



STUDENT BAR ASSOCIATION CONSTITUTION

Last Amended: 3 March 2020

PREAMBLE

We the students of Seattle University School of Law, in order to represent student interests, needs, and welfare within the School of Law community, do affirm and establish this Constitution.

ARTICLE I

NAME

Section 1. The name of this organization shall be the "Student Bar Association of the Seattle University School of Law," hereinafter referred to as the "SBA."

ARTICLE II

AUTHORITIES & POWERS

Section 1. The SBA is established under the authority of the School of Law Administration and the exercise of its functions shall be subject to such conditions and limitations as the Administration may prescribe.

Section 2. Authorities and powers of the SBA shall be exercised by the SBA Governing Council or by delegation through its agents or agencies established under the Constitution and By-Laws, except that the SBA President, SBA Vice- President, and SBA Treasurer shall have such specific powers as are enumerated in this Constitution. Hereafter, the SBA Governing Council shall be designated as the "Council."

Section 3. The SBA shall derive its operating budget through a Student Activities Fee charged to each student on a semester basis. The Governing Council shall be the administrators of this fund. The Student Activities Fee shall automatically increase each year by the same percentage that tuition is increased. Any other proposed increase or decrease in the Activities Fee, before submission to a full SBA vote, must be approved by a two-thirds vote of the Governing Council. Such other proposed increases or decreases must be ratified by a majority vote of ballots cast on the proposed increase or decrease at any regular SBA election or special election called for that purpose.

ARTICLE III **MEMBERSHIP**

Section 1. All enrolled Seattle University School of Law students shall have full membership rights in the Student Bar Association.

ARTICLE IV **ANTI-DISCRIMINATION**

Section 1. Any student considered for a vacant seat within the SBA or any affiliate shall not be discriminated against on the basis of age, race, religion, gender, color, disability, sexual orientation, political beliefs, gender identity or expression, military or veteran status, parental or marital status, socio-economic status, nationality, or ethnic origin.

ARTICLE V **RECOGNIZED STUDENT ORGANIZATIONS**

Section 1. The Governing Council shall recognize student organizations, in accordance with the Bylaws.

ARTICLE VI **EXECUTIVE BRANCH**

Section 1. The Executive officers of the Student Bar Association shall be a President, a Vice-President, and a Treasurer, who shall be elected by a vote of the general membership of the students during the annual general election.

Section 2. The President shall be the executive head of government and all other council members shall be responsible to the President. The President shall have the following powers:

- (a) to call and preside over meetings of the Governing Council and the student forum;
- (b) to act as the primary representative of the student body;
- (c) to approve appointed members of standing committees, as specified in the SBA By-Laws;
- (d) to create ad-hoc committees subject to approval of the Governing Council;
- (e) to fill vacancies as provided in Section 6 of this Article; and
- (f) to sit as a voting member of the Governing Council.

The President shall be an ex-officio member of all student and faculty committees.

Section 3. The Vice-President shall be, in the absence of the President, the executive head of the government. The Vice-President shall have the following powers:

- (a) to formulate, with the aid of the Treasurer, a budget for student government which shall be submitted, along with any proposed change during the school year, to the Governing Council;
- (b) to oversee the activities of the Treasurer in receiving and dispersing funds;
- (c) to sit as a voting member of the Governing Council;
- (d) to hire and supervise all SBA employees and manage all SBA facilities; and
- (e) to sit as or appoint a sergeant-at-arms during all Governing Council meetings and student forums.

The Vice-President shall act as ex-officio member of student committees.

Section 4. The Treasurer shall be, in the absence of the President and Vice- President, the executive head of the government. The Treasurer shall have the following powers:

- (a) to receive revenues and expend student body funds as directed or permitted by the approved budget, maintain records of all receipts and expenditures, and prepare reports concerning student body finances at such time and in such manner, as may be directed by the Governing Council; and
- (b) to sit as a voting member of the Governing Council.

Section 5. Tuition Scholarships.

- (a) The President, Vice-President, Treasurer and Communications Director shall receive a tuition scholarship calculated using the number of minimum hours to be expended by each officer in the By-Laws multiplied by 30, the resulting sum to be multiplied by an hourly amount calculated by the preceding SBA Council by the last week in January.
- (b) Such final amounts for each officer are to be posted on the SBA Bulletin Board for a period of three weeks and printed in the Prolific Reporter.

Section 6. Vacancies.

- (a) Should the office of President become vacant, the Vice- President shall become President for the unexpired term.
- (b) Should the office of Vice-President become vacant, the President shall appoint a replacement with the two- thirds consent of the Governing Council.

- (c) Should vacancies exist simultaneously in the office of President and Vice- President, the Governing Council shall elect from its membership a President pro-tem and the Elections Director shall hold a special election to fill the office of the President and Vice-President.

ARTICLE VII

LEGISLATIVE BRANCH

Section 1. The legislative powers of the SBA shall be vested in the Governing Council.

Section 2. The Governing Council shall have the following powers and duties:

- (a) to establish policies for, and have supervision over all affairs, properties, and activities of the SBA as outlined in the Constitution, By-Laws, and SBA budgets;
- (b) to approve and publish an annual budget;
- (c) to adopt and amend the SBA budget and to authorize entry into contractual or financial relationships on behalf of the SBA;
- (d) to take necessary action to ensure elected or appointed officials represent the SBA and carry out the official policies that it has established; and
- (e) to draft, approve, publish, and amend Bylaws.

Section 3. The Governing Council shall consist of:

- (a) the President;
- (b) the Vice-President;
- (c) the Treasurer;
- (d) the Committee Chairs¹, as specified in the Bylaws, which shall include Representatives for Diversity and Public Interest; and
- (e) the representatives of student cohorts, as specified in the Bylaws.

Section 4. Committee Chairs shall be elected during the annual SBA general election.

Section 5. Vacancies.

- (a) Should a vacancy occur on the Council, the President will recommend to the Council three candidates, drawn from a pool of applicants, and the Council shall then choose from these candidates a replacement.
- (b) Should the President fail to act on the occurrence of a vacancy within three weeks, the Council may, with a two- thirds vote, confirm a nomination from the floor to fill a vacancy.

Section 6. The Governing Council shall meet at least twice monthly in a regular place to be announced. This section shall not apply during vacation and examination periods.

¹ Committee Chairs is referred to as “Representatives” in the Bylaws. They are interchangeable terms.

Section 7. A simple majority of the current membership of the Governing Council shall constitute a quorum for the transaction of business. The quorum shall include proxies as defined in the Bylaws.

Section 8. A special session of the Governing Council may be called by the President of the SBA of by one-third of the members of the Council, or at the direction of twenty-five percent of the members of the student body.

ARTICLE VIII **RECALL**

Section 1. Should the members of the SBA present to the Council petitions representing not less than one-third of the law student body, calling for the recall of any member of the Governing Council, a special election shall be held.

- (a) To be valid, two-thirds of the currently enrolled student body must participate in the recall vote. The outcome of recall elections will be determined by a simple majority of those voting.
- (b) The election shall be held within two weeks of the presentation of the petitions calling for the recall.

Section 2. In the case of first year representatives, a petition for recall must be submitted to the council by not less than one-third of the corresponding first year section.

ARTICLE IX **JUDICIAL BRANCH**

Section 1. The judicial power of the association shall be vested in the SBA Judicial Board, herein called the "Board."

Section 2. The Board shall consist of five students of the School of Law to be selected by the President and approved by two-thirds of the Governing Council. The Board shall serve continuously for the remainder of their respective tenure at the Seattle University School of Law.

Section 3. All vacant seats on the Judicial Board which are open to application shall be published and made available for viewing by the entirety of the student body, which shall be done within one week of the seat becoming vacant. The vacant seat shall remain open for a minimum of one week.

Section 4. Jurisdiction.

The Judicial Board shall have the power to:

- (a) decide all cases and controversies arising under the Constitution;
- (b) decide all cases and controversies arising under the Bylaws; and

(c) decide any candidate-initiated challenges to elections, referendums, and initiatives.

Section 5. Board members may not be members of the Governing Council.

Section 6. No Judicial Board decision will be considered final until a simple majority of the Board has decided the issue.

Section 7. The Board members shall annually elect one of the members to serve as the Chair of the Judicial Board for the entirety of that academic year.

Section 8. The Judicial Board Chair shall be responsible for:

- (a) calling and presiding over the Judicial Board decision-making process; and
- (b) keeping records and providing notice to the involved parties, and to the Governing Council.

ARTICLE X **BUDGET**

Section 1. The annual SBA Budget shall be recommended to the SBA Governing Council by the Vice-President pursuant to the Bylaws, for final action by the Governing Council.

ARTICLE XI **ELECTIONS**

Section 1. The following Student Bar Association offices shall be elective positions:

- (a) the President;
- (b) the Vice-President;
- (c) the Treasurer;
- (d) the Committee Chairs, as specified in the Bylaws; and
- (e) the first-year representatives, as specified in the Bylaws.

Section 2. The procedures for election shall be determined and published by the Elections Committee.² Election procedures shall be approved by the Governing Council.

Section 3. General elections shall be held during the month of February.

Section 4. Elections for first year representatives and alternatives shall be held no earlier than September 1 and no later than September 30.³

² This refers to the election committee of the Judicial Board

³ This was amended at the general election in February 2018. The change is also reflected in the Bylaws. This allows the general council more flexibility of calling for the First-Year Representative Elections so they can participate in planning the SBA budget due at the end of October.

Section 5. Election guidelines shall have the force of Bylaws.

ARTICLE XII **REFERENDUM & INITIATIVE**

Section 1 – Referendum.

The Governing Council may fashion and submit to the student body any measure of final action which it determines to be of overriding student interest.

Section 2 – Initiative.

Upon petition of 15% of the student body, and a finding by the Judicial Board that the SBA is empowered to act, such initiative shall be submitted for the approval of a student majority.

Section 3. Referendums and initiatives are subject to the Bylaws of the Budget and Elections Committee.

ARTICLE XIII **TERMS OF OFFICE⁴**

Section 1. The President, Vice-President, Treasurer, and the elected Representatives comprising the Governing Council term shall run from April 1 until March 31.

Section 2. First year representatives shall serve from October 1 until September 30, unless they are elected to an office in the spring general election. Should this occur, the President may fill the vacancy per Article V, Section 5 of the Constitution.

ARTICLE XIV **PARLIAMENTARY AUTHORITY**

Section 1. For procedure not covered in the Constitution or By-Laws of this organization the Governing Council shall adopt the use of a recognized competent parliamentary authority.

⁴ Amended per Article XIII during the general election of February 2018. The changes reflect actual terms of the Council being April 1- March 31. Former language was ambiguous and implied that a new Council could not take control until all positions were filled. Historically, some positions did not have candidates during the February election. This would result in the new Council following the procedures in Article V, Section 5.

ARTICLE XV
AMENDMENT

Section 1. Proposed amendments and revisions shall be presented to the members of the SBA for approval upon the request of at least two-thirds of the Governing Council or upon petition of at least twenty-five percent of the members.

Section 2. In order for this Constitution to be amended or revised at least one- third of the law student body must vote on the proposed modifications.

Section 3. This Constitution may be amended or revised by a majority vote of ballots cast on the proposed modification at any regular SBA election or special election called for that purpose.

ARTICLE XVI
CONTINUITY OF GOVERNING
COUNCIL DECISIONS

Section 1. All SBA Governing Council decisions shall continue in effect until rescinded by the Council.