

Student Bar Association—Constitution & Bylaws

ARTICLE I - NAME

This association of students from the Florida State University College of Law shall be formally known as the Student Bar Association (SBA).

ARTICLE II – PURPOSE

SBA serves as the official representative of the College of Law student body to discover and manifest its collective desires, to secure the benefits of mutual association, and to further the legal, academic, and social interests of its members and the College of Law. SBA's main goal is to improve the overall quality of life for all students attending Florida State University College of Law.

ARTICLE III—MEMBERSHIP

I. Membership Requirements:

- SBA membership shall be limited to currently enrolled FSU College of Law students.
- Dues—are based on class year as follows:
 - 1L's = \$115 (covers all 3 years)
 - 2L's and Transfer Students = \$70 (covers the remaining 2 years)
 - 3L's, JM's, LLM's, and Visiting Students = \$35 (covers the remaining year)
- SBA has a zero-tolerance, no hazing policy.
- SBA adheres to the University's non-discrimination statement: No student shall be denied membership on the basis of race, creed, color, sex, religion, national origin, age, disability, veterans' or marital status, sexual orientation, gender identity, gender expression, or any other protected group status.

II. Revoking Membership:

- Reasons for Revoking Membership:
 - Student misconduct; or
 - A violation of any provisions of the Constitution and/or Bylaws.
- Process:
 1. First, the Executive Board will address/discuss the issue internally;
 2. Then, the student will be notified in writing of the possible revocation at least 72 hours prior to the vote and will be allowed to address the organization in order to relate to members any relevant defense prior to the voting for removal;
 3. Finally, 2/3rd's of the Executive Board must vote in favor of revocation.
- Effect of Revoking Membership—the student's membership will be revoked for 2 semesters

III. Membership Appeal Process:

- 1) The student must submit a written appeal to the President within 7 calendar days.
- 2) The President shall create an appeals committee, made up of 3 SBA Executive Board members & 4 general body members to review the appeal.
- 3) The Appeals Committee will decide the appeal by a simple majority vote within 7 calendar days and immediately notify the President of such decision.
- 4) The President will then notify the student of the decision in writing within 2 calendar days of the decision.

ARTICLE IV—MEETINGS & MINUTES

I. Meetings:

- Who must attend meetings—all Board members; attendance is mandatory
 - Any absence's must be excused in advance by the President on a case-by-case basis.
- When are meetings held—on the same same day and time each week.
 - This is done as to provide reasonable notice to the student body
- Where are meetings held—in the official SBA office.
- How—are meetings run:
 - All votes are subject to majority approval; in the case of a tie, the President has final authority.
 - All members are free to speak at any meeting after being recognized by the President.
 - Each Board member shall have 1 vote on all matters
 - Pursuant to Florida Sunshine Laws (F.S. §286.011)
 - Open to the public:
 - Anyone is allowed to attend.
 - The blinds and door will remain open at all times.
 - Minutes will be taken each meeting

II. Minutes:

- Who takes minutes—the Secretary
- What needs to be included in the minutes—all issues, comments and concerns brought up or addressed during the meeting
- Where are minutes kept—in the SBA Minutes folder and online
 - The Secretary will post a summary of the minutes on the website in addition to a printed version in the SBA Minutes folder each week
 - This folder shall be kept in the SBA office
 - This folder shall serve as the official chronicle of SBA activities and may be relied on by all SBA members.
 - This folder shall be made available for review by anyone requesting them.

ARTICLE V—THE EXECUTIVE BOARD, OFFICERS & COMMITTEES

I. Eligibility:

- You must be a current SBA member to hold a position on the Executive Board.

II. The Executive Board:

- Includes—the Officers (listed below)
 - The Officers shall collectively be known as the Executive Board (hereinafter “Board”).
- Authority—
 - The Board shall act as the governing body of the SBA.
 - The Board shall set its own rules of procedure for exercising its power to formulate policies and manage the affairs of SBA subject to the other provisions of this Constitution.
 - In the absence of the full Board, a decision by the President shall be binding unless overridden by a majority vote of the Board, excluding the vote of the President.

III. The Officers—Titles & Duties:

- President:
 - The duties of the President shall be to preside over all meetings; to make decisions of behalf of SBA in the absence of the Board; to appoint committees with the advice and consent of the Board pursuant to this Constitution; to make all appointments required by other university officials; and to assume any other duties prescribed in the bylaws and this Constitution.
 - The SBA President must approve all SBA-sponsored events including but not limited to the date, time, and details of such event, along with the majority vote of the Board. If the President, Vice-President, Secretary, and Treasurer are unable to attend the event, it can be rescheduled with the approval of the core executive board members.
 - The SBA President, acting in his/her executive capacity, cannot attach SBA sponsorship to any event without first providing notice to all members of the Executive Board. SBA sponsorship cannot be attached to any event in absence of a majority vote by the Board. Should a Board member contest an issue of SBA Sponsorship, a majority vote of the Board shall decide the issue.
 - The President shall be responsible for first-year orientation.
 - The President shall sit on all committees to provide purchasing power.
- Vice-President:
 - The duties of the Vice-President shall be to assume the duties of the President in his/her absence, and to assume such other duties as prescribed in the bylaws and this Constitution.
 - The Vice-President shall be responsible for the supervision of the Committees.

- Starting in the 2018-2019 School Year, the Vice-President shall serve as the American Bar Association/Law Student Division Representative; duties include responsibility for the membership and programs of the ABA/LSD, representing the College of Law at all ABA/LSD regional and annual meetings, serving as the liaison to the Florida Bar, and communicating information and coordinating programs related to the Florida Bar for the benefit of the student body.
 - Secretary:
 - The duties of the Secretary shall be to permanently record in typewritten form the minutes of all meetings, to be printed for the SBA Minutes folder and summarized on the SBA website; to keep posted at all times a current edition of the SBA Constitution in a prominent place in the SBA office; to keep current the bylaws and committee reports; to post notice as required of each meeting and other events; and to assume such other duties as prescribed in the bylaws and this Constitution.
 - This notice shall include a proposed agenda created in cooperation with the President.
 - Treasurer:
 - The duties of the Treasurer shall be to act as custodian of SBA funds, to disperse funds pursuant to the bylaws and to keep records thereof; to conduct the collection and supervise the disbursement of the funds; to submit a weekly report to the Executive Board of Association income, expense and the weekly balance of Association funds; and to assume such duties as prescribed in the bylaws.
 - The Treasurer shall serve on all committees to provide purchasing power.
 - 3L Representative:
 - The duties of the Third-Year Law Student Representative include representing the interests of third-year law students to the Executive Board and shall assist the Board in preparation for fall and spring graduations.
 - 2L Representatives: (2)
 - The duties of the Two Second-Year Law Student Representatives include representing the interests of second-year law students to the Executive Board.
 - 1L Representatives: (3)
 - One 1L shall be elected from each section.
 - The duties of the Three First- Year Law Student Representatives include representing the interests of first-year law students to the Executive Board.
 - Transfer Representative: (1)
 - The duties of the Transfer Representative include representing the interests of the transfer students to the Executive Board.
 - The Transfer Representative must be an incoming transfer student, entering his/her first semester at the FSU College of Law.
- ✓ Each Officer must serve on at least 1 Committee

IV. Committees:

- The President shall appoint Board members to one of the 3 Committees as he/she sees fit.
 - Each member of the Board shall have 1 primary Chair position.
 - Each member of the Board may aid and assist other Chairs/Committees.
 - Each member of the Board will be able to give input and/or vote on decisions made by other Chairs/Committees
- The 3 Committee's are as follows:
 - Legal Committee:
 - ABA/Professionalism Chair(s)
 - Academic Committee:
 - Speaker Chair(s)
 - Networking Chair(s)
 - Social Committee:
 - Social Media Chair
 - Apparel Chair
 - Thursday Chair(s)
 - Big Events Chair(s)
- Each Committee shall report on the status of their Chair issues at each weekly meeting. The Secretary shall include a summary of any such report in the minutes of the meeting at which it is presented, and shall retain the report itself for inspection in the SBA office.

ARTICLE VI—ELECTING THE EXECUTIVE BOARD

I. Eligibility/Process:

- No person may hold more than one position on the Board at the same time.
- In order to run for a position on the Executive Board each candidate must:
 - Be a current member of SBA
 - Submit a Petition Form
 - This form must contain:
 - The name and signature of the individual,
 - The office sought, and
 - The signatures of thirty (30) current law students
 - This petition must be placed in the SBA folder by the time and date stated on the form.
 - Submit a Candidacy Statement outlining your objectives and qualifications for office.
 - This statement must be placed in the SBA folder by the time and date stated on the form.
 - Give a speech to the student body
 - When—during lunch hour on some day prior to elections
 - How long—each candidate will be given 3-5 minutes, and presidential candidates will be given up to 10 minutes.

II. Campaign Rules:

- Campaigning Starts—at 12:01am on the Monday of campaign week.
- Allowable Campaign Materials include—
 - Posters/Signs
 - Each candidate is allowed four 8 ½ x 11 posters
 - Each poster must be approved by the Student Affairs Office in the Advocacy Center.
 - Stickers
 - Social Media
- Prohibited Campaign Materials include—
 - Anything of value (candy, food, drink, etc.)
 - Anything rude/offensive to another candidate
 - Candidates are responsible for the conduct and actions of their supporters.
- Campaigning Ends—at 5:00pm on the Wednesday of campaign week.
 - It is the responsibility of the candidate to remove any/all campaign materials by this time.
- Violations—any violation of these rules will cause the candidate to be ineligible for office, subject to review of all disinterested board members.

III. **Voting:**

- For 1L and Transfer Representatives—elections shall be held within the first four weeks of the start of the Fall semester.
- For all other positions—elections shall be held during the Spring Semester.
- The polls shall remain open from 8:00 a.m. to 5:00 p.m. on election day.
- Voting is open to the entire student body, except for with regards to the 1L Representative and Transfer Representative positions, only current 1L's and transfer students, respectively, can vote for those positions.

IV. **Counting the Votes:**

- All ballots shall be counted by the President, with a disinterested, non-returning board member present.
 - All results shall be confirmed by the disinterested, non-returning board member.
 - After the results have been confirmed and no challenges remain, the results will be released to the candidates and student body as a whole.
- Winner—is determined by a simply majority vote.
- Ties—all ties shall be resolved by a majority vote of the disinterested outgoing Executive Board.

V. **Challenges:**

- Any candidate for office may file a written petition of complaint, contesting the election, with the President.
 - The petition of complaint must include the petitioner's name, the office sought, the alleged violation, and the relief sought.

- The petition must be filed within 24 hours of the closing of the election polls, to be considered timely.
 - Upon the filing of a timely petition, disinterested members of the Executive Board shall hold a hearing, within 48 hours, to decide the merits of the complaint.
- The Executive Board shall only rule on the merits of the complaint.

VI. Terms of Office:

- All officers will serve in their position for one year.

ARTICLE VII—VACANCIES & OTHER ISSUES:

I. Vacancies:

- A vacancy in the office of President shall be filled by an election not earlier than five (5) class days, not later than ten (10) class days after the vacancy occurs.
- The Board shall act as the Judiciary Committee for such elections, with the Vice-President acting as chair.
- All other vacancies shall be filled by appointment of the President subject to approval by the Board. Any office shall be deemed vacant if the officer is not registered at the College of Law.

II. Recall:

- Any officer may be recalled from office without prejudice to further eligibility to hold office upon petition submitted and referendum held. The petition must be signed by five (5) percent of the members of the Association and submitted to a member of the Executive Board. The Board shall call for a referendum on the petition within five (5) class days, the referendum shall be by secret printed ballot and shall take place not earlier than five (5) class days nor later than ten (10) class days after the call for referendum. Removal of any officer shall require a three-fifths (3/5) vote.

III. Resignation:

- Any officer who no longer wishes to serve on the board must submit their resignation to the President at least two (2) weeks in advance. Prior to the officer's final day, he/she shall provide all documents relating to the organization and brief his/her replacement of current projects in his/her care. Vacancies shall be filled as stated by this Constitution.

IV. Impeachment:

- Any officer may be impeached from office without prejudice to further eligibility to hold office.
- Reasons for impeachment are limited to serious misconduct, delinquency of duty, or violation of bylaws.
- The procedure to impeach is as follows:

1. Any Officer to the Board may make a motion for the Officer in Question to be relieved of their duties.
2. The Officer in Question can then speak on their own behalf for no more than five minutes; If the Officer in Question is not present their right to speak is waived.
3. Immediately following the opportunity to speak (and outside of the Officer in Question's presence) there shall be discussion (limited to two minutes per person) from any voting or non-voting member of the Board.
4. Immediately following the discussion, a vote shall be taken outside of the Officer in Question's presence; a two-thirds majority (2/3) vote determines the Officer may be removed.
5. Immediately following the removal vote, the Officer in Question can then submit their resignation.
6. If the Officer in Question does not resign, a second two-thirds majority (2/3) vote shall impeach the Officer in Question from office, or the Board may vote by a simple majority to suspend the vote of impeachment.
7. The Board may vote to suspend a vote of impeachment until no later than the next Board Meeting.
8. In the case of a delayed impeachment vote, and until the Officer in Question's future position is determined, he/she shall not hold office hours, but shall still be required to attend all mandatory functions including Board Meetings, and their voting privileges shall be suspended.
9. Vacancies shall be filled as stated by this Constitution.

ARTICLE VIII - ADVISOR

I. In General.

- The advisor shall be selected by the officers of this organization. The advisor shall serve as a mentor to the organization providing guidance to the officers and members. The advisor has no voting rights. The advisor position has no term limit other than he/she must be a current FSU faculty or staff member.

II. Advisor Notifications.

- The advisor will be notified in writing of the possible removal at least 72 hours prior to the vote and will be allowed to address the organization in order to relate to members any relevant defense prior to the voting for removal. Upon a 2/3 majority vote of eligible members the advisor will be removed from his/her duties. In the event that an advisor is removed or resigns, a new advisor shall be elected within 14 calendar days.

Article IX – FINANCES

I. Dues:

- Membership dues are subject to change each year.

- Membership dues will be collected on a rolling basis with the final date for payment set by the Board.
 - No student may be denied membership due to an inability to pay dues. If a member is not able to pay dues, the Board will arrange for such dues to be “paid” via Pro Bono work with an organization of their choosing in addition to the Pro Bono hours already required for graduation.

II. Usage:

- Organizational funds may be spent on items such as office supplies, events/activities, publicity, travel expenses, conference fees, etc., but will not be used for anything illegal under University, local, state, and federal laws.

III. Records:

- The Treasurer shall keep an up to date Financial Binder.
 - This binder must include monthly expense statements accounting for ALL incoming and outgoing money with receipts.
 - This binder shall be subject to inspection/review by any member at any time.

IV. Outstanding Funds:

- In the event that SBA ceases to exist, any remaining funds shall be donated to the Innocence Project of Florida, or such charitable organization as the President so chooses.

Article X - PUBLICATIONS

I. In General:

- All advertisements of the organization must comply with the University Posting Policy (<http://www.fsu.edu/~posting/fsupolicy.html>).

II. Approval:

- The Secretary and President must approve all publications, shirts, flyers, etc. prior to duplication and distribution.

ARTICLE XI—AMENDMENTS

I. Process:

- Any member may propose an amendment
- The proposed amendment must:
 - Be emailed out to the Board; and
 - Be posted in the agenda for the meeting one week before voting

II. Approval:

- The Board may amend this Constitution by a 2/3 majority vote of the members present at a properly held meeting.
 - An approved amendment becomes effective immediately upon passage unless otherwise specified.

- The Secretary shall record the vote in the minutes, make the official changes to the Constitution & Bylaws, and print/post the new Constitution & Bylaws in the folder in Student Bar Association office.