Student Bar Association
Election Code

ARTICLE I - Name and Application

Section 1. Name The following shall be known as the Election Code of the Fordham University School of Law Student Bar Association (the "Association").

Section 2. Application to Officers and Representatives All elections of officers and representatives to the Association Executive Board (the "Executive Board") and for all elective positions under the Association Constitution (the "Constitution") shall be conducted by the authority and under the guidelines of this Code.

Section 3. Application to Other Elections All other elections sponsored by the Association, in which law students participate, shall be conducted under the guidelines of this Code.

Section 4. Waiver and Modification The Executive Board may waive or modify, by majority vote, the application of any article or section of the Code to any election, except an election for officers and representatives to the Executive Board or any election for an elective position under the Constitution, upon written request by the body sponsoring the election.

Section 5. Invalidation If any part of this Code is invalid all parts that are severable from the invalid part shall remain in effect.

ARTICLE II - Elections

Section 1. Election of Officers There shall be a General Election for the positions of President, Vice-President, Evening Vice-President, Secretary, and Treasurer of the Association.

Section 2. Election of Section Representatives There shall be an election to fill the first year section representative positions.

Section 3. Letters of Intent Letters of Intent for the positions described in Article II, Section 2 shall be filed at anytime between 9:00 a.m. Monday through 5:00 p.m. Wednesday the week prior to the election. Letters of intent shall be filed at the Association office.

Section 4. Content of Letters of Intent A Letter of Intent shall contain the following:
a. the title of the office or position for which the individual intends to run;

b. a statement that the candidate has read the Association Constitution and the Association By-Laws, and, if elected, will abide by their provisions;

c. a statement that the candidate has read the Election Code and he understands and will abide by its provisions;

d. the candidate’s signature; and

e. the date on which the Letter of Intent is filed.

Section 5. **Filing of Letters of Intent** A letter of Intent must be filed for every candidate seeking any position on the Executive Board, and by all those seeking any position in an election conducted by the authority or under the guidelines of this Election Code.

Section 6. **Timing of Election of Officers** The general election described in Article III, Section 1 shall be held on the third Tuesday in March or such other day as the Election Committee shall decide.

Section 7. **Timing of Election of Student Representatives** The student representative election described in Article II Section 2 shall be held on the second Tuesday in October or such other date as the Election Committee shall decide.

Section 8. **Special Elections** Special Elections shall be called by the Executive Board to fill permanent vacancies of any office within a reasonable time following the date of the vacancy.

Section 9. **Qualification for Election** To qualify as a candidate for a position as an officer of the Association or as a section representative, or to any office under the Constitution, a person must

a. be a registered student at the school;

b. have an overall grade point average of 2.0 or higher at the time of election;

c. not indicate any intent to graduate, transfer or otherwise not be present at the Law School during his or her term of office; and

d. meet the qualifications for office as set forth in Article II and III of the Association Constitution.

Section 10. **Election Certification** Within one week after an election, the then existing Executive Board shall convene to
certify the election of each candidate for office. Certification of an election shall be made for each candidate who has received a plurality of the votes cast in the General Election for the position on the Executive Board for which such candidate was nominated.

ARTICLE III - Referendums

Section 1. Definition A referendum shall mean any election proceeding by which the approval, disapproval, ratification, guidance or opinions of the students on any matter of direct or indirect of concern to the students as a whole is sought.

Section 2. Application of Article III The procedures and requirements outlines in Article III, Sections 3 through 8 shall apply to all referendums in which law students have the exclusive right to participate.

Section 3. Initiation Requirements Any person or body of persons wishing to initiate a referendum shall obtain the signatures of 20% of the students registered at the Law School for the semester during which the referendum is to be held as a written petition expressing the desire that the Executive Board conduct such referendum.

Section 4. Verification of Signatures The written petition shall be submitted to the Elections Committee which shall approve the accuracy of the signatures within a reasonable time.

Section 5. Timing of Referendums The Elections Committee shall conduct the referendum under the guidelines of this Code no later than two weeks after verification by the Elections Committee of the authenticity of the signatures on the petition.

Section 6. Initiation by the Executive Board A referendum must be initiated by no less than a 4/5 vote of the Executive Board.

Section 7. Notice The Elections Committee shall post reasonable notice to students that a referendum will be held not less than five school days before the date of the referendum.

Section 8. Contents of Notice The notice required in this Article IV, Section 7 shall contain:

a. a copy of the questions to be submitted to the students in the referendum;

b. the date of the referendum;

c. the time that the balloting will begin and end; and

d. the qualifications needed to vote.

Article IV - The Elections Committee
Section 1. **Composition** The Elections Committee shall consist of the Association President, the Association Vice President, the Association Faculty Adviser and such other persons as the President and Vice President shall appoint. The Vice-President shall chair the Elections Committee.

Section 2. **Duties and Responsibilities** The duties and responsibilities of the Election Committee shall consist of, but shall not be limited to, the following:

a. to organize, supervise and conduct all official elections;

b. to enforce all election by-laws including this Code;

c. to post all information concerning an election;

d. to conduct the Candidates Meeting referred to in Article VIII Section 1 of this Code;

e. to organize, supervise and conduct a candidate forum, if necessary;

f. to obtain an updated list of all students registered at the Law School for the semester in which an election shall be held, to be used as an official voter list;

g. to obtain, organize and instruct poll workers;

h. to receive and investigate election code violations;

i. to conduct referendums in accordance with this Article IV;

j. designation of bulletin boards to be used for the posting of campaign materials; and

k. duties and responsibilities not covered by this Code but which are imposed or delegated by the Executive Board for any particular election.

Section 3. **Replacement Members** In the event that one of the members of the Elections Committee cannot serve, a replacement shall be appointed by the President of the Association.

**ARTICLE V - Restrictions on Campaign Materials**

Section 1. **Definition**

a. Posters: large card made only of paper, cardboard or plastic.
b. Flyers: any paper material distributed among members of the Association including all papers distributed in student mail boxes.

Section 2. **Posters** No Ticket or individual candidate shall have more than 5 posters. No Ticket or individual candidate shall distribute more than two flyers per election.

Section 3. **Number of Posters** Posters no greater than 24 x 36 inches, or such other size as the Election Committee may determine, may be placed by or on behalf of a candidate only on bulletin boards in the law school. All posters found in the Law School but not on the bulletin boards shall be removed by the Elections Committee.

Section 4. **Classrooms** The use of classroom or seminar room blackboards by the candidates is specifically prohibited. No candidate may solicit votes in the library.

Section 5. **Negative Campaigning** No candidate or ticket shall engage in negative campaigning. The finding by a 2/3 vote of the Executive Board that a candidate or ticket is or has been engaging in negative campaigning, shall constitute a finding that the candidate has committed an Election Code Violation.

**ARTICLE VI**

Section 1. **Application of Election Code** All candidates for officers of the Association and section representatives, or any office under the Constitution, shall at all times follow the provisions of this Code.

Section 2. **Failure to Follow Election Code** Failure to follow the provisions of this Code shall constitute an Election Code Violation.

Section 3. **Notification of Violation to Elections Committee** Any Association member noting an Election Code Violation shall report it to the Elections Committee prior to the certification of the election as described in Article II, Section 10.

Section 4. **Receipt of Notification of Violation** If a valid Election Code Violation is reported prior to the date of the election, the Elections Committee shall take whatever steps it deems necessary to correct such violation up to and including preventing a candidate's name from appearing on the ballot. Appeal of an action of the Elections Committee may be made to the existing Executive Board.

Section 5. **Timing of Receipt of Notification of Violation** If an Election Code Violation is reported after the date of the election but prior to certification by the Executive Board, such violation shall constitute sufficient cause to withhold certification in favor of the offending candidate.
Section 6. **Treatment of Election Code Violations** If an Election Code Violation is attributed to a candidate, such violation is sufficient cause to prevent such candidate from holding any office or position under the Constitution for at least two semesters.

**ARTICLE VII - Election Procedure**

Section 1. **Meeting of Candidates** A meeting of all candidates shall be arranged and conducted by the Elections Committee not more than two days after the last day for filing Letters of Intent for the election. All candidates shall attend candidate meetings.

Section 2. **Content of Meeting of Candidates** At the meeting described in Section 1 of this Article VIII, the Elections Committee shall:

a. decide whether a candidate forum shall be held.

b. draw names for ballot position.

c. dispense pertinent information, including, but not limited to, this Code.

Section 3. **Public Forum** A forum of the candidates to which the general law school community is invited may be convened at the discretion of the Elections Committee.

Section 4. **Timing of Campaigning** Active campaigning may begin on such date as the Executive Board may decide.

Section 5. **Definition of Active Campaigning** Active campaigning includes:

a. distribution of campaign materials.

b. posting of campaign materials.

c. speaking in classrooms.

Section 6. **Polling** Polling shall be open on election day from 10:00 a.m. to 7:00 p.m., and or such other times as the Elections Committee shall deem necessary. The Elections Committee shall designate the polling place and secure poll workers for election day.

Section 7. **Voting Procedure**

1. Candidates receiving a plurality of the votes for any position shall be elected to that position.

2. The Elections Committee shall collect and count the votes. The Committee shall notify the candidates that
they have won or lost within 48 hours of the commission, and post notify the community within 72 hours of the close of voting.

**Article VIII - Amendment**

The Executive Board of the Association shall amend this Election Code as it deems necessary to further principles of fairness and equity.

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