SBA CONSTITUTION

ARTICLE ONE: NAME
The name of this organization is the Student Bar Association (SBA) of the University of Cincinnati College of Law (College of Law).

ARTICLE TWO: PURPOSE AND AUTHORITY
Section One: This SBA Constitution revokes all previous SBA Constitutions and shall supersede any other previously existing system of governance or governing document at the College of Law.

Section Two: The SBA is organized to promote a sense of community among the members of the College of Law, to promote the institutional reputation of the College of Law, and to offer social and educational benefits to the students of the College of Law. The SBA General Council will create, promulgate, and enforce the SBA Constitution, SBA By-Laws, and any other necessary rules or policies governing student groups chartered under the SBA’s authority.

Section Three: This SBA Constitution will establish the Offices and framework of the SBA. The SBA By-Laws will provide more detailed rules and policies including guidelines for the formation of new chartered student groups and the allocation of SBA funds.

ARTICLE THREE: MEMBERSHIP
Section One: Every dues-paying student enrolled at the College of Law is a member of the SBA. Membership dues shall be fifty (50) dollars per year the student is enrolled at the College of Law, to be paid in full the first year the student is enrolled. If any student is removed from the College of Law, the student will no longer be a member of the SBA.

ARTICLE FOUR: EXECUTIVE COUNCIL - OFFICERS AND RESPONSIBILITIES
Section One: The Executive Council will be comprised of at least two but not more than three elected representatives from the third-year (3L) class, at least two but not more than three elected representatives from the second-year (2L) class, one representative from each section of the first-year (1L) class, the President, Vice President, Treasurer, and Secretary. It may also include an LLM Representative and a Transfer Representative. At the President’s discretion, any Chair appointed by the President may be placed on the Executive Council. Members of the Executive Council shall make themselves available to table, promote, and attend each SBA sponsored event whenever possible.

Section Two - President:
A. Who may serve: Only rising 3L students enrolled with full time status at the University of Cincinnati may serve as President.
B. Who may vote: All students enrolled at the time of the election may vote for President.
C. Duties:
The President will further the purposes of the Student Bar Association, specifically through duties including:

(a) serving as spokesperson for the SBA;
(b) meeting with faculty and administrators periodically to discuss student needs and concerns;
(c) ensuring that all events are planned and executed successfully;
(d) planning the agendas for and presiding over General and Executive Council meetings;
(e) handling the student body’s questions and complaints; and
(f) acting as final decision maker for all matters where no process is in place to make a decision and no clear decision or outcome is available.

(2) The President may delegate responsibilities as necessary to promote the efficient functioning of the SBA.

(3) The President may create an ad hoc Committee and appoint a Chair of a Committee as necessary. The President may establish a Standing Committee and Chair with the approval, in an official vote recorded by the Secretary, of greater than 50% of the Executive Council as listed in the Constitution. A Chair does not receive a vote in the General Council.

(4) The President will vote in the General Council only when necessary to break a tie.

Section Three - Vice President:
A. Who may serve: Only current students enrolled with full time status may serve as Vice President.
B. Who may vote: All students enrolled at the time of election may vote for Vice President.
C. Duties:
(1) The Vice President will further the purposes of the Student Bar Association, specifically through duties including:
(a) acting as Chair of the Constitution and Rules Committee;
(b) performing the duties of the President if the President is unable to do so; and
(c) presiding over any impeachment proceedings against the President.
(2) The Vice President may vote in the General Council unless the Vice President is presiding over the meeting.

Section Four - Treasurer:
A. Who may serve: Only current students enrolled with full time status may serve as Treasurer.
B. Who may vote: All students enrolled at the time of election may vote for Treasurer.
C. Duties:
(1) The Treasurer will further the purposes of the Student Bar Association, specifically through duties including:
(a) keeping records on all SBA funds;
(b) approving all reimbursements and completing the accompanying paperwork;
(c) making periodic reports to the General Council as to the state of the Contingency Fund;
(d) advising the President and other members of the General Council regarding budget issues; and

(e) performing the duties of the President if both the President and Vice President are unable to do so.

(2) The Treasurer may vote in the General Council unless the Treasurer is presiding over the meeting. To avoid potential conflicts of interest, the Treasurer should abstain from a vote to approve a proposed SBA budget or to approve a proposed Contingency Fund request.

Section Five - Secretary:
A. Who may serve: Only current students enrolled with full time status may serve as Secretary.
B. Who may vote: All students enrolled at the time of election may vote for Secretary.
C. Duties:
(1) The Secretary will further the purposes of the Student Bar Association, specifically through duties including:
   (a) taking attendance and recording minutes at all meetings of the General Council and Executive Council;
   (b) keeping organized records of attendance and minutes taken during the Secretary’s term;
   (c) maintaining the SBA calendar; and
   (d) performing the duties of the President if the President, Vice President, and Treasurer are unable to do so.
(2) The Secretary may vote in the General Council unless the Secretary is presiding over the meeting.

Section Six - 3L Representatives:
A. Who may serve: Only current students who are in their second year and are enrolled with full time status at the time of the Spring Election may serve as 3L Representatives. There will be three 3L Representatives unless less than three eligible candidates run. The President may appoint no more than two 3L Representatives, and there may not be three 3L Representatives if the President appoints any 3L Representatives.
B. Who may vote: All students who are in their second year and are enrolled at the time of the Spring Election may vote for 3L Representatives.
C. Duties:
(1) The 3L Representatives will further the purposes of the Student Bar Association, specifically through duties including:
   (a) representing the interests of the class from which they are elected;
   (b) informing their class of the proceedings of the Executive Council and General Council when necessary;
   (c) communicating with their class both to encourage their classmates to participate in the College of Law community and to help the Executive Council improve the planning of SBA events and policies;
(d) collaborating with the administration and the 3Ls to facilitate the planning and execution of the Hooding Ceremony, especially by serving as Co-Chairs of the Hooding Committee; and

(e) planning and executing the Hooding Auction.

(2) The 3L Representatives may vote in the General Council to represent the interests of their class.

Section Seven - 2L Representatives:
A. Who may serve: Only current students who are in their first year and are enrolled with full time status at the time of the Spring Election may serve as 2L Representatives. There will be three 2L Representatives unless less than three eligible candidates run. The President may appoint no more than two 2L Representatives, and there may not be three 2L Representatives if the President appoints any 2L Representatives.
B. Who may vote: All students who are in their first year and are enrolled at the time of the Spring Election may vote for 2L Representatives.
C. Duties:
(1) The 2L Representatives will further the purposes of the Student Bar Association, specifically through duties including:

(a) representing the interests of the class from which they are elected;

(b) informing their class of the proceedings of the Executive Council and General Council when necessary;

(c) communicating with their class both to encourage their classmates to participate in the College of Law community and to help the Executive Council improve the planning of SBA events and policies; and

(d) planning and executing the Barristers’ Charity Ball, especially by serving as Co-Chairs of the Barristers’ Charity Ball Committee.

(2) The 2L Representatives may vote in the General Council to represent the interests of their class.

Section Eight - 1L Representatives:
A. Who may serve: Only current students who are in their first year at the time of the Fall Election and are enrolled with full time status may serve as 1L Representatives. Only one 1L Representative from each Section may be elected. The President may appoint one 1L Representative from any section from which no 1L Representative is elected in the Fall Election.
B. Who may vote: All students who are in their first year and are enrolled as students at the time of the Fall Election may vote for 1L Representatives. Students may only vote for the Representative from their Section.
C. Duties:
(1) The 1L Representatives will further the purposes of the Student Bar Association, specifically through duties including:

(a) representing the interests of the class from which they are elected;
(b) informing their class of the proceedings of the Executive Council and General Council when necessary;

(c) communicating with their class both to encourage their classmates to participate in the College of Law community and to help the Executive Council improve the planning of SBA events and policies; and

(d) serving on at least one of the Standing Committees, including the Constitution and Rules Committee, the Hooding Committee, and the Barristers’ Charity Ball Committee.

(2) The 1L Representatives may vote in the General Council to represent the interests of their class.

Section Nine - Transfer Representative:
A. Who may serve: Only current students who have transferred into the College of Law and are enrolled with full time status may serve as the Transfer Representative. If no eligible student runs, the President may appoint a Transfer Representative.

B. Who may vote: All students who have transferred into the College of Law and are enrolled as students at the time of the Fall Election may vote for the Transfer Representative.

C. Duties:
(1) The Transfer Representatives will further the purposes of the Student Bar Association, specifically through duties including:

(a) representing the interests of the students who have transferred into the College of Law;

(b) informing the students who have transferred into the College of Law of the proceedings of the Executive Council and General Council when necessary;

(c) communicating with the students who have transferred into the College of Law both to encourage their classmates to participate in the College of Law community and to help the Executive Council improve the planning of SBA events and policies; and

(d) serving on at least one of the Standing Committees, including the Constitution and Rules Committee, the Hooding Committee, and the Barristers’ Charity Ball Committee.

(2) The Transfer Representative may vote in the General Council to represent the interests of the students who have transferred into the College of Law.

Section Ten - L.L.M. Representative:
A. Who may serve: Only current students who are pursuing an L.L.M. and are enrolled with full time status may serve as the L.L.M. Representative. If no eligible student runs, the President may appoint an L.L.M. Representative.

B. Who may vote: All students who are pursuing an L.L.M. and are enrolled as students at the time of the Fall Election may vote for the L.L.M. Representative.

C. Duties:
(1) The L.L.M. Representative will further the purposes of the Student Bar Association, specifically through duties including:

(a) representing the interests of the students pursuing an L.L.M.;
(b) informing the students pursuing an L.L.M. of the proceedings of the Executive Council and General Council when necessary;

(c) communicating with the students pursuing an L.L.M. both to encourage their classmates to participate in the College of Law community and to help the Executive Council improve the planning of SBA events and policies; and

(d) serving on at least one of the Standing Committees, including the Constitution and Rules Committee, the Hooding Committee, and the Barristers’ Charity Ball Committee.

(2) The L.L.M. Representative may vote in the General Council to represent the interests of the students pursuing an L.L.M..

ARTICLE FIVE: GOVERNING BODIES

Section One - The Executive Council:
A. The Executive Council will be composed of the Officers and Representatives listed in Article Four as well as any Committee Chair the President appoints.
B. The Executive Council is responsible for supporting the President in carrying out the purposes of the SBA, including planning SBA events, discussing issues the SBA may affect, and developing rules and policies that will be proposed to the General Council.
C. The President should call and preside over meetings of the Executive Council as often as necessary to carry out the purposes of the Executive Council. In no event should the Executive Council meet less than three per semester.
D. The Executive Council does not require any quorum in order to meet.

Section Two - The General Council:
A. The General Council will be the legislative body of the SBA. The General Council will govern the chartered student groups.
B. Composition:
(1) The General Council will be composed of the Officers and Representatives listed in Article IV and one representative of every chartered student group at the College of Law.
(2) Each representative of a chartered student group shall be elected or otherwise appointed according to that group’s constitution.
(3) All meetings of the General Council shall be open to all students, faculty, and staff at the College of Law. Anyone acknowledged by the presiding officer may speak, regardless of voting status. Only a voting member may make motions, including motions regarding voting.
C. Voting and Representation:
(1) Each member of the General Council will have one vote, except as provided in Article Four. Only these members shall have voting privileges in the General Council.
(2) A student may not represent more than one chartered student group in the General Council for purposes of attendance or achieving a quorum.
(3) A student may not vote for more than one chartered student group in the General Council.
D. Attendance Requirements and Penalties (Responsibilities):
(1) Each chartered student group shall send a representative to each meeting of the General
If a chartered student group is absent at more than one General Council meeting, that group shall be penalized.

(a) The first penalty will be a 10% reduction of the group’s budget as of the meeting missed.

(b) The second penalty shall be a 25% reduction of the group’s budget as of the meeting missed. After the second penalty, the group may not request funds from the Contingency Fund for the remainder of the semester following the second penalty.

(c) The money collected from the group’s budget as a result of such a penalty shall revert to the Contingency Fund.

(d) The third penalty will result in the group’s loss of its charter in the Student Body Association.

In the process of a chartered student group hosting an event, the chartered student group is responsible for the complete clean-up of the event, including any storage or use of the Student Activities Office.

(a) If a chartered student group fails to fully clean-up after the group’s event within 48 hours of one written notice from the SBA President or Vice President, SBA reserves the right to penalize the group’s budget with a 5% reduction.

E. General Council Meetings:

(1) The General Council will meet at least every four weeks during the school year, except during reading and examination periods.

(2) The first meeting of each semester will take place at the earliest possible date. This meeting should take place within the first three weeks of the semester.

(3) The President may call a Special Meeting of the General Council with at least 24 hours notice to the voting members of the General Council. The President must call a Special Meeting of the General Council if petitioned outside of a meeting by six voting members of the General Council or by a majority vote of the General Council during a meeting.

(4) A quorum is achieved when greater than 1/2 of the total voting members are present at the General Council Meeting.

(5) The following provisions will apply to voting at General Council Meetings:

(a) Motions, requests, proposals, or other issues must be approved by an affirmative vote from greater than 1/2 of the voting members present at the meeting.

(b) Changes to the By-Laws must be approved by an affirmative vote of greater than 2/3 of the voting members present at the meeting. Proposed changes should be published at least 7 days in advance of the voting.

(c) Changes to the SBA Constitution must be approved by an affirmative vote of greater than 2/3 of the voting members of the General Council, regardless of the number of voting members actually present. Proposed changes should be published at least 7 days in advance of the voting.

Section Three - Judicial Branch:
A. Any questions regarding the interpretation of the SBA Constitution or the SBA By-Laws should be referred to the College of Law Student Court.

B. If the College of Law Student Court is unable to consider the issue, the Chair of the Honor Council should decide the issue.

ARTICLE SIX - ELECTIONS

Section One - Timing and Procedures:
A. There will be a Fall Election and a Spring Election each year. The Fall Election will end no later than the last Friday of September. The Spring Election will end no later than the second Friday of April.
B. The President, Vice President, Treasurer, Secretary, 3L Representatives, and 2L Representatives will be elected during the Spring Elections.
C. The 1L Representatives and any Transfer Representative or L.L.M. Representative will be elected during the Fall Elections.
D. The date of Elections must be announced to the student body no less than 14 days prior to the first day of the Elections.
E. Elections will take place over two days and should be executed by the Election Commissioner.
F. The eligible candidate who receives the most votes will win the Election, provided the candidate receives more than 1/3 of the votes cast by eligible voters. If no candidate receives more than 1/3 of the votes cast by eligible voters, a runoff election should be held as soon as is reasonable. Whichever candidate receives the most votes of eligible voters in the runoff election will win the Election.
   (1) For offices only one candidate may win, the runoff should be between the candidates receiving the most votes in the first round of voting.
   (2) For offices multiple candidates may win, the runoff should be between the four candidates who received the most votes in the first round of voting. If some candidates receive more than 1/3 of the votes but not enough candidates to fill the available positions, the candidates that received more than 1/3 of the votes should be excluded from the runoff. In this case, the runoff should include one more candidate than there are positions that need to be filled.
G. If there is not at least one more candidate than positions available, no candidate may be elected by write-in votes.

Section Two - Election Commissioner:
A. The President will appoint an Election Commissioner no later than the second Friday of March.
B. The Election Commissioner will serve from the time of appointment until the appointment of a new Election Commissioner. The Election Commissioner should not serve through more than one Fall Election and one Spring Election.

Section Three - Terms:
A. The inauguration of Officers and Representatives described in Article Six, Section One,
Subsection B will take place at the first General Council Meeting following the Spring Election. 

B. The inauguration of Representatives described in Article Six, Section One, Subsection C will take place at the first General Council Meeting following the Fall Elections.

C. All Officers and Representatives will serve until the inauguration of new Officers and Representatives as described in Article Six, Section Three, Subsection A.

ARTICLE SEVEN: IMPEACHMENT

Section One - Initiating Proceedings:

A. Impeachment proceedings against any elected Officer or Representative listed in Article Four will commence upon presentation to the highest official not being impeached of a petition bearing the signature of more than 2/3 of the members of the Executive Council (not to include the Officer or Representative at issue) or more than 1/2 of the voting members of the General Council (not to include the Officer or Representative at issue).

B. Impeachment proceedings against any elected Officer or Representative listed in Article Four will commence upon presentation to the highest official not being impeached of a petition bearing the signature of more than 1/3 of the students who would have been eligible to elect the Officer or Representative at the time of the Officer or Representative’s election.

C. Impeachment proceedings against any elected Officer or Representative listed in Article Four will commence automatically upon a published finding by the Honor Council of a violation of the Honor Code containing the elected Officer or Representative’s name.

D. Impeachment proceedings and removal from office should occur in cases where an Officer or Representative has failed in the duties assigned in the SBA Constitution or SBA By-Laws, especially if the failure has caused negative public perception of the College of Law.

Section Two - Impeachment Proceedings:

A. Upon receipt of a qualifying petition or notice of a finding of a violation of the Honor Code, the highest official not being impeached will call for and preside over a hearing before the constituents of the Officer or Representative. The hearing will take place between five and 21 days after receipt of a qualifying petition or notice of a finding of a violation of the Honor Code. The Officer or Representative facing impeachment must be present, unless the Officer or Representative attempts to avoid a hearing.

B. An Officer or Representative will be removed from office immediately upon a vote for removal from at least 1/2 of the students who would have been eligible to elect the Officer or Representative at the time of the Officer or Representative election. The vote will be held within 24 hours of the conclusion of an impeachment hearing.

Section Three - Post-Removal Elections:

A. If an Officer or Representative is removed from office before the first day of November, the Election Commissioner will announce a Special Election to take place within 10 days of the announcement.

B. If an Officer or Representative is removed from office on or after the first day of November,
the President will appoint a replacement to fill any vacant offices.  
C. A post-removal election should follow the procedures established in Article Six as much as is reasonably possible.

**Section Four - Removal of Appointed Officers, Representatives, and Committee Chairs:**
A. The President may remove any Officer, Representative, or Committee Chair appointed by the President. The President must notify each member of the Executive Committee of any removal within 24 hours of the removal.
B. The removal of an appointed Officer, Representative, or Committee Chair may be overruled by more than 2/3 of the votes of the remaining members of the Executive Council. A vote must take place within 7 days of notice from the President that a removal has occurred.