THE CONSTITUTION OF THE STUDENT BAR ASSOCIATION

THE UNIVERSITY OF CINCINNATI COLLEGE OF LAW

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 to act as a means of self-governance and will serve as the primary liaison between students and the faculty and administration of the College of Law.

Section Three: 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 will strive to ensure effective mediums for the expression of the student's view on all matters.

Section Four: The SBA General Council will create, promulgate, and enforce the SBA Constitution. The SBA Executive Council will create, promulgate, and enforce the SBA By-Laws and any other necessary rules or policies governing student organizations chartered under the SBA’s authority.

Section Five: 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 organizations and the allocation of SBA funds.

ARTICLE THREE: MEMBERSHIP

Every dues paying student enrolled at the College of Law is a member of the SBA. Membership dues shall be assessed in accord with the SBA By-Laws. If any student is removed from the College of Law, the student will no longer be a member of the SBA.

ARTICLE FOUR: GOVERNING BODIES

Section One: The Executive Council

A. The Executive Council will be composed of the Officers and Representatives listed in Article Five 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.
Section Two: The General Council
E. The General Council will be the legislative body of the SBA. The General Council will govern the chartered student organizations.

E. Composition:
   a. The General Council will be composed of the Officers and Representatives listed in Article Five and one representative of every chartered student organization at the College of Law.
   b. Each representative of a chartered student organization shall be elected or otherwise appointed according to that organization’s constitution.
   c. 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.

E. Voting and Representation:
   a. Each member of the General Council will have one vote, except as provided in Article Five. Only these members shall have voting privileges in the General Council.
   b. A student may not represent more than one chartered student organization in the General Council for purposes of attendance or achieving a quorum.
   c. A student may not vote for more than one chartered student organization in the General Council.

Section Three: Interpretation
A. Any questions regarding the interpretation of the SBA Constitution or the SBA By-Laws should be submitted, in writing, to the Chair of the Honor Council.

B. Upon consideration of the stated interpretation from the Chair of the Constitution and Rules Committee and any other source necessary, the Chair of the Honor Council shall provide a written directive within thirty (30) days. This directive shall be a final determination.

ARTICLE FIVE: EXECUTIVE COUNCIL - OFFICERS AND RESPONSIBILITIES

Section One: The Executive Council will be comprised of the President, Vice President, Treasurer, and Secretary, 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, and one representative from each section of the first-year (1L) class. 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: The executive and administrative powers and responsibilities of the Student Bar Association shall be vested in the Executive Council.

Section Three: Who May Vote
A. President, Vice-President, Treasurer, and Secretary: All students enrolled at the time of the election may vote for President, Vice-President, Treasurer, and Secretary.

B. Transfer Representative and L.L.M. Representative: All students enrolled at the time of the election may vote for Transfer Representative and L.L.M. Representative.

C. 3L Representatives: All students who are in their second year and are enrolled at the time of the Spring Election may vote for 3L Representatives.

D. 2L Representative: All students who are in their first year and are enrolled at the time of the Spring Election may vote for the 2L Representatives.
E. **1L Representatives:** All students who are in their first year and are enrolled at the time of the Fall Election may vote for 1L Representatives. Students may only vote for the Representative from their Section.

Section Four: President

A. **Who may serve:** Only rising 3L students enrolled with full time status at the University of Cincinnati may serve as President.

B. **Duties:**
   a. The President will further the purposes of the Student Bar Association, specifically through duties including:
      i. serving as the official representative of the SBA to the faculty, administration, and community outside the College of Law;
      ii. meeting with faculty and administrators periodically to discuss student needs and concerns;
      iii. ensuring that all events are planned and executed successfully;
      iv. planning the agendas for and presiding over General and Executive Council meetings;
      v. handling the student body’s questions and complaints;
      vi. keeping the Executive Council and student body informed of all pertinent SBA matters; and
      vii. 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.
   b. The President may delegate responsibilities as necessary to promote the efficient functioning of the SBA.
   c. 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.
   d. The President will vote in the General Council only when necessary to break a tie.

Section Five: Vice President

A. **Who may serve:** Only current students enrolled with full time status at the University of Cincinnati may serve as Vice President.

B. **Duties:**
   a. The Vice President will further the purposes of the Student Bar Association, specifically through duties including:
      i. acting as Chair of the Constitution and Rules Committee;
      ii. serving as the liaison between the Chair of all committees and the General Council;
      iii. performing the duties of the President if the President is unable to do so; and
      iv. presiding over any impeachment proceedings against the President.
   b. The Vice President may vote in the General Council.
      i. Exception: When presiding over the meeting, the Vice President will vote in the General Council only when necessary to break a tie.

Section Six: Treasurer

A. **Who may serve:** Only current students enrolled with full time status at the University of Cincinnati may serve as Treasurer.

B. **Duties:**
   a. The Treasurer will further the purposes of the Student Bar Association, specifically through duties including:
      i. keeping detailed electronic records on all SBA funds;
ii. appointing a law school student to represent the College of Law on the Student Advisory Committee on the University Budget (SACUB)

iii. processing all valid reimbursements and completing the accompanying paperwork;

iv. making periodic reports to the General Council as to the state of the Contingency Fund;

v. advising the President and other members of the General Council regarding budget issues; and

vi. performing the duties of the President if both the President and Vice President are unable to do so.

b. The Treasurer may vote in the General Council.

i. Exceptions:
   1. When presiding over the meeting, the Treasurer will vote in the General Council only when necessary to break a tie.
   2. To avoid potential conflicts of interest, the Treasurer must abstain from a vote to approve a proposed SBA budget or to approve a proposed Contingency Fund request.

Section Seven: Secretary

A. Who may serve: Only current students enrolled with full time status at the University of Cincinnati may serve as Secretary.

B. Duties:
   a. The Secretary will further the purposes of the Student Bar Association, specifically through duties including:
      i. taking attendance and recording minutes at all meeting of the General Council and Executive Council;
      ii. keeping organized records of attendance and minutes taken during the Secretary’s term;
      iii. gathering and making available to all Executive Council members a comprehensive database of previous years completed planning forms;
      iv. maintaining the SBA calendar; and
      v. performing the duties of the President if the President, Vice President, and Treasurer are unable to do so.

b. The Secretary may vote in the General Council.

i. Exception:
   1. When presiding over the meeting, the Secretary will vote in the General Council only when necessary to break a tie.

Section Eight: 3L Representatives

A. Who may serve: Only current students who are in their second year and are enrolled with full time status at the University of Cincinnati at the time of the Spring Election may serve as 3L Representatives. There will be three (3) 3L Representatives unless less than three (3) eligible candidates run. The President may appoint no more than two (2) 3L Representatives. If the President appoints any 3L Representatives, he or she is not required to fill all three (3) positions.

B. Duties:
   a. The 3L Representatives will further the purposes of the Student Bar Association, specifically through duties including:
      i. representing the interest of the class from which they are elected;
      ii. informing their class of the proceedings of the Executive Council and General Council when necessary; and
iii. 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.

b. The 3L Representatives shall serve as Co-Chairs of the Hooding Committee and shall be responsible for collaborating with the administration and the 3L’s to facilitate the planning and execution of the Hooding Auction and the Hooding Ceremony.

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

Section Nine: 2L Representatives

A. Who may serve: Only current students who are in their first year and are enrolled with full time status at the University of Cincinnati at the time of the Spring Election may serve as 2L Representatives. There will be three (3) 2L Representatives unless less than three (3) eligible candidates run. The President may appoint no more than two (2) 2L Representatives. If the President appoints any 2L Representatives, he or she is not required to fill all three (3) positions.

B. Duties:

a. The 2L Representatives will further the purposes of the Student Bar Association, specifically through duties including:
   i. representing the interest of the class from which they are elected;
   ii. informing their class of the proceedings of the Executive Council and General Council when necessary; and
   iii. 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.

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

Section Ten: 1L Representatives

A. Who may serve: Only current students who are in their first year and are enrolled with full time status at the University of Cincinnati at the time of the Fall Election may serve as 1L Representatives. Only one (1) 1L Representative from each Section may be elected. A student may only run for the Representative position for his or her assigned Section. The President may appoint one (1) 1L Representative from any section from which no 1L Representative is elected in the Fall Election.

B. Duties:

a. The 1L Representatives will further the purposes of the Student Bar Association, specifically through duties including:
   i. representing the interest of the class and Section from which they are elected;
   ii. informing their class and Section of the proceedings of the Executive Council and General Council when necessary;
   iii. communicating with their class and Section 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
   iv. Serving on at least one of the Standing Committees, including the Constitution and Rules Committee, the Hooding Committee, and the Barristers’ Charity Ball Committee.

b. The 1L Representatives may vote in the General Council to represent the interests of their class.
Section Eleven: 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. Only one (1) Transfer Representative may be elected. If no eligible student runs, the President may appoint a Transfer Representative.

B. Duties:
a. The Transfer Representative will further the purposes of the Student Bar Association, specifically through duties including:
   i. representing the interest of the class and Section from which they are elected;
   ii. informing the students who have transferred into the College of Law of the proceedings of the Executive Council and General Council when necessary;
   iii. 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
   iv. serving on at least one of the Standing Committees, including the Constitution and Rules Committee, the Hooding Committee, and the Barristers’ Charity Ball Committee.

b. 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 Twelve: 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 at the University of Cincinnati may serve as the L.L.M. Representative. Only one (1) L.L.M. Representative may be elected. If no eligible student runs, the President may appoint an L.L.M. Representative.

B. Duties:
a. The L.L.M. Representative will further the purposes of the Student Bar Association, specifically through duties including:
   i. representing the interest of the students pursuing an L.L.M;
   ii. informing the students pursuing an L.L.M of the proceedings of the Executive Council and General Council when necessary;
   iii. 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
   iv. serving on at least one of the Standing Committees, including the Constitution and Rules Committee, the Hooding Committee, and the Barristers’ Charity Ball Committee.

b. The L.L.M. Representative may vote in the General Council to represent the interests of the students who have transferred into the College of Law.

Section Thirteen: Chairs of Committees
A. Who may serve: Only current students enrolled with full time status at the University of Cincinnati may serve as an appointed Chair of any committee.

B. Duties:
a. The Chair of any committee will further the purposes of the Student Bar Association, specifically through duties including:
   i. representing the interests of the committee at all Executive Council and General Council proceedings;
   ii. communicating the events of all committee meetings to the Vice-President; and
   iii. informing the student body of the proceedings of the committee when necessary.
b. The Chair of any committee shall not be considered a voting member of any Council.
   i. Exception: the Chair of the Constitution and Rules Committee will be permitted to vote as Vice-President.

**ARTICLE SIX: ELECTIONS**

**Section One: Timing and Procedures**

A. There will be a Fall Election and a Spring Election each academic school year. The Fall Election will be completed no later than the last Friday of September. The Spring Election will be completed no later than the last Friday of March.

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 fourteen (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.

   a. For offices where only one candidate may win, the runoff should be between the two candidates receiving the most votes in the first round of voting.

   b. For offices where 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 shall appoint an Election Commissioner.

B. The Election Commissioner shall be a current 2L.

C. The Election Commissioner shall not be any person who is presently serving, previously served, or seeking to serve on the Executive Council.

D. 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: MEETINGS

Section One: The Executive Council

A. 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 once a month.

B. The Executive Council does not require any quorum in order to meet.

C. The Executive Council Meetings shall be closed meetings. The President shall have the discretion to make exceptions as he or she sees fits.

Section Two: The General Council

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

a. 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.

B. A quorum is required before any meeting may proceed. A quorum is achieved when greater than 1/2 of the total voting members are present at the General Council Meeting.

C. All General Council Meetings will be governed by Roberts Rules of Order.

D. Meeting Attendance:

a. Each chartered student organization shall send a representative to each meeting of the General Council. The same student is not required to represent the organization throughout the entire year so long as the organization has one (1) member present at each meeting.

b. No student shall represent more than one (1) student organization at any meeting.

c. If a chartered student organization is absent at more than one (1) General Council meeting, that organization shall be penalized.

i. After the second absence, the organization will suffer a 10% reduction of the organization’s budget as of the meeting missed.

ii. After the third absence, the organization will suffer a 25% reduction of the organization’s budget as of the meeting missed. After this penalty, the organization may not request any funds from the Contingency Fund for the remainder of the semester.

iii. The fourth absence will result in the organization’s loss of its charter in the Student Body Association.

iv. All money collected from penalties or from the loss of a charter shall revert to the Contingency Fund.

E. 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.

ARTICLE EIGHT: REMOVAL

Section One: Initiating Proceedings

A. Impeachment proceedings against any elected Officer or Representative listed in Article Five 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 Five 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 Five 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 or abused the duties assigned in the SBA Constitution or SBA By-Laws, especially if the failure or abuse 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 student body. The hearing will take place between five (5) and twenty-one (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 refuses or makes attendance unreasonable.

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.

C. 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 on or before the fifteenth day of October, 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 after the fifteenth day of October, the President will appoint a replacement to fill the vacant office.

C. A post-removal election should follow the procedures established in Article Six as much as is reasonably possible. The Election Commissioner shall have the discretion to adapt the election as he or she sees necessary.

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 Council 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.

ARTICLE NINE: AMENDMENTS

Section One: Proposed Amendments to Constitution

A. Who may propose: Any individual member, chartered student organization, or Executive Council member may propose amendments to the Constitution at any time by emailing the proposal to the current Vice President.

B. Public Comment: The Vice President shall present the proposed amendment to the Constitution to the student body via email for the purpose of public comment. All comments shall be emailed to the current Vice President. Comments may include substantive changes, concerns, and/or general thoughts.

C. Required Time for Public Comment: The Vice President shall present the proposed amendment to the Constitution and accept comments for at least seven (7) days before
conducting a vote. The Vice President shall present all comments to the individual member, chartered student organization, or Executive Council member that proposed the amendment at least three (3) days prior to conducting a vote.

Section Two: Required Vote for Proposed Amendments to Constitution
A. Presentation of Proposed Amendment: The Vice President shall present the proposed amendments to the Constitution at a General Council meeting. The Vice President shall present a summary of all comments received and open the meeting up for further comment and discussion. A vote must be conducted as soon as reasonably possible and within forty-five (45) days of the presentation of the proposed amendment to the student body.

B. Voting Process: Amendments to this Constitution shall require a two-thirds (2/3) majority of the General Council. The Secretary shall conduct a role call where each voting member will voice his or her vote individually. Each proposed amendment must be voted on separately. Upon an unopposed motion and second, amendments may be combined as the General Council sees fit.

Section Three: Amendments to Governing By-Laws
A. Who may propose: Any individual member, chartered student organization, or Executive Council member may propose amendments to the SBA By-Laws at any time by emailing the proposal to the current Vice President.

B. Public Comment: The Vice President shall present the proposed amendment to the By-Laws to the student body via email for the purpose of public comment. All comments shall be emailed to the current Vice President. Comments may include substantive changes, concerns, and/or general thoughts.

C. Required Time for Public Comment: The Vice President shall present the proposed amendment to the By-Laws and accept comments for at least seven (7) days before conducting a vote. The Vice President shall present all comments to the individual member, chartered student organization, or Executive Council member that proposed the amendment prior to conducting a vote.

D. Consideration: The Executive Council shall consider all comments regarding the proposed amendments and take reasonable action to accommodate all concerns.

E. Required Vote: Amendments to the SBA By-Laws shall require a two-thirds (2/3) majority of the Executive Council. The Secretary shall conduct a role call where each voting member will voice his or her vote individually. Each proposed amendment must be voted on separately. Upon an unopposed motion and second, amendments may be combined as the Executive Council sees fit.