

# **STUDENT BAR ASSOCIATION CONSTITUTION**

## **Preamble**

We, the students of Fordham University School of Law (“Law School”), hereby create the Student Bar Association to represent all Law School students to the Law School administration, faculty, and staff to further our education, advocate our concerns, and advance a common purpose.

## **Article I – Name & Membership**

### **Section 1: Name**

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

### **Section 2: Regular Membership**

All students of the Fordham University School of Law, who are registered as candidates for the Juris Doctor, LL.M., S.J.D., or M.S.L. degrees, shall be regular members of the SBA.

### **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.

### **Section 4: Definition**

Student Government is an independent, student run organization established to further Fordham University School of Law students’ rights while working with the Law School. Student Government is a service organization intended to serve the needs of the Student Body.

### **Section 5: Authority**

All power vested in this Constitution shall be derived from the Student Body of Fordham University School of Law. All students shall be members of the Student Body. Student Government shall have the authority to speak and act on behalf of the Student Body, shall be empowered to pass resolutions to express the will of the Student Body, and shall administer the establishment, funding, and dissolution of its student organizations. The list of student organizations can be found here: [https://www.fordham.edu/info/24770/student\\_organizations](https://www.fordham.edu/info/24770/student_organizations).

### **Section 6: Non-Discrimination Clause**

Student Government shall not discriminate because of race, color, creed, religion or non-religion, national origin, gender, age, physical or mental ability, political identification, socioeconomic status, familial status, gender identification, sexual identity, or sexual orientation. Student Government shall have the power to expand, but not diminish, these protections.

### **Section 7: Multiple Offices**

No person, except on a temporary, limited basis, shall simultaneously hold multiple elected positions within the SBA, nor hold multiple appointed offices, nor be a representative and an executive officer. Committee membership shall not constitute an office. Members of the SBA

Executive Board shall avoid creating conflicts of interest through any offices of other student groups.

**Section 8: Compensation**

No member of Student Government shall receive compensation unless the Law School designates otherwise.

**Section 9: Higher Law**

Student Government shall act in accordance with federal, state, and local law, as well as all Fordham University and Fordham School of Law rules and regulations.

**Section 10: Meetings**

a) The Executive Board shall meet no less than once per month during the fall and spring semesters at a date, time, and place prescribed by the Executive Board. Meetings shall be commenced by a call to order of the presiding officer. The Executive Board may only vote or transact business upon the attainment of a quorum.

b) All meetings and votes of the Executive Board shall be held in closed session. During the meetings, the SBA Secretary will record meeting minutes that will be made available to students upon request.

c) Attendance at meetings is mandatory for all Executive Board members, unless they can provide a reasonable excuse for non-attendance to the presiding officer.

d) At meetings of the SBA, attendance shall be taken and recorded in the minutes.

e) The SBA shall hold at least one all-member live-streamed meeting per semester.

**Article II – The Executive Board**

The Executive Board shall have the roles and responsibilities enumerated in this Constitution in addition to the power to proffer new initiatives on behalf of the student body.

**Section 1: Officers**

The officers of the SBA Executive Board shall be:

a) President (a 3L Day student)

b) Vice President (a 3L Day, 3L Evening, or 4L Evening Student)

c) Evening Division Vice President (a 2L Evening, 3L Evening or 4L Evening Student)

d) Treasurer (a 2L Day student)

e) Secretary (a 2L Day, 2L Evening, 3L Evening student)

d) Diversity & Inclusion Chair (a 2L Day, 2L Evening, 3L Day, 3L Evening student or 4L Evening Student)

## **Section 2: The President**

- a) Serves as the primary SBA representative to the Dean, Dean of Academic Affairs, Dean of Student Affairs, staff and faculty. Serves as the primary SBA spokesperson to the student body and public.
- b) Chairs and oversees SBA Elections.
- c) Plans and chairs the Student Leader Orientation and Student Leader Meetings (at least twice a semester).
- d) Plans Barrister's Ball, the Fall Event, Bar Reviews, and Senior Week with the Vice President and Event Senators.
- f) Serves as a member of either the Diversity & Inclusion Committee or the Curriculum Committee.
- g) Signs off on all school-wide communication from the SBA.
- h) Facilitate, encourage, and participate in communication and collaboration amongst student organizations and the editorial boards of Fordham Law's Competition Teams and Journals.

## **Section 3: The Vice President**

- a) Represents the views of all students to the administration
- b) Helps plan social events throughout the year at the discretion of the Executive Board.
- c) Oversees faculty committee members to ensure compliance with Article V.
- d) May replace faculty committee members should such members not fulfill their duties.
- e) Apprises the President as to the status of all faculty committees under the Vice President's supervision.
- f) Serves as a member of either the Curriculum Committee or the Teaching Committee.
- g) Oversees all Senators, as defined in Article III, and apprises the President as to all Senatorial matters.

## **Section 4: The Evening Vice President**

- a) Serves as the official SBA spokesperson to the Evening Division.
- b) Serves as a member of the Evening Division Committee.
- c) Acts as notetaker in weekly SBA Executive Board meetings.
- d) Organizes activities for the Evening Student Division along with the SBA President, Vice President, and the Office of Student Affairs.
- e) Responsible for relaying SBA initiatives and announcements to the evening and part-time divisions.
- f) Is the primary representative of the Evening Students Division to the SBA, the Dean, Dean of Academic Affairs, the Dean of Student Affairs, as well as faculty, administration, and staff.
- g) Regularly attends and participates in the Fordham Evening Division Society's ("FEDS") meetings, works with FEDS on organizing activities for the Evening Division, and assists FEDS in creating and planning their budget packet.

### **Section 5: The Treasurer**

- a) Keeps track of all SBA financial records and submits a full financial report to the SBA, PIRC, and the Office of Student Affairs at the conclusion of the academic year.
- b) Submits to the President and Executive Board all reports requested by the President concerning the status of the treasury.
- c) Organizes and maintains the treasury and funding allocation system of the SBA.
- d) Trains all student organizations and their treasurers and facilitates their participation in the SBA and Office of Student Affairs allocation process.
- e) Maintains ongoing communication with the Office of Student Affairs and Finance and Development offices to monitor the reimbursement and funding processes.
- f) Serves as a member of the Adjunct Faculty Committee or Admissions and Financial Aid Committee.

### **Section 6: The Secretary**

- a) Organizes Executive Board and Student Leader Meetings, which includes creating an agenda in advance of and keeping minutes at each meeting.
- b) Serves as the primary representative to the 1L Section, LLM, SJD, and MSL Representatives and assists them in planning events.
- c) Serves as a member of the Diversity Committee or Career Planning Committee.
- d) Drafts weekly SBA announcements and communications on behalf of the SBA Executive Board.
- e) Annually updates SBA contact list with the aid of the Vice President.

### **Section 7: Diversity & Inclusion Chair**

- a) Organizes recurring SBA D&I meetings with the student group D&I appointees, which includes creating an agenda in advance of and keeping minutes at each meeting.
- b) Serves as the representative to the D&I appointees for each student group.
- c) Serves as a member of the Diversity & Inclusion Committee or Race and the Law School Committee.
- d) Works with the President to stay updated on D&I updates from both faculty committees and promote D&I efforts from the administration.
- e) Encourages student groups to sign the D&I pact and implement meaningful initiatives and programming for the student body.

## **Article III – Senators**

**Section 1: Senators** – There may be no more than eight Senators, who may be 2L, 3L, or 4L students, who will aid the Executive Board in performing the functions of the SBA. The Senator positions may, but need not include:

- a) General Senators (up to 4)
- c) Class Gift Senators (up to 2)
- d) ABA Representative Senator (1 only)

## **Section 2: Duties of General Senators**

- a) Actively assists the Executive Board in planning events and initiatives.
- b) Actively assists the Executive Board in planning annual events and initiatives such as the Mental Health Awareness Initiative and the Showcase of Journals & Competition Teams.
- c) Coordinates with the other Senators and reports Senator activity to the Executive Board.
- d) Plans and coordinates Barrister's Ball, the Fall Event, and Bar Reviews along with the Executive Board.
- e) Each Senator should strive to coordinate and plan at least one social event during the year and at least one non-social event (i.e. speaker, conference, and panel) with another student organization.

## **Section 4: Duties of Class Gift Senators**

- a) Must be 3L day or 4L evening students
- b) Meet every month with the President and Vice President to plan "Senior Week."
- c) Plan events and initiatives to raise money for the graduating class' gift to the law school (the "Class Gift").
- d) Coordinate with the Office of Alumni and Development when planning Class Gift fundraising events.

## **Section 5: ABA Senator**

- a) Serves as the primary representative of the SBA to the American Bar Association (the "ABA") to foster a close relationship with the ABA, and updates the Executive Board about opportunities to strengthen the relationship with the ABA.
- b) Serves as the primary representative of the SBA to the New York State Bar Association (the "NYSBA") to foster a close relationship with the NYSBA, and updates the Executive Board about opportunities to strengthen the relationship with the NYSBA.
- c) Serves as the primary representative of the SBA to the New York City Bar Association (the "NYCBA") to foster a close relationship with the NYCBA, and updates the Executive Board about opportunities to strengthen the relationship with the NYCBA.

## **Section 6: Selection**

- a) Senator positions will be decided through application at the discretion of the Executive Board. When making its selections, the Executive Board will consider the experience, capabilities, and traits most important to each Senator position.
- b) The Executive Board will design the application and distribute it to the student body after graduation.
- c) All Senator positions must be decided by September 30.
- d) Any rising 2L Day, 2L Evening, 3L Day, 3L Evening, or 4L Evening Student may apply.

### **Section 7: New Senator Positions**

The Executive Board may at its discretion create new Senator positions without amendment to this Constitution as long as the total number of Senators does not exceed eight.

## **Article IV – Representatives**

**Section 1: 1L Section Representatives** – Each section of the first-year class will be able to elect one representative to the SBA.

### **Section 2: Duties of 1L Section Representatives**

- a) Attend all section representative meetings.
- b) Forward communications from the Executive Board to their respective sections.
- c) Represent their sections to the Law School staff, administration, and the SBA.
- d) Provide assistance in the operation of SBA activities when necessary.
- e) Serve as members of the Online Social Community Committee.
- f) The 1LE representative shall meet regularly with the SBA Secretary .

**Section 3: 1L D&I Representative** – The first year classes will be able to elect one representative to serve as their liaison regarding D&I efforts within the Fordham community.

### **Section 4: Duties of 1L D&I Representative**

- a) Meets monthly with SBA D&I Chair to address DEI concerns and needs of the 1L class.
- b) Acts as a representative to the D&I appointees for each student group.
- c) Serves as a member of the Diversity & Inclusion Committee and/or Race and the Law School Committee.
- d) Works with the SBA board to stay updated on D&I updates from both faculty committees and promote D&I efforts from the administration.
- e) Provide assistance in the operation of SBA activities when necessary.

### **Section 5: LLM, MSL, and SJD Representatives**

- a) The LLM class will be able to elect up to three representatives in the fall. The SBA Executive Board will have discretion in deciding whether to accept two or three representatives based on voting results. Should a spring-admitted LLM student become interested in serving on the SBA, the SBA Executive Board has discretion to consider whether to appoint a spring LLM representative.
- b) The MSL class will be able to elect one representative in the fall. Should a spring or summer-admitted MSL student become interested in serving on the SBA, the SBA Executive Board has discretion to consider whether to appoint a spring MSL representative.

- c) The SJD class will be able to elect up to one representative in the fall. Should a spring-admitted SJD student become interested in serving on the SBA, the SBA Executive Board has discretion to consider whether to appoint a spring SJD representative.
- d) Each applicant or candidate must be a member of the class to which that applicant seeks to represent.

**Section 6: Duties of LLM, MSL, and SJD Representatives**

- a) Attend all representative meetings
- b) Forward communications from the Executive Board to their respective sections
- c) Represent their respective student groups to the Law School staff, administration, and the SBA
- d) Provide assistance in the operation of the SBA activities when necessary.
- e) Plan events for their respective student groups.

**Section 7: Executive Board and Section Representative Meetings**

(a) The Secretary of the Executive Board shall call a representative meeting regularly on at least one day of each month during the academic year. The Secretary shall preside at the meetings of the representatives; in his/her absence, the Vice President shall preside; in their absence, the 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.

**Article V – Committees**

**Section 1: Available Committees**

The 2021-22 faculty committees shall have student participants:

- 1) Adjunct Faculty
- 2) Admissions and Financial Aid
- 3) Career Planning
- 4) Competitions
- 5) Curriculum and Academic Standards
- 6) Distinguished Visitors
- 7) Diversity, Equity and Inclusion
- 8) Evening Division
- 9) Experiential and Clinical Education
- 10) Faculty Appointments
- 11) Faculty Scholarship and Colloquia
- 12) House Leaders
- 13) International and Non-JD Programs
- 14) Journals

- 15) Long-Range Planning
- 16) Public Interest and Service
- 17) Re-Admissions and Re-examination
- 18) Student Honors and Prizes
- 19) Teaching
- 20) Special Committee on Law School Rankings
- 21) Special Committee on Legal Process Curriculum

**Section 2: Committee Responsibilities**

- a) Be the primary student representatives to the above listed committees for the duration of the academic year.
- b) Advocate for student concerns.
- c) Report back to the SBA Vice President about committee decisions, discussions, and initiatives.

**Section 3: Application and Selection**

- a) Two students shall be staffed on each committee, unless instructed otherwise by the Dean of Academic Affairs. Each Executive Board member will sit on a committee pursuant to Article II. To the extent possible, each committee will be staffed with one 2L day/ 3L Evening student and one 3L day/ 4L Evening student.
- b) The Executive Board will design the application and distribute it to the student body at least a month prior to the end of the academic year.
- c) Committee positions will be decided through application at the discretion of the outgoing Executive Board.
  - 1. The SBA must send out the application for all Committee positions after Graduation and decide before September 30.
  - 2. Any rising 2L Day, 2L Evening, 3L Day, 3L Evening, or 4L Evening Student may apply.

**Section 4: New/Old Committees**

At the end of each academic year, the outgoing SBA President and Vice President will meet with the Dean of Academic Affairs and the Dean of Student Affairs to review the number of committees available to students before making applications available.

**Article VI – Evening Division**

In effort to promote fairness and to provide equal opportunities to evening students, and in recognition of the Fordham Evening Division Society’s (“FEDS”) commitment to the coordination of said opportunities, the SBA and Office of Student Affairs shall:

- a) Earmark \$5,000 of the yearly SBA budget toward FEDS’ annual budget so long as the budget proposal is approved by the SBA Executive Board;

- b) Review FEDS' budget proposal before reviewing any other student organizations' budget proposals, so long as it is submitted by the deadline specified;
- c) Allocate approved monies to FEDS before allocating monies to any other student organization;
- d) Provide greater deference to the events proposed in FEDS' budget proposal than events in other student organizations' budget proposals;
- e) Grant all final review and approval of the SBA's decision on FEDS' budget proposal to Fordham University School of Law's Assistant Dean of Student Affairs and Diversity ("the Assistant Dean of Student Affairs and Diversity"). The Assistant Dean of Student Affairs and Diversity shall reserve the right to veto the SBA's decision in regard to FEDS' budget proposal;
- f) Grant the Assistant Dean of Student Affairs and Diversity oversight and approval of any amendments or changes to language specifically related to FEDS in this Constitution;
- g) Earmark up to \$10,000 of the yearly Office of Student Affairs funding for supplemental funding use by FEDS pursuant to approval by the Office of Student Affairs. The amount available for supplemental funding to FEDS shall be reduced by the amount of funding granted to FEDS in the regular budget proposal process.

## **Article VII – Elections**

### **Section 1: Eligibility**

To be eligible as a candidate for election as an Executive Board Member or Representative, a student must be a regular member of the SBA, a member of the class or section he or she wishes to represent, and in good scholastic standing. Questions as to good scholastic standing shall be determined according to the current Fordham University School of Law Handbook, Rules, and Regulations. Questions as to membership in a particular class shall be determined by the administrative policy of the school.

### **Section 2: Administration of the SBA Elections**

The outgoing SBA President will oversee the elections of the Executive Board ("the Executive Board Election") and the Representatives (the "Representative Election") (collectively the "SBA Elections").

### **Section 3: Executive Board Elections**

- a) The Executive Board Election will take place in the Spring semester, and must conclude at least one week before the last day of classes.
- b) To qualify as a candidate, interested students must submit the application materials provided by the Executive Board.
  - 1. The nomination form requires at least 50 signatures from current students.
  - 2. Any student may sign as many nominating petitions as that student desires.
  - 3. The nomination form must be turned in to the SBA office by a date determined by the Executive Board.
- c) All law students are eligible to vote on Executive Board positions.

- d) Executive Board Members shall be elected by a plurality of the votes cast for each position.
- e) The incoming Executive Board shall take office and relieve the outgoing Executive Board on the date of the spring graduation.
- f) No member of the SBA will be allowed to run for, or hold more than one position on the Executive Board simultaneously unless a position becomes open due to vacancy (see Section 5).

#### **Section 4: Representative (1L, LLM, SJD, MSL) Election**

- a) The SBA President will oversee the Representative Election, and is responsible, along with the Executive Board, for advertising the election and distributing nomination forms for Representative positions.
- b) To qualify as a candidate, interested students must complete the nomination form provided by the Executive Board.
  - 1. The nomination form requires at least 15 signatures from students eligible to vote for that specific section representative position.
  - 2. Any student may sign as many nominating petitions as that student desires.
  - 3. The nomination form must be turned in to the SBA office by a date determined by the Executive Board.
- c) These positions must be voted on and decided by the third week of the Fall semester.
- d) Representatives shall be elected by a plurality of the votes cast for each position by the students in the section that the candidate seeks to represent.
- f) Terms of office shall begin on the day that election results are announced and end on the last day of the academic year.

#### **Section 5: Vacancies**

- a) Vacancies due to resignations, impeachment, or transfer shall be filled by a special election, which must be held within two and half weeks of when the position becomes vacant.
- b) The replacement will hold office for the remainder of the unexpired term.
- c) Persons eligible to vote in special elections are the same persons eligible to vote in regular elections for that position.

#### **Section 6: Results**

- a) It shall be the responsibility of the President to oversee all aspects of the election including the regulation of any speeches, posters, and the general time, manner, and place of voting.

- b) The results of all elections shall be made known to the general student body. The President shall notify the law school community of the results before noon of the day following the conclusion of the voting period.
- c) The results of all elections shall be made known to the candidates within two hours of the close of voting.
- d) All questions and disputes concerning any matters related to elections will be resolved by the SBA President.
- e) All disputes or challenges made to elections must be made within 24 hours of the close of voting.
- f) The numerical results will not be disclosed unless requested by a candidate and at the discretion of the SBA board.

**Section 7: Transition**

The last meeting of each school year shall be a combined meeting of the outgoing and incoming executive boards.

**Article VIII – Impeachment**

**Section 1: Grounds for Impeachment**

- a) Grounds for impeachment for any position shall be based on any one of the following grave delinquencies in conduct:
  - 1. Absence from three or more regularly scheduled Executive Board meetings without cause. It shall be the duty of the Secretary to notify the President and/or Vice President when a member has three unexcused absences. The President shall then notify the member in writing of the risk of impeachment.
  - 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 or circumstances.
- b) Impeachment Procedure: Impeachment proceedings against any SBA position may be instituted by a member of the SBA filing charges with any Executive Board Member along with fifty student signatures.
  - 1. The President and/or Vice President will notify the delinquent member of the charges initiated against the individual.
  - 2. The Executive Board will call a closed formal hearing if it, by a majority vote of the entire membership of the Board, deems the charges sufficient and determines that there is probable cause.
  - 3. Should the delinquent member be an Executive Board Member, the Constitutional Court will be convened and run the hearing. The delinquent member may not be a sitting member of the Constitutional Court. If the SBA President or Vice President is the delinquent member, the SBA Evening Division Vice President will take their place on the Constitutional Court.

4. At the hearing, which the delinquent member must attend, a member of the Executive Board will recite the charges against the delinquent member, and provide the delinquent member the opportunity to explain and defend their actions. Members of the Executive Board and/or the Constitutional Court may ask questions of the delinquent member. The delinquent member may submit oral and written testimony as well as present any character witnesses that the delinquent member believes to be relevant.
5. After the hearing, the member may be removed from membership by a 4/6 vote of the Executive Board or of the Constitutional Court.

## **Article IX – Interpretation**

### **Section 1: Disputes**

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 SBA President, the SBA Vice President, 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 disputes and their resolution.

### **Section 3: Publications**

Decisions and opinions of the Constitutional Court shall be filed with the Secretary and shall be published by the Secretary to the SBA in the weekly announcements and Student Leaders Meetings.

### **Section 4: Internal References**

Unless otherwise stated, references to Articles and sections are to Articles and sections of this Constitution.

## **Article X – The Constitution**

### **Section 1: Ratification**

This Constitution shall, upon ratification, replace any existing Constitution of Student Government and all other policies of Student Government that conflict with this Constitution. Provisions of this Constitution pertaining to Elections shall not take effect until the following semester, nor shall the passage of this Constitution nullify the election of any member of Student Government elected in the spring. Any new positions that are created by this Constitution and not filled in the ratifying election shall be considered vacant at the start of the new term.

### **Section 2: Supremacy**

This Constitution shall serve as the governing document of the Student Body, hold supremacy over any conflicting documents or actions of Student Government, and be binding upon all members of Student Government. This Constitution is not subject to motions of suspension.

**Section 3: Residual Clause**

Student Government may exercise additional powers not inconsistent with this Constitution, nor barred by explicit school policy, nor barred by federal, state, or local law.

**Section 4: Bylaws**

The Student Government may establish bylaws and other operating procedures, including rules of parliamentary procedure, and policies that do not conflict with this Constitution to establish the structure and proceedings of Student Government.

**Section 5: Method**

This Constitution may be amended by approval of a formal petition supported by 4/6 of the Executive Board or by 40% of the student body.

**Section 6: Petition**

- a) An amendment can be initiated by any Executive Board member or by formal petition signed by at least 25% of the student body.
- b) Within 30 calendar days of receipt of such a petition, the Executive Board shall consider and vote on the proposed amendment. If 4/6 of the members of the Executive board support the proposed amendment, the SBA President shall certify and publish the amendment as approved.
- c) If less than 4/6 of the Executive Board support the amendment, then the President shall certify and publish the amendment as disapproved.
- d) If not approved, support for the petition of greater than 40% of the student body shall override the Executive Board's decision, and the SBA President shall certify and publish the amendment as approved.

**Section 7: Effective Date**

This Constitution shall become effective upon majority approval by the Executive Board at the commencement of the 2021-2022 School Year.

This Constitution is effective as of September 26, 2021, and supersedes all prior Constitutions