

STUDENT BAR ASSOCIATION CONSTITUTION

ARTICLE I – NAME

This Association shall be known as the Student Bar Association of the Fordham University School of Law (the “Association”).

ARTICLE II – MEMBERSHIP

Section 1. Regular Membership – All students of the Fordham University School of Law, who are registered as candidates for the Juris Doctor Degree, shall be regular members of the Association.

Section 2. Early Representatives – Each year the Officers of the Executive Board shall select a faculty member to be the faculty representative to the Association. This selection shall be submitted to the Dean for approval. The Faculty representative shall not have voting privileges.

Section 3. Dues and Assessments – Each regular member who is registered for the Fall Semester shall pay to the Bursar of the Law School as annual dues a Bar Association Fee, due and payable with tuition at the beginning of the fall semester.

ARTICLE III – ADMINISTRATION

Section 1. Officers – The officers of the Association, who shall hold the same offices on the Executive Board, shall be:

- (a) President
- (b) Vice President
- (c) Evening Vice President
- (d) Treasurer
- (e) Secretary

The officers of the Association comprise the “Executive Board.”

Section 2. Duties of Officers be as follows:

The President Shall:

1. Serve as an official spokesperson of the Association.
2. Serve as the Chairperson of the Association Elections Committee.
3. Have authority to expend funds of the Association for office supplies and other expenses incidental to the operation of the Association. Funds for

these expenses shall come from the General Fund of the Treasury of the Association.

4. The President, during his/her term of office, shall be empowered to authorize a funding allocation to a committee or organization up to 25% of the committee's or organization's total annual budget. For the purpose of calculating the total annual budget with respect to a particular organization or committee, the amount shall be the total amount allocated and approved by the Executive Board for the committee or organization in the previous academic year. The President shall not have the authority to authorize funding allocations for any committee or organization that has not previously received funding through the Association.
5. Perform all other duties as specified elsewhere in this Constitution.

The Vice-President Shall:

1. Serve as an official spokesperson of the Association.
2. Oversee the functioning of all Association recognized committees and other organizations that the Association funds in order to ensure that they comply with the requirements of Article IV of this Constitution.
3. Upon determination that a committee or organization is not satisfactorily complying with Article IV. Inform in writing the President and Treasurer and the affected committee or organization is to be suspended immediately until the officers determine that the offending committee or organization is in compliance with Article IV of this Constitution.
4. Apprise the President as to the status of all committees and organizations under the Vice-President's supervision.
5. Perform all other duties as specified elsewhere in the Constitution.

The Evening Vice President Shall:

1. Assist the Vice President in overseeing the functioning of all Association recognized committees and other organizations receiving Association funds in order to ensure that they comply with the requirements of Article IV of this Constitution.
2. Serve as official representative to the Executive Board of all students enrolled in the evening division.
3. Perform all other duties as specified elsewhere in the Constitution.

The Treasurer Shall:

1. Keep all financial records of the Association and submit a full financial report to the Association at its regular meetings.
2. Submit to the President and the Executive Board all reports requested by the President concerning the status of the Treasury
3. Perform all other duties as specified elsewhere in this Constitution.

The Secretary Shall:

1. Serve as an official spokesperson of the Association.
2. Request and receive regular reports from section representatives regarding all matters of concern to the Association and report all such matters to the Executive Board.
3. Be responsible for recording the minutes of each Executive Board meeting and keeping accurate records thereof.
4. Be responsible for scheduling Student Bar Association Executive Board meetings and Student Bar Association section representative meetings.
5. Perform all other duties specified elsewhere in this Constitution.

Section 3. Senators – There will be a total of four Senators, comprised of upperclassman, who will aid the Executive Board in performing the functions of the Association.

Section 4. Duties of Senators shall be as follows:

1. Attend all section representative meetings.
2. Make every reasonable effort to inform themselves of all matters of concern to the Association.
3. Aid in the publication of Association events to the student population.
4. Make every reasonable effort to fulfill the responsibilities of the particular Senator position for which he/she was elected.

Section 5. Section Representatives – Each section of the first year class shall have one representative.

Section 6. Duties of Section Representatives

1. Attend all section representative meetings.
2. Announce to their respective sections any and all matters that the officers of the Association shall request.
3. Make every reasonable effort to inform themselves and their constituents of all matters of concern to the Association.
4. Provide assistance in the operation of all Association Activities when necessary.

Section 7. Qualifications – All regular members of the Association are eligible for election to the Executive Board, subject to the limitations set forth in Section 8 of this Article III. To be eligible as a candidate for election as an officer or as a section representative, and if so elected to be eligible to continue to serve, a member must be in good scholastic standing and a member of the particular class or section entitled to representation. Questions as to good scholastic standing shall be determined according to the then current Fordham University School of Law Student Handbook, Rules and Regulations. Questions as to membership in a particular class shall be determined by the administrative policy of the School.

Section 8. Nomination for Officers, Senators and Section Representatives:
All elections shall be held under the supervision of the Elections Committee.

The following officers shall be nominated and elected in the Spring Semester (the “Spring election”) for each succeeding academic year. Terms of office shall be held until the last day of the following academic year. No member of the Association shall be allowed to run for, or hold more than, one voting position on the Executive Board simultaneously.

<u>Office</u>	<u>As of August, will be a member of</u>
President	Third year day
Vice President	Third year day or evening or fourth year evening
Evening Vice President	Second, third or fourth year evening
Treasurer	Second year day, Third year day, Third year evening, or fourth year evening

Secretary

Second year day or evening

After the Executive Board for the incoming school year has been elected, at the time of their choosing, but not after May 1st of the year the Board was elected, will advertise and distribute applications for Senator positions. The Executive Board will determine what areas of concern each Senator position will be responsible for depending on the current needs of the incoming Board. Candidates will apply for particular Senator positions and will be interviewed individually by the Executive Board and voted on by the Executive Board, with no more than four candidates being chosen in any one academic year. Senator candidates must be either a second year day or evening, third year day or evening or fourth year evening student as of August of the year they are applying to be a Senator.

Incoming first year students shall elect representatives for their individual sections in October of that school year (the "Fall election"). The Fall election shall be completed within the first two weeks of October. Any positions which have been vacated since the Spring election will also be filled during this election. The last meeting of each school year shall be a combined meeting of the outgoing and incoming Executive Boards.

At this meeting only those members currently serving their terms of office shall be empowered to vote.

Section 9. Nomination Procedure:

- (a) Petitions for nominations may be secured from the Association office during normal office hours.
- (b) Each nomination for section representatives must contain at least fifteen (15) signatures from the candidate's respective section.
- (c) Each nomination for officer or ticket must contain at least forty (40) signatures from students eligible to vote for office.
- (d) A student may sign as many nominating petitions as he/she desires.
- (e) Candidates may run as a ticket or as an individual for any position(s) on the Executive Board.
- (f) Candidates for Senator positions may obtain application packets from the Association Office during normal office hours.
- (g) All candidates must properly submit a completed petition / application packet to the Association office on or before its due date.

Section 10. Electorate:

- (a) At the time of the Spring election, all day division students shall be eligible to vote for the offices of President, Vice President, Treasurer, Secretary of the Association. All evening division students shall be eligible to vote for the offices of President, Vice President, Evening Vice President, Treasurer and Secretary. Each eligible student shall be entitled to cast one vote for each position.
- (b) At the time of the Fall election, first year students shall be eligible to elect one representative for their section. Candidates for section representative may receive votes only from their respective sections. Each student shall be entitled to cast one vote for the representative of their choice

Section 11. Selection – Officers and section representatives shall be elected by a plurality of the votes cast for each position. The Executive Board-Elect shall take office and relieve the current Executive Board on Monday following Spring graduation date. Candidates for each Senator position shall be chosen based on the Executive Board’s decision as to who has the experience, capabilities and traits it deems most important in fulfilling the needs of the particular Senator position.

Section 12. Vacancies – Vacancies due to resignations, impeachment or transfer shall be filled by means of a special election. It shall be within the discretion of the Elections committee as to the need and date of the election. The person specially elected shall hold office for the remainder of the unexpired term. The persons eligible to vote in special elections shall be the same persons who would have voted for the particular office in the prior elections provided that such persons are still members of the Association. In the event that the Evening Vice-President transfers to the day division, the President of the Association shall be entitled to appoint the Evening Vice-President to the position of interim Evening Vice-President until such time as another person has satisfied all the election provisions of, this Constitution, the Association By-Laws, the Association Election Code, and, is duly elected to the position of Evening Vice-President. The interim Evening Vice-President shall be entitled to run for the position of Evening Vice-President and need not satisfy the fifty signature requirement described in subsection 8 of Article III of this Constitution. In the event that the Evening Vice-President transfers to the day division, the Executive Board shall provide prompt notification to the evening division students of such occurrence. In the event that, after one month from the date of notification to evening division students of such transfer, no candidate for Evening-Vice President has satisfied the provisions of this Constitution, the Association By-Laws, and the Election Code, the President shall appoint the Interim Evening Vice-President to the position of Evening Vice-President. The Interim Evening Vice-President, having been appointed to

the position of Evening Vice-President, shall enjoy all the benefits and duties of the Evening Vice-President as though such person were enrolled in the evening division.

Section 13. Elections – It shall be the responsibility of the Chairperson of the Elections Committee to oversee all aspects of the election including speeches and election posters and the time and place of voting. The results of all elections shall be made known to the general student body within 78 hours of the close of voting. All questions and disputes concerning any matters related to elections shall be resolved by the Elections Committee and the Executive Board. All disputes or challenges made to elections must be made within 24 hours of the posting of the results. All results shall be a matter of public record including the number of votes received.

Section 14. Executive Board and Section Representative Meetings:

- (a) The Executive board shall meet regularly on at least one day of each month during the academic year. The President shall preside at the meetings of the Executive Board; in his/her absence, the Vice President shall preside; in their absence the Executive Board shall defer meeting until such time as the President or the Vice-President is available. Additional Meetings may be called by the President at his/her discretion and Special Meetings shall also be called by the President or upon written request of three members of the Board. Written requests shall state the purpose of requested meetings.
- (b) The Secretary of the Executive Board shall call a section representative meeting regularly on at least one day of each month during the academic year. The Secretary shall preside at the meetings of the section representatives; in his/her absence, the Vice President shall preside; in their absence, the section representative meeting shall not be held until such time as the Secretary or the Vice-President is available. Additional meetings may be called by the Secretary at his/her discretion.

Section 15. Voting:

- (a) A quorum shall consist of a majority of the number of votes of the entire Executive Board. No matters may be voted on with a binding effect if quorum is not present at the time of the vote.
- (b) All members of the Executive Board present at a meeting shall be entitled to vote on all questions coming before the Executive Board. All officers, including the presiding officer, shall be entitled to one vote. In the event that there is an Interim Evening Vice President, the Evening Vice President shall be entitled to one vote. In the event of a tie, the President shall be entitled to cast one additional vote.

- (c) All decisions of the Board shall be by a majority vote of the members who are entitled to vote and who are present at the meeting unless otherwise provided in this Constitution.
- (d) No absentee or proxy votes shall be allowed.

Section 16. Impeachment:

- (a) Grounds for Impeachment:

Grounds for impeachment shall be based on any one of the following grave delinquencies in conduct:

- (1) Absence from three (3) or more regularly scheduled Executive Board meetings without a cause. It shall be the duty of the Secretary of the Executive Board to keep a running tally of the Executive Board members in attendance and notify the President and/or Vice President when a member has three (3) unexcused absences. The President and/or Chairperson shall then notify the member by letter of delinquency, and also inform the absent member that this delinquency will be brought to the attention of the Executive Board.
- (2) Delinquency in the execution of duties. It shall be within the discretion of the President and/or Vice President to make allowances for any individual hardships in failure to comply with these requirements. It shall be the duty of the Secretary of the Executive Board to post members' records of absenteeism after each meeting, and shall submit to the Association – Newsletter, the names of the Executive Board members absent.

- (b) Impeachment Procedure:

Impeachment proceedings against any representatives of the Association may be instituted by any member of the Association by filing charges in writing with the Executive Board containing fifty (50) signatures of members of the Association. Notification shall then be sent by the President and/or Vice President to the delinquent member to notify that member of the charges initiated against him/her. A closed formal meeting before Executive Board on such charges shall be ordered if the Executive Board by a 2/3 vote of the entire membership of the Board entitled to vote as then constituted, shall deem that the charges are sufficient and that there is probable cause for such a hearing. After such a hearing, the delinquent member may be deposed from membership of the Executive Board by the 3/5 vote of the entire membership of the Executive board entitled to vote,

as then constituted. The accused shall be without a vote concerning the matter.

(c) Effect of Resignation and Vacancy:

Resignation of the alleged delinquent Executive Board member from the membership on the Executive Board at any time before such formal hearing shall terminate the proceedings. A vacancy so created by either impeachment or resignation of any officer or section representative shall be filled in accordance with the provisions of Section 8 and 9 of this Article III.

ARTICLE IV – COMMITTEES

Section 1. Recognized Committees – The Executive Board shall establish recognized committees, which shall carry on appropriate activities. The Executive Board may abolish or amend the functions of any recognized committee by a 2/3 vote of the Executive Board

The President and Vice President shall appoint the Chairperson or Co-Chairperson of all recognized committees, subject to the advice and consent of the Executive Board. The Chairperson or the Co-Chairperson or each recognized committee, so appointed and approved, shall appoint members of the committee.

The recognized committees of the Student Bar Association are as follows; Orientation, Speakers Forum, Elections, Newsletter, Boat Cruise, Beer & Bagels Softball, Intramural Sports. The duties of the Chairperson of a committee shall include but not be limited to:

- (a) selecting committee members;
- (b) keeping records of expenditures;
- (c) submitting reports to the Board at regular intervals;
- (d) planning calendar;
- (e) carrying on any necessary correspondence;
- (f) maintaining an office file in the Association office; and
- (g) complying with the budgetary procedures specified in Article V of this Constitution.

(h) Other Groups Receiving Association Funds –

There are and will be organization that the Association funds that are not considered recognized Association Committees because they are not considered recognized Association Committees because they have their own internal procedures for leadership selection. For such groups to receive funding they must comply with this Article IV and Article V. Additionally, such organizations must present to the President and Vice President, for their approval, a person within their respective organization who will act as a liaison with Association.

Section 2. Special Committees – The Association may from time to time establish Special Committees whose functions shall be appropriated to the objectives of the Association, but shall not duplicate the function of any existing recognized committee. The Association may abolish or amend the functions of any special committee by a 3/5 vote of the Executive Board. The President and/or Vice President shall appoint the Chairperson(s) of all special committees, subject to the advice and consent of the Executive Board. The Chairperson(s) of each special committee, so appointed and approved, shall appoint the members of the committee and be subject to the same duties and responsibilities as the Chairperson(s) of the recognized committees.

ARTICLE V – BUDGETARY PROCEDURES

Section 1. Budgeting

Budgets for each student group seeking funding from the Association shall be established in accordance with Association By-laws.

Section 2. General Fund

- (a) No more than 70% of the Association Treasury may be allocated during the funding process described in the Association By-laws.
- (b) 30% of the Association Treasury is to be designated as a general fund to cover events funded by the Association, unanticipated expenses, and as supplemental funding of recognized committees and other groups receiving year-long funding allocations.

Section 3. Disbursement of Funds

- (a) All allocations of Association monies to be made pursuant to the Association By-laws remain in the Association Treasury until committees receiving such allocations actually incur expenses or until proper documentation is provided showing that funding is needed prior to the club's allocation of funds.
- (b) The purpose of paragraph (a) is to allow the Executive board to pay its monies directly to those providing goods or services in question or to reimburse student groups or committees for monies that have been authorized by the Association to be spent.

Section 4. Expenditure of Funds

- (a) No Executive Board has the authority to approve an expenditure of funds that will occur subsequent to the end of its term of office. For this reason each Executive Board-Elect shall be empowered to meet during the

semester in which it is elected to vote upon whether it will approve the expenditure of Association funds during the following summer.

Any portion of the Treasury that remains unspent at the end of the term of office of any portion of any particular Executive Board is automatically carried forward into the Treasury of the following Executive Board.

ARTICLE VI – INTERPRETATION

Section 1. The Constitution – Disputed questions concerning the meaning or application of the Constitution shall be presented for authoritative decision to a five member Constitutional Court composed of the President of the Association, the Vice President of the Association, a member of the faculty chosen by each, and a member of the Executive Board agreeable to both the President and Vice President of the Executive Board. Each member of the Constitutional Court shall have a vote and the majority vote shall be decisive.

Section 2. Procedure – The Constitutional court shall have the power to enact rules of procedure governing the presentation and argumentation of questions proper for their consideration under the preceding sections.

Section 3. Publications – Decisions and opinions of the Constitutional Court shall be filed with the Secretary and shall be published by him/her to the Association and the school newspaper.

ARTICLE VII – AMENDMENTS

Section 1. Method – This Constitution may be amended from time to time by petition of the entire Executive Board or 40% of the members of the Association.

Section 2. Petition – A petition for amendment shall be initiated by a 4/5 vote of the entire membership of the Executive Board entitled to vote as then constituted, or by signature of not less than 25% of the members of the Association.

Upon filing of such a petition by the members of the Association or by petition initiated by the Executive Board, the Executive Board shall consider and vote on the proposed amendment. If 4/5 of the members of the Executive board approve the proposed amendment, or 40% of Association members approve the petition, the President of the Association shall certify the amendment as approved, and shall publish the fact to the Association and the school newspaper.

If less than 4/5 of the Executive board favors the amendment, then the President shall certify the amendment as disapproved and shall publish the fact to the Association and the school newspaper.

ARTICLE VII – RATIFICATION

THIS CONSTITUTION SHALL BECOME EFFECTIVE UPON VOTE OF TWO-THIRDS OF THE VOTES CAST IN THE SPRING 1996 ELECTION.

ARTICLE VIII – EFFECTIVE DATE

THIS CONSTITUTION IS EFFECTIVE AS OF _____, AND SUPERSEDES ALL PRIOR CONSTITUTIONS.