

Appendix A: SBA Constitution

CONSTITUTION OF THE STUDENT BAR ASSOCIATION

SOUTHERN ILLINOIS UNIVERSITY SCHOOL OF LAW

PREAMBLE

We, the students of the Southern Illinois University School of Law--in order to secure certain education, ethical, and social benefits--do ordain and establish the Student Bar Association of the Southern Illinois University School of Law under the provisions of this Constitution.

Article I. Name

This Association shall be known as the Student Bar Association of the Southern Illinois University School of Law, hereinafter referred to as the Association.

Article II. Purpose

The Student Bar Association is the official organization of the students of the Southern Illinois University School of Law. Its purposes shall be:

1. To promote and maintain high standards of professional training and ethical conduct.
2. To enhance the academic program.
3. To extend legal education and services to the community at large.
4. To plan and conduct a program of social activities.

Article III. Membership

This Association shall be composed of all law students enrolled full or part-time in the Southern Illinois School of Law. All members of the Association shall be entitled to vote in the general meetings and elections of the Association.

Article IV. Officers and their selection

Section 1. Officers

There shall be five (5) officers of this Association:

- a. President
- b. First Vice-President
- c. Second Vice-President
- d. Secretary
- e. Treasurer

Section 2. Qualification

To be eligible for election, a nominee must be a student in good academic standing. Any officer who fails to maintain good academic standing may be removed from office by a two-thirds vote of the Executive Committee and replaced in accordance with the provisions of Article IV, Section 6.

Section 3. Nominations

Any student meeting the qualifications for election as an officer of the Association shall become a nominee upon submitting nominating papers which declare a candidacy for a specific office and include the signatures of ten (10) other students. These papers shall be submitted to the Election Commission at least four (4) days prior to the general election, and the names of the nominees and the offices they seek shall be posted by the Election Commission three (3) days before the general election.

Section 4. Elections

All elections of the Association shall be administered by an Election Commission composed of three (3) members whose names shall be chosen at random from among all volunteers by the President of the Association at the first meeting of the Executive Committee during the Fall Term. The members of the Commission shall keep these duties for the duration of the school year in which they are selected. No member of the Election Commission shall be an officer of the Association or a candidate for office.

Elections shall be held in February to choose officers for the succeeding year. The exact date shall be set by the Election Commission.

Elections shall be conducted by secret ballot; and the ballots shall be tabulated and the results posted by the Election Commission.

Each officer shall be elected by a majority of the votes cast for that office. In the event that no one candidate for a given office receives a majority of the votes, there shall be a run-off election between the fewest number of candidates whose votes total sixty percent (60%). This run-off election shall be repeated until one candidate receives a majority of the votes.

Section 5. Term of Office

Officers shall serve for one year or until the next general election and shall take office fourteen (14) days after the results of the election have been certified and posted by the Election Commission.

Section 6. Vacancies

When a vacancy occurs in any of the offices of the Association except those of President and First Vice-President, the President shall nominate a qualified successor subject to confirmation by a two-thirds vote of the Executive Committee.

- a. The First Vice-President shall fill a vacancy in the Presidency.
- b. The Second Vice-President shall fill a vacancy in the First Vice-Presidency.

Section 7. Recall

Upon petition of at least one-third of the members of the Association, an officer will be subject to a recall election, supervised by the Election Commission. The officer shall be recalled upon a sixty percent (60%) vote of those members voting on the question. Vacancies shall be filled in accordance with Article IV, Section 6.

Article V. Duties of Officers

Section 1. President

The President of the Association shall:

- a. Preside at all meetings of the Association and its Executive Committee.
- b. Call meetings of the Association and meetings of the Executive Committee.
- c. Nominate the non-elected members of the Executive Committee, subject to the confirmation of two-thirds of the members of the Executive Committee present and voting, excluding the President.
- d. Appoint the members of such special committees as are created by a majority vote of the Executive Committee.
- e. Appoint the First or Second Vice-President as ex-officio, non-voting members of special committees.
- f. Assign matters to committee.
- g. Have such other powers as are necessary and proper and which are not in contravention with any provision of this Constitution.

Section 2. First Vice-President

The First Vice-President of the Association shall:

- a. Perform, in the temporary or permanent absence of the President, all duties of the President.
- b. Serve as Vice-Chairman of the Executive Committee.
- c. Serve as an ex-officio member of all special committees of which he or she is not already a member and on which the Second Vice-President does not serve in a similar capacity.
- d. Assist the President in supervising the business of the Association in whatever manner shall be deemed necessary and proper.

Section 3. Second Vice-President

The Second Vice-President of the Association shall:

- a. Serve as an ex-officio member of all special committees of which he or she is not already a member and on which the First Vice-President does not serve in a similar capacity.
- b. Assist the President in supervising the business of the Association in whatever manner shall be deemed necessary and proper.

Section 4. Secretary

The Secretary of the Association shall:

- a. Be the recording and corresponding officer of the Association and custodian of all the Association's records not herein assigned to other officers.
- b. Keep a copy of this Constitution and any amendments together with a record of all by-laws and resolutions adopted by the Association or its Executive Committee.
- c. Receive all resolutions from the membership or its officers to be considered at a meeting of the Association or its Executive Committee.
- d. Record the minutes of all meetings of the Association and its Executive Committee.
- e. Provide sufficient notice of upcoming meetings of the Association and the Executive Committee.
- f. Maintain an up-to-date list of all members of the Association.
- g. Perform all other duties commensurate with the office of Secretary which are not in contravention with any provision of this Constitution.

Section 5. Treasurer

The Treasurer of the Association shall:

- a. Keep a record of all receipts and disbursements of the Association.
- b. Give a report of the financial position of the Association at any meeting of the Association and be prepared to give a report at any meeting of the Executive Committee when requested by a member or when required by the President.
- c. Collect all dues and assessments duly authorized by the Association.
- d. Represent the Association in matters relating to University Student Fee allocation.
- e. Perform all other duties commensurate with the office of the Treasurer which are not in contravention with any provision of this Constitution.

Article VI. Executive Committee

Section 1. Membership

The Executive Committee shall be composed of:

- a. The officers of the Association, who shall also be the officers of the Executive Committee.
- b. Four (4) elected class representatives, two from the freshman class and one each from the junior and senior classes, nominated and elected by their respected classes.
 1. The representatives of the junior and senior class shall be elected at the general election in February in accordance with Article IV, Sections 3 and 4.

The representative of the senior class who was elected in the preceding general election shall remain in office until the last day of the academic year. The term of office for newly elected class representatives shall commence two weeks after the date of the general election.

2. A special election shall be held in September on a date set by the Election Commission to elect the freshman representatives.
- c. Non-elected members nominated and confirmed pursuant to Article V, Section c. by the President subject to confirmation by a two-thirds vote of the Executive Committee. To qualify for non-elective membership on the Executive Committee, a student must be engaged in extra-curricular work of importance to all the members of the Association. These non-elected members will not have a vote in the Executive Committee.
- d. The chairpersons of all standing committees, and they shall have a vote on the Executive Committee.

Section 2. Powers

- a. The Executive Committee shall formulate and execute the policies and manage the affairs of the Association.
- b. The Executive Committee shall have the power, by majority vote, to pass resolutions consistent with this Constitution which shall govern the affairs of this Association.
- c. The Executive Committee shall have the power, by majority vote, to establish standing committees and special committees. Members of these committees shall elect a chairperson by a majority vote. Any member of the Association may serve on a committee.

Section 3. Meetings

- a. The Executive Committee shall meet regularly at the discretion of the President, but at least monthly. Meetings may also be called by a written request signed by one-third of the members of the Executive Committee and stating the purpose of the requested meeting.
- b. A quorum consisting of at least one-half of the voting membership of the Executive Committee shall be required to transact the business of the Executive Committee.
- c. A member of the Executive Committee must be present at the meeting in order to vote.
- d. No member of the Executive Committee shall have more than one vote.
- e. Any member of the Association may bring an item of business before the Executive Committee by presenting it to the Secretary or his/her class representative at least two days before the next meeting.

- f. All meetings of the Executive Committee will be open.

Section 4. Impeachments

In the event that any member of the Executive Committee is deemed gravely delinquent in conduct or in execution of official duties by a majority vote of the Executive Committee, the offending member shall be given the opportunity to answer these charges. After the hearing or after the opportunity to be heard has been declined, the offending member may be removed from office in the Association and/or membership on the Executive Committee by a majority vote of the entire Association. Any resulting vacancy in the offices of the Association shall be filled in accordance with Article IV, Section 6.

Article VII. General Meetings

Section 1. Meetings

The president shall call meetings of the general membership of the Association at least three times a semester, and notice of a meeting and the agenda shall be posted in advance by the Secretary. An item of business may be placed on the agenda by a written petition of at least ten percent (10%) of the entire membership of the Association or upon the written request of one-half of the members of the Executive Committee.

- a. The president must call a general meeting upon receipt of a written petition of at least ten percent (10%) of the entire membership of the Association or upon the written request of one-half of the members of the Executive Committee. This petition or request shall state the purpose(s) for which the meeting is to be called.

Section 2. Voting

All business brought before a general meeting of the Association shall be decided by a majority of those present and voting. Any action taken by the Association as a whole shall be binding on the Executive Committee.

Article VIII. Finances and Expenditures

Section 1. Sources of Funds

The Association may receive funds from any of the following sources:

- a. Any student activity fees paid by members of the Association.
- b. The Southern Illinois University School of Law.
- c. Other allocations from Southern Illinois University.
- d. Outside gifts.
- e. Voluntary social dues which shall pay exclusively for the social activities of the Association. The amount of such dues shall be set by the Executive Committee subject to the approval of the general membership of the Association. Social activities of the Association may be limited to those members who have paid social dues.

f. Any other income.

Section 2. Authorization of Expenditures

The Executive Committee must authorize any expenditure of funds.

Section 3. Unexpended Funds

Any unexpended monies at the end of the school year may be used in the subsequent year by the Association.

Article IX. Amendments

Section 1. Initiative

Amendments to this Constitution may be initiated by a vote of two-thirds of the entire membership of the Executive Committee or by a written petition signed by twenty-five (25%) of the entire membership of the Association.

Section 2. Discussion

If an initiative is successful, the President of the Association shall preside at a general meeting called to consider the proposed amendment, and all regular members of the Association shall have the right to be heard.

Section 3. Referendum

A referendum on the question of adopting the proposed amendment shall be held no sooner than five (5) days nor later than fourteen (14) days after the general meeting, and shall be administered by the Election Commission. The Secretary shall publish the text of the amendment at least three days before the referendum. To be ratified, an amendment shall require the approval of three-fifths of the general membership of the Association.

Article X. Ratification

This Constitution shall be considered adopted when signed by three-fourths of the student body of the Southern Illinois University School of Law.

**SOUTHERN ILLINOIS UNIVERSITY SCHOOL OF LAW
SBA BYLAWS**

I.

- A. Notice of the election and election procedures shall be posted at least ten (10) days before the election.
- B. Nominating papers (hereafter petitions) shall be made available from all election commissioners, the Student Bar Association office, and any officer of the Association the election commissioners may at their discretion so designate to distribute petitions.
- C. Petitions may be filed with any election commissioner or in the Student Bar Association office. If the petition is filed with an election commissioner, he/she must mark the petition with the date, exact time, and their name or initials. If the petition is filed in the Student Bar Association office it must be similarly marked by any voting member of the Executive Board present in the office at that time and placed in a file designated by the election commission.
- D. Position on the ballot of nominees is determined by "first to file" as outlined above.
- E. The order of events previously described shall be as follows:

Thursday--Notice of election
Monday--Petitions available
Thursday--Petitions due
Friday--Candidate list posted
Tuesday--Election
Thursday--Runoff

II.

- A. Tabulation of ballots shall be open to all law students and will be held in the largest classroom in the Law School. Any observer may be removed from the area in which the tabulation is conducted at the request of an election commissioner upon a showing of a good cause. Good cause, includes but is not limited to, interference with the ballots, excessive noise, etc.
- B. Ballots from any given election shall be on file in the Student Bar Association office for not less than three (3) months and shall be open to public inspection.
- C. A recount may be requested in writing by any candidate for the office of which he was a candidate within (3) days of the election.
- D. Formal protests concerning major election irregularities shall be dealt with in the following matter:
 - 1. A complaint must be submitted in writing within three months to an election review board consisting of the Association President, the Association Senior Representative, and the Chairperson of the Ethics Council at the time of the alleged violation.

- 2. The complaint shall contain the following information:
 - a. The office or offices challenged
 - b. The parties to the violation
 - c. The nature of the violation
 - d. The nature of the relief sought
- 3. The election review board will conduct a closed hearing to determine the validity of the complaint. They will at the time decide upon a course of action (to void the election in whole or in part, or to instruct the election commission to validate the results).
- E. When multiple candidates are running for more than one position (e.g. 7 persons running for 4 positions) the formula for determining the winner is as follows: Total number of votes cast, divided by the number of candidates plus one (1) equals the number of votes necessary to win.
- F. The list of eligible votes shall be determined by the election commission prior to the election. Part-time law students will be considered a member of a class based on the number of hours they have accumulated.
- G. The election commission shall formulate additional policies necessary to the running of the election that are consistent with these Bylaws and the Constitution of the Association and shall post notice of changes in policies prior to the change.

Effective as of April 9, 1976