

**Constitution for the Student Bar Association  
of the 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**

The name of this organization shall be the Student Bar Association of the Southern Illinois University School of Law.

**Article II. Purposes**

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

- a. To promote and maintain high standards of professional training and ethical conduct;
- b. To enhance the academic program;
- c. To extend legal education and services to the community at large;
- d. To plan and conduct a program of networking activities.

**Article III. Membership**

All students enrolled in the Southern Illinois University School of Law shall be members of the Association.

**Article IV. Executive Board**

Section 1. Executive Board Composition

The Association shall be governed by the Executive Board which shall consist of:

- a. Officers
- b. Representatives
- c. Chairpersons of all standing committees.

Section 2. Powers

- a. The Executive Board shall formulate and execute the policies and manage the affairs of the Association.
- b. The Executive Board shall have the power, by majority vote, to pass resolutions and bylaws consistent with this Constitution.

Section 3. Qualifications

a. Officers and Representatives

All officers and representatives must be in good academic standing. Any officer or representative who fails to maintain good academic standing may be removed from office by a two-thirds (2/3) vote of the Executive Board and replaced pursuant to Article IV, Section 6, subsection a(ii).

b. Non-elected members

All non-elected members, including but not limited all committee members and appointees must be in good academic standing.

Section 4. Officers and Duties

a. President

i. The President shall serve as the face of the Student Bar Association at University functions.

ii. The President shall convene and preside over all meetings of the Association.

iii. The President shall make all nominations and appointments, subject to confirmation of two-thirds (2/3) of the members of the Executive Board present and voting, excluding the President.

iv. The President may assign matters to the committees.

b. Executive Vice President

i. The Executive Vice President shall assist the President in supervising the business of the Association as delegated by the President.

ii. The Executive Vice President shall oversee the operations and conduct of committees and serve as an Executive Board liaison to the faculty and Association members regarding matters concerning committees.

iii. The Executive Vice President shall serve as a “Sergeant at Arms” of the Association and shall manage the procedural elements of the meeting, including but not limited to, setting meeting time, reserving meeting locations and setting the meeting agenda.

iv. In the absence of the President, the Executive Vice President shall perform all duties of the President.

c. Vice President of Student Affairs

i. The Vice President of Student Affairs shall oversee the operations and conduct of the RSOs.

ii. The Vice President of Student Affairs will act as an Executive Board liaison to the RSOs and serve as an Executive Board liaison to the faculty and Association members regarding matters concerning RSOs.

iii. In the absence of the President and Executive Vice President, the Vice President of Student Affairs shall perform all duties of the President.

- d. Secretary
  - i. The Secretary shall serve as the recorder and the corresponding officer of the Association.
  - ii. The Secretary shall preserve, in a manner most efficient for board operations, all records of the Association including but not limited to: the Association's Constitution and any amendments, all by-laws and resolutions, recorded minutes of all meetings of the Association and its Executive Board, correspondence between the Executive Board and Association, and a calendar of events.
- e. Treasurer
  - i. The Treasurer shall collect all funds and keep financial records of all receipts and disbursements of the Association.
  - ii. The Treasurer shall present a quarterly report of the Association's financial records, which shall be made available to the entire Association.
  - iii. The Treasurer shall make available all financial records upon request of any member of the Executive Board or any member of the Association with the support of a petition signed by twenty five (25) members of the Association.

Section 5. Representatives

- a. One (1) first year law student from each section;
- b. One (1) second year law student;
- c. One (1) third year law student; and
- d. One (1) student representative for the American Bar Association. This student, from any class, will act as liaison between the Southern Illinois University School of Law student body and the American Bar Association.

Section 6. Committees

- a. Creation  
A committee shall be created upon a two-thirds (2/3) vote of the Executive Board. Any member of the Executive Board may suggest the creation of a committee and whether the committee will be a standing or special committee.
- b. Formation  
The President shall appoint a chairperson of the committee, subject to confirmation by a two-thirds (2/3) vote of the Executive Board. The appointment of a chairperson shall not exceed one calendar year. The chairperson shall determine the structure and make-up of the committee.
- c. Notice to Association Members  
The committee chairperson shall provide notice to all members of the Association regarding available committee seats at least two (2) weeks before committee members are selected. The Secretary shall keep a record

of all current committees which shall be available to any member of the Association upon request.

d. Standing Committees

- i. Committees which are intended to function permanently shall be designated standing committees.
- ii. The chairperson of standing committees shall be appointed by the President, in accordance with Article III, Section 3(a).
- iii. Standing committee chairpersons shall appoint committee members subject to review by the Executive Board.
- iv. The number of standing committees per academic year shall not exceed two (2).
- vi. Standing committees shall terminate by a two-thirds (2/3) vote of the Executive Board.

e. Special Committees

- i. Committees which are intended to function temporarily to address a specific purpose or event, or any other committee not classified as a standing committee, shall be designated special committees.
- ii. The chairperson of special committees shall be appointed by the President, in accordance with Article III, Section 3(a).
- iii. Special committee chairpersons shall appoint committee members subject to review by the Executive Board.
- iv. Special committees shall terminate upon completion of their duties as determined by the chairperson, as designated by majority vote of the Executive Board, or on the last day of the spring semester, whichever occurs first.

f. Academic Year

The academic year shall begin on July 1 of each year, and shall end on June 30 of the following year.

## **Article V. Elections**

Section 1. Qualifications

All nominees for election must be in good academic standing maintain the qualifications set forth in Article IV, Section 3.

Section 2. Nominations

Any Association member that meets the qualifications for an elected position on the Executive Board shall become a nominee upon submitting nomination papers declaring candidacy for a specific office that includes 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 all candidates shall be posted by the Election Commission three (3) days before the general election.

Section 3. Election Procedure

- a. Members of the Executive Board shall be elected by a general election of the Association, which shall occur yearly in the spring semester. Each member of the Association shall be permitted to vote and shall receive one vote.
- b. Notice of an election must be given at least ten (10) days prior to the vote.
- c. In order to be elected to a position a nominee must receive a majority of the votes cast. In the event no candidate receives a majority of the votes cast, a run-off election will be held as proscribed by the election bylaws.
- d. All election procedures of the Association, including recall and impeachment voting procedures, not otherwise proscribed by this constitution shall be administered by an Election Commission as governed in the bylaws.

Section 4. Recount

A recount may be requested in writing to the Election Commission, or to any member of the Executive Board, by any candidate for the contested office within three (3) days of the election.

Section 5. Term of Office

- a. Officers and representatives shall serve for one (1) year or until the next general election, whichever occurs first, and shall take office fourteen (14) days after the results of the election have been certified and posted by the Election Commission.
- b. Standing and special committee chairpersons and members shall serve until the last day of the spring semester.
- c. The previous 3L representative, representing the graduating class, shall serve until the last day of the spring semester.

Section 6. Vote of No Confidence

- a. In the event there is a sole candidate for post during an election, the members of the Association shall have the option of affirmatively casting a vote of no confidence. A vote of no confidence may be issued if at least one-half (1/2) of the ballots cast request that the candidate not be seated for the post.
- b. Should a vote of no confidence be issued as outlined in Section 6(a), the candidate shall not be seated for the post. The Election Commission shall accept applications for new candidates for the vacant position and hold new elections no later than one week from original election date.

Section 7. Replacement and Removal Procedures

a. Vacancies

- i. If the Presidency is vacated, the Executive Vice President shall assume the duties of President for the remainder of the term.
- ii. When any other vacancy occurs, the President shall nominate a qualified successor subject to confirmation by a two-thirds (2/3) vote of the Executive Board.

b. Recall

Upon petition of at least one-third (1/3) of the members of the Association, an officer or representative will be subject to a recall election, supervised by the Election Commission. The officer shall be recalled upon a three-fifths (3/5) vote of ballots cast, provided one-half (1/2) of the Association has voted. Any resulting vacancy shall be filled according to Article IV, Section 6, subsection (a).

c. Impeachment

i. Executive Board Members

- A. Impeachment proceedings shall be initiated by a two-thirds (2/3) preliminary vote of the Executive Board's members excluding the member being considered for impeachment.
- B. Following the preliminary vote, the offending member shall be given an opportunity to answer charges at an impeachment hearing before the entire Executive Board and the Association's Faculty Advisor.
- C. Following the hearing, a two-thirds (2/3) vote of the Executive Board, excluding the member being considered for impeachment, is necessary to present the question of impeachment to the Association.
- D. If the offending member is impeached, they may then be removed from office by a three-fifths (3/5) vote of ballots cast, provided one-half (1/2) of the Association has voted. Any resulting vacancy shall be filled according to Article IV, Section 6, subsection a(ii).

ii. Non-Elected Members

- A. A Non-Elected Member shall be impeached by a two-thirds (2/3) vote of the Executive Board.
- B. Any resulting vacancy shall be filled pursuant to Article IV, Section 6, subsection a(ii).

**Article VI. Meetings**

Section 1. Executive Board Meetings

- a. All Executive Board meetings shall be open to members of the Association, notwithstanding the provision set forth in subsection (h) of this section.

- b. Any member of the Association may bring an item of business before the Executive Board by presenting it to the Secretary or class representative at least two (2) days before the next meeting.
- c. The Executive Board 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 (1/3) of the members of the Executive Board and stating the purpose(s) of the requested meeting.
- d. A quorum consisting of at least one-half (1/2) of the Executive Board shall be required to transact business.
- e. All officers, representatives, and chairpersons of standing committees shall have one vote.
- f. If an item is voted on at an Executive Board meeting, members must be present in order to vote.
- g. Items not voted on at meetings may be voted on electronically.
- h. At the discretion of the Executive Board, any meeting or portion thereof, may be closed to the Association, with the exception of one meeting per month, as designated by the President, the entirety of which must remain open to the members of the Association.

Section 2. Notice

The Secretary shall provide reasonable notice of all Executive Board meetings to Association members.

Section 3. Tie Breaker

In the event of a tie during a vote by the Executive Board, notwithstanding Article VI, Section 1, the President shall have the tie breaking vote.

**Article VII. Confirmation of Appointments**

Section 1. Executive Board Approval

All appointments made by the President that are not controlled by any other Article of this Constitution must be confirmed by a majority vote of the remainder of the Executive Board. Ties are automatically resolved against appointment.

Section 2. Notice and Voting Process

The candidate for appointment should be communicated to the Executive Board as soon as is practicable. Board members are required to respond with their confirmation vote within three (3) days of being notified. Votes not recorded within three (3) days are taken as a vote in the affirmative.

## **Article VIII. Bylaws**

### Section 1. Definition

Bylaws are rules created by the Executive Board that bind the Student Bar Association and its members.

### Section 2. Proposals

All proposals for adoption of new bylaws, or for the repeal or amendment of current bylaws, shall be submitted to the entire Executive Board for consideration one (1) regular meeting before the meeting in which the vote for action is taken.

### Section 3. Voting

In order to adopt a new bylaw, or amend or repeal an existing bylaw, a two-thirds (2/3) vote of the Executive Board shall be required.

## **Article IX. Constitutional Amendments**

### Section 1. Initiative

Amendments to this Constitution may be initiated by a vote of two-thirds (2/3) of the entire membership of the Executive Board or by a written petition signed by one-fourth (1/4) of the entire membership of the Association.

### Section 2. Discussion

If an initiative is successful, the President shall preside at a meeting held in a public forum where all members of the Association shall have the right for their opinions on the proposed amendment to be heard.

### Section 3. Referendum

A referendum on the proposed amendment shall be held no sooner than five (5) days or later than fourteen (14) days after the meeting, and shall be administered by the Election Commission. The Secretary shall publish the text of the amendment at least three (3) days before the referendum. To be ratified, an amendment shall require the approval of three-fifths (3/5) of the ballots cast, provided at least one-half (1/2) of the membership participates in the vote. In the event ballots are cast by less than one-half (1/2) of the Association, the Amendment shall be defeated.



## **Article X. Constitutional Construction and Interpretation**

### Section 1. Initiating Arbitration

In the event of an irreconcilable disagreement among members of the Executive Board regarding the construction or interpretation of this Constitution and bylaws, the Association's Faculty Advisor shall arbitrate such disagreements upon a written request signed by at least two-fifths (2/5) of the Executive Board.

### Section 2. Arbitration Process

The Faculty Advisor, upon receiving a request for arbitration, shall provide all sides notice and allow a reasonable time to present the arguments before reaching a decision.

### Section 3. Finality of Decision

The Faculty Advisor's decision shall be final and binding on all members of the Association.

## **Article XI. Financial Statement**

### 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; and
- e. Any revenue earned from events.

No member of the Association shall be required to pay membership dues; however, the Association may charge entrance fees for social events.

### Section 2. Expenditures

Any expenditure of Association funds must be authorized by a majority vote of the Executive Board. Members of the Association may be reimbursed for approved expenditures. Any funds which have not been used at the end of the school year may be used in the subsequent year by the Association.

Section 3.     Compensation

No member of the Association may be compensated by the Southern Illinois University School of Law or the Association for serving on the Executive Board or any committee. This does not include reimbursement of funds as set forth in Section 2 of this Article.

**Article XII. Not-for Profit Statement**

The Student Bar Association of the Southern Illinois University School of Law is a not-for-profit organization.

**Article XIII. Statement of Non-Discrimination**

The Student Bar Association of the Southern Illinois University School of Law shall not discriminate on the basis of race, color, religion, sex, age, sexual orientation, marital status, national origin, disability, or veteran status.

**Article XIV. Statement of Non-Hazing**

The Student Bar Association of the Southern Illinois University School of Law will not conspire to engage in hazing, or commit any act that causes or is likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to any fellow student or person attending the Southern Illinois University School of Law.

**Article XV. Statement of Compliance with University Regulations**

This organization shall comply with all university and campus policies and regulations and local, state, and federal laws.

**Article XVI. Ratification**

Section 1.     This constitution shall become effective upon the start of the new academic year following a ratification by a three-fifths (3/5) majority vote of those ballots cast in ratification vote.

Section 2.     All current Officers and Representative shall retain their respective positions, if also created by this constitution, until the next regular election. Upon ratification, the person currently serving as the 1st Vice President will continue to serve under the new position of Executive Vice President, and the person currently serving as 2nd Vice President will continue to serve under the new position of Vice President of Student Affairs.

Effective July 1, 2011

## **Student Bar Association of the Southern Illinois University School of Law Bylaws**

- I. Election Commission
  - A. The Election Commission shall serve as a Special Committee of the Student Bar Association upon creation by the Executive Board, as outlined in Article IV, Section 6 of the Constitution.
  - B. The Election Commission shall consist of two members of the third year (3L) class and two members of the second year (2L) class. One of the third year members shall serve as Chairperson of the Election Commission.
  - C. The Commission members shall be appointed as outlined in Article IV, Section 6 of the Constitution.
- II. Election Procedures
  - A. All election procedures not covered in the Constitution of the Association shall be governed by these bylaws.
  - B. The regular election shall occur in March of each year. A special election to elect the first year (1L) representatives shall occur in September of each year.
  - C. Petitions must be filed with any election commissioner, or with the School of Law Administration. If the petition is filed with an election commissioner, he/she must mark the petition with the date and exact time of filing, and their name or initials. The same will be done by a member of the Administration if the petition is filed with the School of Law Administration.
  - D. Positions on the ballot of nominees is determined by “first to file” as outlined in Subsection (B) above.
  - E. The order of election events shall be as follows:
    - a. Thursday – Notice of election
    - b. Monday – Petitions are available
    - c. Thursday – Petitions are due
    - d. Friday – Candidate list posted
    - e. Tuesday – Election
    - f. Thursday – Runoff election (if needed)
- III. Tabulation and Contesting the Vote
  - A. Tabulation of ballots shall be performed by the Election Commission and shall be open to all law students. The tabulation must occur at the Law School. The Election Commission must announce the location and time of the tabulation prior to the tabulation. Any observer may be removed from the area in which the tabulation is conducted at the request of an election commissioner upon 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. Formal protests concerning major election irregularities shall be dealt with in the following manner:
  - a. A complaint must be submitted in writing within three (3) months to an election review board consisting of the Association President, the Association Executive Vice President, and the Chairperson of the Ethics Council at the time of the alleged violation.
  - b. The complaint shall contain the following information:
    - i. The office or offices being challenged
    - ii. The parties to the violation
    - iii. The nature of the violation
    - iv. The nature of the relief sought
  - c. The election review board will conduct a closed hearing to determine the validity of the complaint. They will, at that 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).
- D. The list of eligible voters 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.
- E. 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, upon approval by the Executive Board. The Commission shall post notice of any changes in policies prior to the change.

Effective as of September 7, 2011.