

UNIVERSITY OF CINCINNATI COLLEGE OF LAW STUDENT BAR ASSOCIATION BY-LAWS

SECTION 100: CHARTERED STUDENT ORGANIZATIONS

SECTION 200: ELECTIONS

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Section 100: Chartered Student Organizations

100 A list of all currently chartered organizations will be maintained on SBA's website.

110 Each chartered student organization shall have one (1) voting member on the Executive Council in accordance with Article III § 3 of the Student Bar Association Constitution.

120 Procedure to Secure a Charter

121 Any student organization seeking to be chartered by and seeking voting rights on the Executive Council shall submit to the President of the Student Bar Association:

121.1 A brief statement about the student organization, its purposes and goals, including how the organization serves the purposes of the, Student Bar Association as set forth in the Preamble to the Student Bar Association Constitution;

121.2 The constitution of the student organization; which must contain:

121.21 The non-discrimination policy statement for the student organization, and;

121.22 The list of officers of the student organization and the procedure by which they are elected,

121.3 A list of ten (10) members of the student organization.

122 The Constitution and Rules Committee shall review the constitution and of the student organization. The Committee shall then report its determination of the validity of the constitution to the Executive Council for approval of charter.

123 A student organization shall be chartered by a majority vote of the voting members present at the Executive General Council meeting.

132 A chartered student organization shall lose its charter when:

132.1 It has no members

132.2 It serves none of the purposes of the Student Bar Association set forth in the Preamble of the SBA Constitution;

132.3 It actively pursues a course of conduct contrary to the purposes of the Student Bar Association or to the University policy.

132.4 It fails to meet the SBA attendance policy as set forth in the Rules of Procedure.

133 A two thirds (2/3) vote of the total voting members of the Executive Council shall be necessary to remove the organization as a chartered Student organization based on a motion from any voting member of SBA or member of the SBA Executive Board.

Section 200: Elections

210 Scope

211 The elected officers of this Association shall be elected by the members of the Association as herein specified in Article I and Article III, Section 2 of the SBA Constitution.

212 The class representatives to the Executive Council shall be elected by members of their respective classes as herein specified in Article III, Section 2 of the SBA Constitution.

213 The representatives to the Executive Council from the chartered student organizations shall be chosen by those student organizations according to their own constitutions and in accordance with the Student Bar Association Constitution and Rules of Procedure, and these By-laws.

220 The Commissioner of Elections

221 The President of the Student Bar Association shall nominate a Commissioner of Elections at a January meeting of the Executive Council and shall appoint the Commissioner with the advice and consent of the Executive Council by the first meeting in February.

222 The Commissioner shall continue in that position until a successor is nominated and appointed.

223 The Commissioner of Elections shall be a current second year student.

224 The Commissioner of Elections may, at his discretion, form an election committee composed of the assistant, plus one student from each of the three classes.

224.1 No member of the Committee, Including the Commissioner and the assistant, shall be a member of the Executive Council or a candidate for any position on the ballot.

225 The election of Student Bar Association officers and class representatives for the first- and second-year classes shall be held between March 1st and March 14th.

225.1 The Commissioner of Elections shall announce the exact date of the elections at least fourteen days prior to election day.

226 The Commissioner of Elections shall consult with the Honor Council chairperson before the announcement of the elections.

227 The Commissioner of Elections shall supervise all elections that the Executive Committee deems necessary for the orderly operation of the Student Bar Association.

228 Any questions which arise which are not specifically explained in these By-laws will be left to the discretion of the Commissioner of Elections to be answered in the spirit of these By-laws.

230 Petitions

231 The Commission shall invite nominations by petition from each member of the Association for an office or position for which the member is eligible.

232 To be valid, a petition must contain signatures of twenty-five of the total number eligible to vote for the office or position.

233 At least three days prior to the election, the Commissioner shall post the names of all candidates, along with one-page summary statements of the views and/or qualifications that the Commissioner has invited each candidate to submit.

234 The Commissioner shall set the deadline for the receipt of petitions and one-page statements at four days before the scheduled elections.

240 Candidates' Forum

241 The Commissioner shall arrange for a designated time for the candidates to deliver a five minute oral statement to the student body prior to elections.

241.1 Ample time should be allotted for the candidates to receive and answer questions from the students.

242 The Commissioner shall serve as the moderator of the program.

243 The Commissioner shall publicize the program to the student body.

244 Only qualified candidates whom have fully complied with the SBA election procedures and petitions shall participate in the forum.

250 Ballots

251 The Commissioner shall print ballots for each office and representative position, which contain the names of the candidates in alternate order.

252 The ballots shall not be printed with the candidates' names in alphabetical order

253 Each candidate shall have his or her name appear first on the ballot an equal number of times.

254 Candidates may be elected by write-in votes.

255 The candidate who receives the most votes (simple majority) will be deemed to be the winner of the election.

256 The chair of the honor council shall certify the election results.

257 If, at the deadline for the receipt of petitions and summary statements , no candidate has qualified for an office or position, the Commissioner of Election shall post notice that the office or position is vacant, and any person seeking to be considered for the position shall notify the President of the Student Bar Association no later than five days after the election.

260 Election Procedures

261 Elections shall be conducted during the hours of 11:00 and 1:00 p.m. on the day of elections.

262 Elections shall be conducted in a convenient area for all students.

263 No active campaigning shall be conducted on the floor in which the elections are being conducted on the day of elections.

264 All posters shall be displayed within twenty-four hours prior to the elections and must be taken down within twenty-four hours after the elections.

265 Unless declined in writing to the Commissioner of Elections within 24 hours after the election, a position is deemed to be accepted.

266 Posters and campaign materials may be distributed beginning anytime after the deadline for receipt of petitions and statements as decided by the Commissioner of Elections.

267 Any violation of these Elections Procedures shall result in any penalty the Board of Elections deems appropriate, including removal of the offending candidate from the ballot.

268 Vacant Offices

269 Such vacancies shall be filled in accordance with the Student Bar Association Constitution, Rules of Procedure, and these By-laws.

270 Terms of Office

271 The terms of the elected officers of the Student Bar Association shall run as noted in Article III, Section 5 of the SBA Constitution from the seventh (7th) day of April until their successors have been elected and installed.

272 Installation of new officers and members of the Executive Council shall take place at the first meeting following the election as the first item of 'New Business.'

273 The terms of the representatives for the second-year class elected in the March elections shall run for one year from the meeting following the election until their successors have been elected and installed.

274 The terms of the representatives for the third-year class elected in the March election shall run from the meeting following the election until midnight of the day of the Hooding Ceremony the following year.

280 Instruction Session

281 Between the time of the election in March and the installation of officers, an instruction session will be convened by the President of the Student Bar Association and will include at least one experienced member of the Executive Committee whose position was filled by the election.

282 At the instruction session, each new member and officer shall be given a copy of:

- 282.1 The Student Bar Association Constitution;
- 282.2 The Student Bar Association Rules of Procedure;
- 282.3 The Student Bar Association By-laws;
- 282.4 A summary of the activity of the Executive Committee during the previous year written by the President of the Student Bar Association; and
- 282.5 A summary of the office or position written by the former member filling that office or position.

290 Summer Vacancies

291 In case of a vacancy in the office of Treasurer or Secretary during the summer months (May 15th through August 15th), the President shall appoint, with the advice and consent of the Executive Committee, a replacement as noted in Article VII of the SB A Constitution, a. temporary Treasurer or a temporary Secretary who shall serve until an election can be held as provided in the Constitution.

Section 300: ABA/LSD Representative

Section 400: Cabinet

Section 500: Established Standing Committees

510 Established Standing Committees

511 The following Committees shall be established as standing committees of the Student Bar Association:

- 511.1 The Constitution and Rules Committee
- 511.2 The Budget Committee

520 The Constitution and Rules Committee

521 The Constitution and Rules Committee shall be lead by the Vice President of the Student Bar Association and shall also consist of the Secretary of the SBA and at least one class representative of the SBA.

522 The Constitution and Rules Committee shall maintain complete copies of the constitutions of all chartered student organizations under the jurisdiction of the Executive Committee.

523 The Constitution and Rules Committee shall receive proposed changes in constitutions of member organizations and recommend acceptance or rejection to the Executive Committee. This review is only done to make sure changes comport with all SBA rules and provisions, so the review need only be perfunctory.

524 The Constitution and Rules Committee shall consider, investigate and initiate recommendations on all proposed amendments to the Student Bar Association Constitution, Rules of Procedure, or By-laws.

525 The Constitution and Rules Committee shall recommend amendments as it or the Executive Committee deems necessary.

530 The Budget Committee

531 The Budget Committee shall work with the Treasurer in the preparation and review of the budget for the Student Bar Association as well as oversee budgetary and expense account decisions.

532 The Budget Committee shall consist of the following:

532.1 The chair-person, to be appointed in April by the incoming President of the Student Bar Association with the advice and consent of the Executive Council;

532.2 The Treasurer;

532.3 Three members of the law school student body, to be appointed by the President of the Student Bar Association with the advice and consent of the Executive Council.

533 Budgeting Procedure

533 Only organizations chartered by the Student Bar Association shall be eligible to request a budget allocation.

534 The fiscal year for the Student Bar Association and all chartered organizations shall begin on September 1 and end on August 31.

535 Each organization shall have a treasurers transitional meeting prior to April 15th. The treasurer of each chartered organization receiving a budget from the Student Bar Association shall maintain a line item budget for the organization. It shall be the responsibility of each organization to oversee their own financial position and to remain within their proposed budget for the fiscal year.

536 As a prerequisite to receiving a budget for the following year from the Budget Committee, each organization shall present to the Treasurer on or before August 10th of the current fiscal year, or at a date set by the budget chair:

536.1 A proposed budget for the current fiscal year in the form requested by the Budget Committee;

537 The Budget Committee shall prepare a proposed budget for student activities in the Law School based upon the guidelines set forth in § 543 of the By-laws

prior to the first meeting of the SBA General Body for the following academic year. The proposed budget shall be circulated no later than the first general meeting of the SBA. Any chartered organization so desiring shall be given the opportunity to contest their proposed budget allocation via a special appeal to be held by the Budget Committee at the earliest convenience before a final vote on the budget.

537.1 The appeals process is intended to be informal.

538 The Budget Committee shall present a final budget proposal for approval by the general body at the first meeting of the Council that follows any Budget Committee Appeals. The final proposal and any amended proposals must be approved by a two-thirds (2/3) majority vote of the members present, including the Executive Council.

539 Non-chartered student organizations may present proposals for the funding of specific activities or programs to the Executive Council of the Student Bar Association during the academic year. Any such proposal shall be reduced to writing and reviewed by the Budget Committee prior to a final vote by the Executive Council.

539.1 Funding for any such activities shall be allocated exclusively from the Student Bar Association Contingency Fund.

540 Absent a showing of need, the Treasurer shall not accept any request for money from chartered organizations after August 15 of the current fiscal year.

541 The chair-person of the Budget Committee shall maintain all reports required under §536 of these By-laws on file in the Student Bar Association office for a period of three (3) years

542 In the event that the Student Bar Association receives additional unbudgeted funds for disbursement to Student Groups during the fiscal year, the Student Bar Association shall consider a supplemental budget in accordance with these by-laws.

543 Guidelines For the Allocation of Funds

543.1 No funds shall be allocated by the Student Bar Association for any of the following:

543.1.1 Any expenditure in violation of the rules promulgated by the University of Cincinnati;

543.1.2 Any activities of an organization that discriminates on the basis of race, nationality, sex, religion, or sexual preference;

543.1.3 Individual memberships in any organization except in accordance with these By-laws;

543.2 The Budget Committee shall allocate at least five (5) and ten (10) percent of the total funds available at the beginning of the fiscal year to a contingency fund. This fund shall be available for non-chartered student organization activities, awards and gifts, and any emergency needs of the Student Bar Association or chartered organizations. Any balance remaining in this fund on April 30 of the fiscal year shall revert to the Student Bar Association account.

543.2.1 The exact percentage of the funds to be allocated shall be determined by the Budget Committee based on overall budgetary requests and expected activities by non-chartered organizations.

543.2.2 At least 1/2 of all money allocated to the contingency fund shall be reserved for second semester disbursement.

543.3 In preparing an overall budget, the funds shall be allocated in the following order of priority:

543.3.1 Student Bar Association Contingency Fund;

543.3.2 Student Bar Association;

546.3.2 (a) The Student Bar Association shall be allocated no more than fifty percent of the total budget after the Contingency Fund is allocated.

543.3.3 Chartered organizations in compliance with § 536;

543.3.4 Chartered organizations not in compliance with § 536.

543.4 In evaluating proposed budget requests in §533 and request of non-chartered student organizations, the following factors shall be considered (not necessarily listed in order of importance or weight):

543.4.1 Educational value of the programs;

543.4.2 Number of students in the organization;

543.4.3 Number of students who will benefit from the programs;

543.4.4 Benefit of the programs to the law school and the community as a whole;

543.4.5 Past performance and use of allocated funds by the Organization;

543.4.6 Merits of the programs.

543.5 Upon the request of any member of the Executive Council made at the meeting where the budget is to be approved, the Budget Committee shall be prepared to explain why a group's proposed budget was reduced. If the representative of a chartered group whose budget has been reduced is not present at the budget proposal meeting, he or she shall be entitled to an explanation of

the reduction in the group's budget only if the representative gives actual written notice to the Student Bar Association President, Treasurer, or Chairman of the Budget Committee 48 hours before the Budget Appeals Meeting.

543.6 Budget meetings are to be open meetings but not open forums.