved with.

**6. The duties of the Representative to the American Bar Association (Law Student Association) shall be as follows:**

**a. The Representative to the American Bar Association, Law Student Division (LSD/ABA) shall represent the Student Bar Association at meetings of LSD/ABA that may affect the Student Bar Association.**

**b. The Representative to the American Bar Association, Law student Division shall inform the Executive Council of Association.**

**c. The Representative to the American Bar Association, Law Student Division shall encourage membership in the LSD/ABA and shall promulgate the benefits of such membership to the members of the Student Bar Association and shall keep an accurate register of Association is involved in.**

**d. The Representative to the American Bar Association, Law Student Division shall provide reasonable assistance in the operation of all activities that the Association is involved in.**

**7. The duties of the Representatives of each organization shall be as follows:**

**a. The Representative of each organization shall represent the organization at meetings of the Executive Council.**

**b. The Representative of each organization shall provide reasonable assistance in the operation of all activities that the Association is involved with.**

**c. The Representative of each organization shall provide reasonable assistance in the operation of all activities that the Association is involved with.**

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## **Article III**

### **Committees**

**1. The Executive Council shall have the authority to establish and maintain any and all committees necessary and/or beneficial for the performance of the Association.**

**2. Committees shall be designated ad hoc or permanent. All permanent committees**

shall be created upon a two-thirds vote of the Executive Council and shall be governed in accordance with established By-Laws of the Association.

3. The Vice-President shall review the progress and necessity of all committees at least once per month.

4. Each permanent committee shall be obligated to report to the Executive Council on its activities at least once per month.

### **Section 1**

#### **Career Services Committee**

The career services committee shall be headed by the ambassador to career services who shall be appointed by the President of the SBA. This committee shall be responsible for student and career services relations. The ambassador may appoint as many as three students to assist with his/her duties.

### **Section 2**

#### **Disciplinary Committee**

1. The disciplinary committee shall consist of the class representatives from each class year, and the sergeant-at-arms, who shall head the committee.

2. The committee shall investigate and decide which action to follow against the executive council member in question, as set forth in the proceeding sections.

C. If the committee finds the executive council member in question, by a 2/3 vote, to be guilty of the excessive use of abusive language directed towards another member of the student body, the committee shall:

\$ Draft a formal letter of reprimand for the guilty executive council member.

\$ After three formal reprimands, the committee shall expel the executive council member and its organization from the executive council for the period of the current school year; the following school year if the current year has come to a close.

B. If the committee finds the executive council member in question, by a 2/3 vote, to be guilty of sexually harassing another member of the student body, the committee shall:

\$ Formally reprimand the guilty executive council member.

\$ Expel the executive council member and its organization from the executive council for the period of the current school year; the following school year if the current year has come to a close.

C. If the committee finds the executive council member in question, by a 2/3 vote, to

be guilty of assault or battery of another member of the student body, the committee shall:

**\$ Formally reprimand the guilty executive council member.**

**\$ Expel the executive council member and its organization from the executive council for the period of the current school year; the following school year if the current year has come to a close.**

**D. If the committee finds the executive council member in question, by a 2/3 vote, to be guilty of stealing property from another member of the student body, the committee shall:**

**\$ Formally reprimand the guilty executive council member.**

**\$ Expel the executive council member and its organization from the executive council for the period of the current school year; the following school year if the current year has come to a close.**

**E. If the executive council member in question has been found guilty of an honor code violation by the Honor Board, the committee shall:**

**\$ Formally reprimand the guilty executive council member.**

**\$ Expel the executive council member and its organization from the executive council for the period of the current school year; the following school year if the current year has come to a close.**

**F. If the committee finds the executive council member in question, by a 2/3 vote, to be guilty of A-D towards any person during a Loyola School of Law sponsored event, the committee shall:**

**\$ Formally reprimand the guilty executive council member.**

**\$ Expel the executive council member and its organization from the executive council for the period of the current school year; the following school year if the current year has come to a close.**

### **Section 3**

#### **THE COURT OF REVIEW**

**\$ This committee shall be comprised of five student members nominated by the SBA President and approved by Congress prior to any vote taken for new charters, three of which hear the appeal.**

**\$ The members of the Court of Review shall serve a term of one school year.**

**\$ The five student members shall be nominated by the current Student Bar Association President, subject to the confirmation of Congress by a simple majority.**

**\$ Congress shall consist of all elected members of the Executive Board and all elected student representatives.**

**\$ Such Court of Review shall be limited exclusively for appeals in cases of Congress= denial of charter for a student organization.**

**\$ A majority of the three person hearing panel of the Court of Review is needed for a remand to Congress.**

**\$ Any amendments to the Court of Review by-laws shall be approved by a two third majority of Congress.**

**\$ If any provision of this document in any way conflicts with the Student Handbook, the Student Handbook shall control on the matter.**

**\$ Any item not specifically addressed in this Act shall be governed by the by-laws of the Court of Review.**

**\$ By-laws shall be submitted to Congress for approval.**

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## **Article IV**

### **Meetings and Procedure**

- 1. The Executive Council shall schedule regular meetings and these meetings shall be open to all law students.**
- 2. The time and place of Executive Council meetings shall be set by and at the convenience of the Executive Council.**
- 3. Executive Council meetings shall be conducted in accordance with the procedures set forth in Roberts Rules of Order in that they are not inconsistent with this Constitution or any By-Laws established there under.**
- 4. The President shall appoint a Parliamentarian to interpret and advice the Chair as to the rules of procedure.**
- 5. The President shall appoint a Sergeant-at-Arms to maintain order within the meetings.**

**6. Attendance at the Executive Council meetings is mandatory. Absence at more than three meetings per semester results in automatic termination of the position on the Council. If the position is held by a Representative of an organization, that the organization will lose any remaining SBA funding for that school year. If funding has been received at the time of the termination of the position, the organization will lose funding requested in the following school year.**

**Any member unable to attend the meeting must appoint a proxy from their represented group. The proxy shall have the same powers as the permanent member.**

**7. A quorum shall consist of fifty percent plus one of the Executive Council. No matter may be voted on with a binding effect if a quorum is not present at the time of the vote.**

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## **Article V**

### **Finances**

#### **Section 1 Dues**

**Members of the Association shall be required to pay a membership fee as determined by The Executive Council. NO further membership fee shall be required from a student during his entire tenure at the Law School. Any student no longer registered at the Law School shall, upon written request, be refunded a share of their membership fee in accordance with the refund procedures of the University.**

#### **Section 2 Funds and Expenditures**

**1. The Treasurer shall maintain a checking account in the name of the Association. The account shall be designed to require the authorization of the treasurer and any one of the following: The President, The Vice-President, or Secretary.**

**2. Association funds shall include but not be limited to any and all monies or credits donated or paid to the Association or directly or indirectly to any individual for the performance on behalf of the Association.**

**3. Expenditures of any and all Association funds shall require the approval of the majority of the Executive Council at a regularly scheduled meeting except as provided in the subsequent section.**

**4. Twenty-five hundred dollars of the operating budget shall be allocated to the President's Contingency Fund. The President shall control expenditures from the**

fund subject to the approval of the Dean.

### **Section 3 Funding Procedures**

**1. A Finance Committee shall be established consisting of the President, the Treasurer and three council members designated by the President. The Finance Committee shall publish the tentative operating budget and funding procedures for each term of the Executive Council. The Treasurer shall serve as Chairperson.**

**2. Allocated funds must be spent in connection with any of the following:**

**a. an academic event**

**b. a service oriented event**

**c. a social event only if it follows either a or b above, or**

**d. an event designed to promote goodwill between the faculty and the student body or the community and the student body of Loyola Law School.**

**3. The event must be open to the entire Law School**

**4. All activities conducted in connection with another sponsoring organization or group will be eligible to receive up to 2 of the cost of the event. The co-sponsoring organization must be prepared to match funds in cash or in kind as a condition of co-sponsorship. The event must be advertised at least three days prior to the event. The SBA shall be clearly highlighted as a co-sponsor of the event.**

**5. All requests for funding should be made at least ten days in advance of the scheduled event. Failure to follow this rule shall subject the requesting party to possible denial of the request without cause.**

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## **Article VI**

### **Elections**

**1. The elected positions of the Executive Council shall be: President, Vice-President, Secretary, Treasurer, a Representative of each class in the evening division, three Representatives from the Freshman day division, two Representatives from the Junior day division, two Representatives from the Senior day division, a Student Representative of Law Student Division of the American Bar Association.**

**2. An Elections Committee shall establish the guidelines for elections subject to the approval of the Executive Council. It shall consist of the Secretary and two Council members. The Secretary shall be the Chairperson.**

**3. To be eligible as a candidate for any position on the Executive Council a person must be a member of the Student Bar Association and must be in good academic standing with the University and the Law School. No person in a position on the Executive Council shall remain on the Executive Council if they fall from a position of good academic standing with the University of Law School, or has not complied with the Association's membership requirements or is not registered as a member of the LSD/ABA within twenty (20) days of the election.**

**To qualify as a candidate for an elected position on the Executive Council a person must file a petition in the name of the candidate and the position sought. The petition must be signed, as a showing of support for the candidate, by at least 25 Student Bar Association members for the position of representative and by 50 Student Bar Association members for the position of President, Vice-President, Secretary, Treasurer and LSD/ABA Representative. A pre-election filing deadline setting forth both time and place shall be determined and made public by the Secretary in accordance with the election schedule set forth within this Article.**

**4. No member may run for more than one position on the Executive Council in any one election. No member may serve in more than one position on the Executive Council, elected or otherwise, at the same time.**

**5. All members of the Student Bar Association are eligible to vote in the elections for President, Vice-President, Secretary, Treasurer, Student Representative to LSD/ABA. To be elected to one of these positions a candidate must receive a majority of the votes cast for the position sought.**

**6. Only members of the Student Bar Association in the class to be represented shall vote in the election of class Representatives. Voters shall cast votes for the number of candidates as there are positions available. The number of candidates receiving the most votes, corresponding to the number of positions available, shall be elected to the position. A runoff election shall be held only in the event of a tie among candidates remaining eligible to assume a position. The candidate receiving the largest number of votes in a run-off election shall be elected to the position. Any class Representative who changes their status (i.e. evening to day division) shall immediately report this change to the Secretary and vacate their seat. This vacancy shall be filled as provided.**

**7. One designated Representative from each organization shall be chosen by the organization they represent; such selection, however, shall be subject to the by-laws of the Student Bar Association.**

**8. An election for all freshman Representatives and to fill all positions vacated, for any reason, since the last day of classes in the preceding Spring Semester shall be held during the fourth week of the Fall Semester. If a runoff election is needed, it shall be held during the following week. Elected candidates shall assume their positions at the next regularly scheduled meeting of the Executive Council, after**

election results are final.

An election of all elected positions other than Freshman Representatives shall be held in the Spring Semester at the discretion of the Executive Council but in any event no later than the first week of April. If a runoff election is needed, it shall be held during the following week. Those members elected shall assume their positions immediately upon conclusion of a transition period lasting a minimum of two weeks following the election.

At the discretion of the Elections Committee, a week's variance in this schedule will be allowed.

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## **Article VII**

### **Ratification, Amendment and By-Laws**

- 1. This Constitution shall become binding and effective upon ratification by a two-thirds vote of the Association membership in a referendum. Ratification of this Constitution shall operate as a revocation of any pre-existing Constitution.**
- 2. Amending to this Constitution shall be proposed by a two-thirds vote of a quorum of the Executive Council and shall become binding and effective upon ratification by a two-thirds vote of the Association membership in a referendum.**
- 3. By-laws shall be established or altered by a two-thirds vote of a quorum of the Executive Council.**