

CONSTITUTION
STUDENT BAR ASSOCIATION

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.

ARTICLE I
GENERAL PROVISIONS

Section

- § 101. Composition.
- § 102. Purpose.
- § 103. Title of Act.
- § 104. Incorporation and Interpretation.
- § 105. Citation.
- § 106. Definitions and Terms.

§ 101. Composition

This organization shall be known and recognized as the Student Bar Association (“SBA”), which shall be comprised of law students according to the provisions herein establish.

§ 102. Purpose

The purpose of the SBA 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.

§ 103. Title of Act

This act of the association shall be known as The Constitution of The Student Bar Association (“The Constitution”).

§ 104. Incorporation and Interpretation

(a) **Incorporation.** This Association shall operate under the governance of The University of Akron School of Law Student Code of Conduct and The University of Akron Mission Statement.

(b) **Interpretation.** No provision of the Constitution shall be interpreted or applied so as to violate or contradict any of the above laws or regulations.

§ 105. Citation

Whenever a reference is made to The Constitution of The Student Bar Association such a reference shall be by citation to the part, an acronym for the Constitution and section in that order and in the manner of the following example: this section shall be cited as “1 S.B.A. Code § 105.”

§ 106. Definitions of Terms

- (a) **Officer.** “Officer” refers to an elected class representative.
- (b) **Executive Officer.** “Executive Officer” refers individually to the positions of President, Vice President, Secretary, & Treasurer positions.
- (c) **Member.** “Member” refers to any law student who meets the eligibility contained in Article II.
- (d) **Executive Board.** “Executive Board” refers collectively to the President, Vice President, Secretary, & Treasurer.
- (e) **Standing Committee.** “Standing Committee” refers to any permanent committee which must remain active for proposed business.

ARTICLE II **MEMBERSHIP**

Section

§ 201. Eligibility Generally.

§ 202. Suffrage.

§ 201. Eligibility Generally

All persons registered for courses for which credit is given in The School of Law shall be entitled to membership in the SBA. This Association shall neither deny nor terminate any degree of membership because of race, creed, sexual orientation, ethnicity, nationality, disability, age, or marital status.

§ 202. Suffrage

Subject to any provisions governing the casting of votes, all law student members in good standing shall enjoy the right to vote upon all questions and/or motions properly before the SBA in a meeting or online.

ARTICLE III **GOVERNANCE**

Section

§ 301. Officers.

§ 302. Executive Board.

§ 303. Terms of Office.

§ 304. Vacancies and Recall.

§ 305. Faculty Advisor.

§ 301. Officers

- (a) **General Rule.** The duties of each Officer (commonly referred to as a “class representative”) shall be those described within this constitution.

(b) **Further Definitions of Duties.** A further definition of duties is to be made available individually to each Officer in writing prior to the beginning of their term.

(c) **Composition.** The number of Officers shall be determined by the Executive Board on an as needed basis. Each semester cohort shall have a minimum of one (1) Officer at all times. Semester “cohorts” are defined as one Spring start cohort and one combined Summer & Fall start cohort for each calendar year. At the beginning of each semester, semester cohorts will be evaluated and grouped into “class cohorts” which will consist of one each of “1L”, “2L”, “3L”, and “Evening” cohorts. Both day and evening students must have adequate representation.

(d) **Duties.** Officers shall attend SBA meetings, represent their constituents at SBA meetings, communicate news and events to constituents, serve on SBA committees, and promote SBA activities.

(e) **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.

(f) **Committee System.** Each Officer shall serve on at least one (1) committee. Committee composition shall be determined by the Executive Board. Officers may volunteer for one or more committees, and the Executive Board may appoint every elected Officer without voluntary involvement to a committee. Committees shall recommend policies or programs. If adopted, the policies or programs shall be implemented by a 2/3 vote of all Officers. The chairperson for each committee, who shall be selected by Committee Members, shall submit a written report once each semester. The report shall detail the activities of the committee in the past six months and plans for the following six months.

(i) The Constitutional Committee is a Standing Committee per §106(e) and will be composed of the Committee Chair and any SBA member who wishes to be on the committee.

§ 302. Executive Board

1. Executive Officers Generally.

(a) Officers of the Executive Board are as follows:

(i) **President.** The position of President includes responsibilities up to, but not limited to the following: The President shall preside over all SBA meetings. If unable to preside over any meeting, the President shall designate one of the Executive Officers 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.

(ii) **Vice President.** The position of Vice President includes responsibilities up to, but not limited to the following: Vice President shall serve as the Election Commissioner of the SBA, shall assist in the President in his or her duties outlined above, and be prepared to assume the duties and responsibilities of the presidency. The Vice President shall maintain progress reports for each committee, direct and coordinate committee actions to achieve goals established by the Executive Board at the beginning of each year.

(iii) **Treasurer.** The position of Treasurer includes responsibilities up to, but not limited to the following: 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 Board 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 Executive Officer at least once per semester including the following information for each account: beginning period balance, itemized income, itemized expenditures, and ending period balance.

(iv) **Secretary.** The position of Secretary includes responsibilities up to, but not limited to the following: The Secretary shall accurately record the minutes of each SBA Officer meeting and Executive Board meeting; take attendance at each SBA 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 documents received and sent, committee reports, treasurer's reports, membership rosters, and committee lists. The Secretary shall also, at the discretion of the president, prepare all outgoing correspondence, notify SBA members of all SBA general body meetings, publish a monthly summary of SBA Activities to the SBA Officers, and post or distribute all other notices required by this Constitution.

(b) **Definition of Duties for Executive Board.** The Vice-President, along with the President, may further reasonably define the duties of each Executive Board Officer, to fit the needs of the Association.

(c) **Emergency Powers.** The Executive Board shall endeavor to obtain Officer approval for all actions. If it is not feasible or reasonable to seek the approval the Officers before exercising powers granted by this Constitution, then the Executive Board is hereby empowered to exercise powers on an emergency basis without Officer approval. All actions taken under this emergency power shall be reported to the Officers at the next regularly scheduled meeting, and upon majority vote of those Officers present and voting on that issue, the actions shall be ratified. Actions taken by Executive Board which the Officers refuse to ratify may be considered cause for removal of the offending Executive Officers.

(d) **Stipends.** Executive Board members may receive scholarships at the discretion of the law school administration in consideration for their work towards the advancement of the SBA.

§ 303. Terms of Office

(a) **Duration of Term.** Officer positions are to be held for one (1) calendar year from the date of appointment.

(b) **Installations.** First-year class representative officers shall be installed following election at the start of the fall semester. Each first-year officer's term shall run until the installment of its successor in the following fall semester.

Second- and third-year class representative officers shall be installed at the final regular meeting of the spring semester. Each second- and third-year officer's term shall run until the installment of its successor in the following spring semester.

Executive board-elects shall be selected upon elections to be finished by the end of the second week in February of each spring semester. Each executive board-elect member shall learn from and aid its corresponding executive board member until the end of that same spring semester when board-elects shall replace their predecessors as the new executive board. Each executive board member shall hold office for one year until the end of the following year's spring semester. During each executive board transfer, each exiting board member shall surrender to its incoming successor all books, records, receipts, and other property of SBA in his or her possession.

§ 304. Nomination of Officers

(a) **Timing.** The Vice-President, in counsel with the President and Executive Board, will determine a two-week period that will be most appropriate for nominations.

(b) **Procedure.** All Officers and Executive Officers will be elected by a majority. In the event that no majority exists following the first ballot, the two candidates receiving the most votes will be brought to a second ballot. In the event of a tie for second, all candidates tied will be brought to a new ballot. This process will continue until a majority exists.

(c) **Good Academic Standing.** All Officers and Executive Officers must maintain at least a 2.0 GPA. Further, nominees cannot currently be under disciplinary action which restricts participation in student activities.

(d) **Eligibility.** All Executive Officers must complete two full semesters prior to taking Executive Office.

(e) **Confirmation.** Once nominated, the President and Vice-President will confirm the eligibility of each nominee. Any nominee not meeting the proper qualifications will be dismissed from consideration for the office.

(f) **Resignation not Required for Nomination.** An Officer shall not be required to resign a current office to accept nomination to another office.

§ 305. Election of Officers

(a) **Timing.** The Vice-President, in counsel with the President and Executive Board, will determine a one-week period that will be most appropriate for elections. Elections cannot take place earlier than week two (2) of the semester. The President will consider the timing of elections and reserves the right to extend elections at his or her discretion.

(b) **Suffrage.** Any member in good standing holds the right to vote in any election.

§ 306. Vacancies and Recall

(a) **Vacancies.** In the event an Officer prematurely vacates his position, the SBA shall be notified immediately by the President. Nominations and elections of a new Officer shall occur, pursuant to 3 Constitution. S.B.A. §304.

(b) **Recall.** A majority of the Executive Board may call an officer meeting to ask for an Officer or Executive Officer to be removed for cause. Via a two-third (2/3) majority vote, the SBA may recall an SBA Officer or Executive Officer immediately, and the office shall thereupon be vacant for the purposes of subsection

(a). No Officer 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 Officer shall be advised of his or her right to appear at the meeting and speak on his or her own behalf. All officers must attend at least three SBA events during the course of one semester. SBA events include any SBA sponsored events, SBA officer meetings, and SBA general body meetings. Failure to do so will trigger the recall provisions set forth in §306(b).

§ 307. Faculty Advisor

The Executive Board shall appoint, upon Officer approval, a faculty advisor after the Spring election.

ARTICLE IV **MEETINGS**

Section

§ 401. Legislative Power.

§ 402. Roberts Rules of Order.

§ 403. Suffrage.

§ 404. Chair.

§ 405. General Meetings.

§ 406. Special Meetings.

§ 401. Legislative Power

The legislative power of the SBA shall be reposed in a quorum of all Officers.

§ 402. Roberts Rules of Order

Robert's Rules of Order shall govern all SBA Meetings, except as otherwise provided in this document.

§ 403. Officer Suffrage

(a) **General Rule.** Except as otherwise provided in this document or in the documents named at section 104, all votes shall require quorum to decide the question and/or motion.

(b) **Roll Call Voting.** When a roll call vote is employed, the chairman shall call the roll.

(c) **Proxy Voting Prohibited.** An Officer must be present in order to vote.

§ 404. Chair

The president shall enjoy the prerogative of chairing all SBA Meetings or, in order of succession, vice-president, treasurer, secretary, to chair in his or her stead.

§ 405. General Body Meetings

(a) **Frequency.** The SBA shall meet in general session at least once per semester. Additionally, Officers representing each class grouping (1L, 2L, 3L, & Evening) as determined by § 301.(c) shall conduct a general meeting with their class constituents at least once per semester in coordination with the Executive Board, and said officers shall submit a meeting summary report to the Executive Board within two (2) weeks of said meeting. Additional meetings shall commence at the discretion of the Executive Board.

(b) Procedure for Conducting Business.

a. **Agenda.** The President shall prepare a detailed agenda for each SBA meeting and shall direct the secretary to distribute a copy of the agenda to each person in attendance. Each agenda shall conform to the following format:

- i Attendance
- ii Recap of relevant old business
- iii Treasurer's report
- iv President's report
- v Committee reports
- vi Student Organization reports
- vii Old business
- viii New business

b. **Robert's Rules of Order.** All business coming before the SBA 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 SBA members and Executive Officers.

(c) **Presentation of New Matters to Executive Board.** A matter for new business, including matters originating in committee, shall be brought before the Executive Board prior to the SBA Meeting in which the matter is raised. A matter not so brought before the Executive Board shall not be moved or seconded upon the floor of the SBA meeting.

§ 406. Special Meetings

(a) **President Calls.** The president may call special meetings of the SBA, at times and places, as circumstances require, via a majority vote of the Executive Board.

(b) **Other Calls.** Aside from the President, the remaining three members of the Executive Board may collectively call a special meeting.

(c) **Limitation of Business.** A special meeting shall involve only that specific business for which the Executive Board has called said special meeting.

(d) **Notification.** Every Officer of the SBA must be notified of the special meeting.

(e) **General Rule.** A quorum consisting of a majority of Officers must be met in order for any official business to be transacted during the special meeting. It shall be the duty of Officers to attend all regular and special meetings.

(f) **Procedure.** Robert's Rule of Order is to be followed during special meetings or in the documents named in § 104.

ARTICLE V
AFFILIATIONS

Section

§ 501. ABA Affiliation.

§ 502. Akron Bar Affiliation.

§ 503. Law School Affiliations.

§ 501. ABA Affiliation

The SBA shall remain affiliated with the American Bar Association/Law Student Division. The President shall appoint one Officer to serve as an Akron Law representative to the American Bar Association. The American Bar Association representative shall represent Akron Law to the American Bar Association, help with ABA related programming at the law school, and participate in committee work. Both the President and the American Bar Association representative shall serve as voting members to the American Bar Association/Law Student Division. The Officer shall be appointed in the spring semester and will have a one-year term beginning in July.

§ 502. Akron Bar Association Affiliation

The SBA shall remain affiliated with the Akron Bar Association. The President shall appoint one Officer to serve as an Akron Law representative to the Akron Bar Association. The Akron Bar Association representative shall represent Akron Law to the Akron Bar Association, help with Akron Bar Association related programming at the law school, and participate in committee work. Both the President, if applicable, and the Akron Bar Affiliation representative shall serve as voting members to the Akron Bar Association/Law Student Division. The Officer shall be appointed in the spring semester and will have a one-year term beginning in July.

§503. Law School Affiliations

The President shall, in conjunction with the Executive Board, appoint student members to serve on committees within the Law School, as requested by the Administration and in accordance with each committee's appointment procedure.

§504. University Affiliations

The SBA shall maintain relations with the other student governing bodies, including: Undergraduate Student Government, Graduate Student Government, and Board of Trustees at the University of Akron. The President shall represent the SBA in all matters, and with Executive Board approval, may designate the Vice President or 2L President to manage and report on communication, coordination, and cooperation with the other governing bodies at The University of Akron.

ARTICLE VI **FINANCE**

Section

- § 601. Fee.
- § 602. Fundraising.
- § 603. Budget.
- § 604. Management.

§ 601. Fee

All entering first year students shall be charged an activity fee by the Bursar's Office to fund the SBA.

§ 602. Fundraising

The SBA Treasurer shall deposit any monies generated by an SBA event or fundraiser into the SBA SAF account.

§ 603. Budget

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.

§ 604. Management

The SBA shall manage its own finances but in accordance with University regulations and documents in section 104.

ARTICLE VII **AMENDMENTS**

Section

§ 701. Proposition.

§ 702. Constitutional Committee.

§ 703. Approval.

§ 704. Enactment.

§ 701. Proposition

An amendment shall be proposed according to the new business procedure stated in § 405(c) of this Article, at which time it shall be referred to the Constitutional Committee for review before being brought to the full Officer for vote.

§ 702. Constitutional Committee

The Constitution Committee shall present the amendment along with its recommendations concerning the amendment at an SBA officer meeting, in person, so that officers may be allowed an opportunity to provide feedback. At the meeting, Officers may motion to modify the recommendations proposed by the committee, in accordance with Robert's Rules. Following the presentation, the amendment shall be brought forward for a vote by all Officers.

§ 703. Approval

Upon approval of two-thirds vote of the SBA Officers, the amendment shall be ratified.

§ 704. Enactment

Said amendment shall be enacted immediately following its ratification unless superseded by another agreed upon timetable.