

# STUDENT BAR ASSOCIATION CONSTITUTION

## PREAMBLE

We, the students of The University of Akron School of Law, in order to:  
Promote the general welfare of The University of Akron community,  
Provide for the proper and adequate management of student affairs,  
Maintain the necessary and proper obligations and responsibilities of the students to the School of Law, University, and Society,  
Exercise the fundamental responsibilities and rights of a democratic society,  
Promote equality and fraternity among all regardless of race, sex, creed, and  
Provide for the broad intellectual and cultural development of students, do hereby create the Student Bar Association of The University of Akron and enact this Constitution for its government.

## ARTICLES OF THE ORGANIZATION

### ARTICLE I. Name.

The name of this association shall be the Student Bar Association of The University of Akron School of Law, hereinafter referred to as SBA.

### ARTICLE II. Purpose.

The purpose of this association shall be to voice student concerns; operate as a liaison to The School of Law administration and faculty for all students and student organizations; function as a student governing body for the entire student population; foster student growth and encourage professional development; sponsor academic and social events; and represent The School of Law on a regional and national level.

### ARTICLE III. Membership.

All persons registered for courses for which credit is given in The School of Law shall be entitled to membership in the SBA.

### ARTICLE IV. Legislative Branch.

Section 1. Authority. The legislative authority of the SBA except as qualified herein, shall be vested in the SBA Assembly.

Section 2. Purpose. The Assembly shall control the expenditures of SBA and shall formulate the policy and pass upon proposals submitted by the Executive Committee, other committees and individual Assembly members.

#### Section 3. Membership.

- A. The Assembly shall be composed of the following voting members:
- a. Elected SBA President (who may vote only if the outcome would be affected);
  - b. Elected Day and Evening SBA Vice Presidents;
  - c. Elected Day and Evening SBA Secretaries;

- d. Elected SBA Treasurer;
  - e. Elected SBA Assembly members (four Representatives from each Day class and Evening class); and
  - f. One member from each of the student organizations recognized by the SBA Executive Committee.
- B. The following persons shall be non-voting members of the Assembly:
- a. President of the undergraduate Pre-Law Club of the University of Akron; and
  - b. SBA Faculty Advisor.
- C. No person shall represent more than one constituency.

Section 4. Qualifications. Voting members of the Assembly must be Day or Evening students in good standing. All members with recorded grade point averages must have at least a 2.00 grade point average at the time of election or appointment.

Section 5. Duties. Assembly members shall attend SBA meetings, represent their constituents at SBA meetings, communicate news and events to constituents, serve on SBA committees, and promote SBA activities.

Section 6. Class Presidents. The Assembly member who receives the highest number of votes (among the four Assembly members elected from each Day and Evening class) shall be designated Class President. Class Presidents shall perform duties of Assembly members and shall also preside at any individual class meetings called at the Class President's discretion. Presidents of the third year Day class and fourth year Evening class shall be responsible for graduation arrangements, including the senior class composite, class gift, and graduation and holding ceremonies.

Section 7. Committees. Committees shall be determined by the Executive Board. Elected Assembly members may volunteer for one or more committee, and the Executive Committee may appoint every elected Assembly member without voluntary involvement to a committee. Committees shall recommend policies or programs to the Assembly. If adopted, the policies or programs shall be implemented by the Proposing Committee. The chairperson for each committee shall submit a written report to the Evening Vice President once each semester. The report shall detail the activities of the committee in the past six months and plans for the following six months.

Section 8. Removal From Office.

- A. Elected Assembly Members. Elected Assembly members may be removed from office for cause. Cause shall be found only upon a vote of  $\frac{3}{4}$  of those Assembly members present and voting on the issue. No Assembly member shall be removed for cause without five days notice of the date, time and purpose of the meeting in which the issue will be considered. Such Assembly member shall be advised of his or her right to appear at the meeting and speak in his or her own behalf. Automatic removal shall occur upon absence from four assembly meetings during any one semester. An Assembly member automatically removed may petition the Executive Committee for

reinstatement, and the Executive Committee may reinstate the member upon a unanimous vote that the member had just cause for every absence.

- B. Organizational Assembly Members. Organizational Assembly members will lose their right to vote upon two or more absences. The right to vote will be reinstated upon the Organizational Assembly member's attendance at two consecutive meetings.

Section 9. Vacancies. Vacancies in the Assembly shall be filled in the following manner:

- A. Organizational Assembly members shall be replaced by the organization in the same manner as the original Assembly member was selected.
- B. Assembly members shall be replaced by the person who received the next highest number of votes in the preceding election. If no such person exists, the Executive Committee shall appoint a qualified member of the SBA to fill the position.

ARTICLE V. Executive Committee.

Section 1. Purpose. The Executive Committee shall serve as the administrative branch of the SBA. It shall direct the implementation of policies and programs of the SBA and shall exercise other administrative powers as set forth in this article.

Section 2. Membership. The Executive Committee shall consist of the following voting members:

- A. Elected SBA President;
- B. Elected Day and Evening SBA Vice Presidents;
- C. Elected Day and Evening SBA Secretaries;
- D. Elected SBA Treasurer,

Section 3. Qualifications. Executive Officers must be Day or Evening students in good standing, and must have at least a 2.00 grade point average at the time of election or appointment. Officers must maintain these qualifications throughout the term of their offices.

Section 4. Duties.

- A. President. The President shall preside over all SBA meetings. If unable to preside over any meeting, the President shall designate one of the Vice Presidents to substitute. The President shall also know the Constitution of the SBA and implement its requirements, determine the objectives and action plan of the SBA, analyze membership problems and solutions, prepare reports requested by the administration, inform other organization leaders, committees, and the SBA membership of problems and policies under consideration, and encourage cooperation and harmony within the school.
- B. Day Vice President. The Day Vice President shall serve as the Election Commissioner of the SBA, be responsible for the orientation of the incoming class, oversee the mentor program, and maintain a list of all members of the SBA. The Day Vice President shall assist in the duties outlined above and be prepared to assume the duties and responsibilities of the presidency.

- C. Evening Vice President. The Evening Vice President shall maintain progress reports for each Assembly committee, direct and coordinate committee actions to achieve goals established by the Executive Committee at the beginning of each year, and be responsible for Law Week. The Evening Vice President shall assist the President in the duties outlined above and be prepared to assume the duties and responsibilities of the presidency.
- D. Evening Secretary. The Evening Secretary shall prepare, with the assistance of the President, an agenda for each assembly meeting, and distribute a copy of the agenda to each Assembly member before each meeting, shall accurately record the minutes of each Assembly meeting and special Executive Committee meeting, read minutes of the previous meeting at each Assembly meeting, call the President's attention to unfinished business, supply committees with all papers and materials referred to them, and keep a systematic method of filing letter received and sent, committee reports, treasurer's reports, membership rosters, and committee lists.
- E. Day Secretary. The Day Secretary shall, at the discretion of the president, prepare all outgoing correspondence, notify Assembly members of all Assembly meetings, send new officer lists to the Office of Student Development notify officers, committees, and delegate of appointments, prepare and distribute packages of materials to all incoming officers and assembly members at the post election meeting in the spring, and to first year assembly members at or near the time of their election, and post or distribute all other notices required by this Constitution. The Day Secretary shall also take attendance at each Assembly meeting, and shall inform the Assembly when any member of the Assembly or the Executive Committee has been absent from three regularly scheduled meetings.
- F. Treasurer. The Treasurer shall prepare the SBA budget for submission to the University Budget Committee for the following fiscal year, ascertain that all other organizations under the SBA submit a completed budget each fiscal year to the University Budget Committee, be familiar with rules governing disbursement of funds from University accounts and with the provisions of the Student Activities Fund Act, so the Act can be compiled with and questions concerning rules can be answered promptly, maintain financial records for all accounts and post all items of income and expense as they occur, process all disbursements and requisitions promptly and accurately record all receipts, obtain authorizations for all disbursements from the Executive Committee or Assembly and keep an accurate list of all SBA members. In addition, the Treasurer shall prepare a written statement of the financial condition of SBA to be distributed to each Assembly member at the first regularly scheduled meeting each month, including the following information for each account: beginning period balance, itemized income, itemized expenditures, and ending period balance.

#### Section 5. Emergency Powers.

The Executive Committee shall endeavor to obtain Assembly approval for all purpose actions. If it is not feasible or reasonable to seek the approval the Assembly before exercising powers granted by this Constitution, then the Executive Officers are hereby empowered to exercise powers on an emergency basis without Assembly approval. All

actions taken under this emergency power shall be reported to the Assembly at its next regularly scheduled meeting and upon majority vote of those Assembly present and voting on that issue, the actions shall be ratified. Actions taken by Executive Officers which the Assembly refuses to ratify may be considered cause for removal of the offending officers.

Section 6. Stipends. Executive Committee members may receive scholarships at the discretion of the law school administration in consideration for their work towards the advancement of the SBA.

Section 7. Removal From Office. Executive Committee members may be removed from office for cause. Cause shall be found only upon a vote of  $\frac{3}{4}$  of those Assembly members present and voting on the issue. No Executive Committee member shall be removed for cause without five days notice of the date, time, and purpose of the meeting in which the issue will be considered. Such Executive Committee members shall be advised of his or her right to appear at the meeting and speak in his or her own behalf. Automatic removal shall occur upon absence from four meetings during any one semester. An Executive Committee member automatically removed may petition the remaining Executive Committee members for reinstatement, and the Executive Committee may reinstate the member upon a unanimous vote that the member had just cause for each and every absence.

Section 8. Vacancies. Vacancies in an Executive Office shall be filled in the following manner:

- A. President. A vacancy in the office of the President shall be filled by one of the Vice Presidents by election at the first scheduled meeting following the vacancy. The Treasurer will preside over the election and the president shall be elected by a simple majority vote of those Assembly members present.
- B. All Other Officers. A vacancy in any other Executive Office shall be filled by an elected Assembly member who has the required qualifications for the vacant office at the time the vacancy occurs. The Assembly member who accedes to the vacated office shall be selected by a plurality vote of the Assembly at an election held as soon as possible following vacation of the office. All Assembly members shall receive notice of the Assembly election to select the replacement.

## ARTICLE VI. Meetings.

### Section 1. Executive Committee Meetings.

- A. Regular. Executive Committee meetings shall coincide with Assembly meetings.
- B. Special. Special meetings of the Executive Committee may be called at the President's discretion. Quorum for special meetings shall exist when the following Executive Officers are present: President, one Vice President, and any two additional officers. The Executive Committee may meet and conduct business during the summer at special meetings called by the President.

## Section 2. Assembly Meetings.

- A. Regular. The Assembly shall meet at a time specified by the SBA Executive Committee, once bi-weekly during those weeks of the Fall and Spring semester when school is in session. The day of the week on which the Assembly is to meet shall be determined by a plurality vote of the Assembly at the first meeting of each school year. The Executive Committee shall determine the day for the first meeting of the Fall semester. All other organizations under the SBA shall arrange their meeting schedules to avoid conflicts with Assembly meetings.
- B. Quorum. Quorum shall exist when a simple majority of the voting members of the Assembly are present.
- C. Special. The President may schedule meetings during the summer months during the summer months during which plans for the following academic year may be discussed. Except for orientation plans for the incoming first year class, no official action may be taken at summer meetings.
- D. Post-Election Meetings. At the first meeting following their election, each incoming Assembly member and Officer shall receive a copy of this Constitution, a simplified version of Robert's Rules, and any other materials deemed appropriate by the outgoing Executive Officers.

## Section 3. Procedure for Conducting Business.

- A. Agenda. The President shall prepare a detailed agenda for each Assembly meeting and shall direct the recording secretary to distribute a copy of the agenda to each Assembly member before the meeting. Each agenda shall follow the following basic format:
  - a. Attendance
  - b. Reading of the minutes
  - c. Treasurer's report
  - d. President's report
  - e. Committee reports
  - f. Organization reports
  - g. Old business
  - h. New business
- B. Robert's Rules of Order. All business coming before the Assembly shall be conducted in accordance with the spirit of Robert's Rules of Order. Copies of a simplified version of Robert's Rules shall be distributed to all incoming Assembly members and Executive Officers.

## ARTICLE VII. Records.

The SBA shall maintain the names and addresses of current officers as well as that of the Faculty Advisor for the Office of Student Development.

## ARTICLE VIII. Faculty Advisor.

The Executive Committee shall appoint, upon Assembly approval, a faculty advisor after the Spring election. The Assembly must obtain a majority vote to accept the said advisor.

ARTICLE IX. Affiliations.

The SBA shall remain affiliated with the American Bar Association/Law Student Division. The SBA shall send the SBA President as a voting member to circuit meetings and national conventions.

ARTICLE X. Finance.

- A. Fee. All entering first year students shall be charged an activity fee by the bursar's office to fund the SBA.
- B. Fundraiser. The SBA Treasurer shall deposit any monies generated by an SBA event or fundraiser into the SBA SAF account.
- C. EAF Fund. The SBA Treasurer shall prepare the SBA budget for submission to the University Budget Committee for the following fiscal year. These monies shall be used to sponsor SBA activities for that academic year.
- D. Management. The SBA shall manage its own finances but in accordance with University regulations.

ARTICLE XI. Policy of Nondiscrimination.

The SBA shall not discriminate on the basis of race, sex, creed, disability, national origin, or sexual orientation.

ARTICLE XII. Amendments.

Section 1. Proposition. An amendment shall be proposed according to the procedure stated in Section 2 of this Article, at which time it shall be referred to the Constitutional Committee for review before being brought to the full Assembly for vote.

Section 2. Procedure. Upon initiation of any one of the following actions, the SBA shall conduct a general referendum:

- A. By majority vote of the SBA Assembly, or
- B. By petition of ten percent of the student body.

Section 3. Constitutional Committee. The Constitution Committee shall submit the amendment along with its recommendations concerning the amendment at the next general meeting of the Assembly following the original proposal of the amendment.

Section 4. Approval. Upon approval of two-thirds vote of the Assembly, the amendment shall be ratified.

Section 5. Enactment. Said amendment shall be enacted one week following its ratification.