The Constitution of the DePaul University College of Law Student Bar Association

Preamble –

We, the students of DePaul University College of Law, in order to enhance the value of student degrees, increase University presence within the Greater Chicago community, develop professional skills and contacts, and promote the interests of the Student Body at large, do ordain and establish this Constitution for the Student Bar Association of DePaul University College of Law.

Article I. The Board

Section 1. Constitutional Charge of Responsibility

A. The Board has all authority, powers and duties granted to it by this Constitution of the Student Bar Association.

B. The Board shall abide by all bylaws as established and approved by the Student Bar Association.

Section 2. Board Membership

A. Executive Committee– The Executive Committee shall consist of the following:

   i. President
   ii. Vice President
   iii. Secretary
   iv. Treasurer
v. Faculty and Curriculum Chair  
vi. Deans Advisory Council Chair  
vii. Social Chair  

B. General Board – The General Board shall consist of the following:  

i. 4L Part time Deans Advisory Council Representative  
ii. 3L Full time Deans Advisory Council Representative  
iii. 3L Part time Deans Advisory Council Representative  
iv. 2L Full time Deans Advisory Council Representative  
v. 2L Part time Deans Advisory Council Representative  
vi. One (1) Deans Advisory Council Representative from each 1L section, as defined by the College of Law  
vii. Mentor Chair  
viii. Community Service Representative  
ix. Bar Association Representative  
x. Diversity Representative  
xi. Career Services Representative  
xii. VITA (Volunteer Income Tax Assistance) Director  

Section 3. Meetings  

A. The Board shall conduct open meetings bi-weekly during the academic year (excluding the final examination period).  

B. A quorum of fifty per cent (50%) plus one (1) of the Members of the Board shall be required to conduct voting business at any meeting.  

C. All Board meetings shall conduct business through Roberts Rules of Order  

D. At first SBA meeting of the year, there will be a vote for the head of the Constitutional Committee.  

Section 4. Transaction of Business  

A. The Board shall conduct all voting business by a majority vote of the Members present and voting, except as otherwise provided herein.  

B. The Board shall conduct all business pursuant to an agenda posted no later than three (3) days prior to each meeting. Consideration of any voting matter not on the agenda shall be by approval of a majority of Members present and voting. Agenda items may be submitted by any Member to the President or to the Secretary no later than five (5) days prior to the scheduled meeting.  

C. The Board shall require proposed resolutions to be submitted in prescribed form prior to a meeting.
D. The Board may refer any resolution or by-law to the Members by means of referendum. The decision of the Members shall bind the full Board.

E. Requests for reimbursement for authorized expenses incurred by SBA Members shall be given to the Treasurer no later than one (1) month after the debt was incurred. Requisition for funds shall be given to the Treasurer at least two (2) weeks before the date when the money is required.

Section 5. General Board Member Duties

A. Each Board Member shall:
   i. Attend all SBA General Board Meetings;
   ii. Fulfill all duties as stated in the SBA Constitution and Bylaws;
   iii. Be a member of at least one standing committee;
   iv. Attend the regularly scheduled meetings for the committee to which he or she was elected or joined;

Section 6. Censure

A. A Member may be censured for acts or omissions harmful to the effective operation of the SBA when, in the sound judgment of the Board, those acts and omissions do not rise to the level of an impeachable offense.

B. A censure resolution may be presented by any Member of the Board. The resolution shall state the complained of offense with specificity.

C. A censure resolution shall be adopted by a simple majority vote of Members present and voting.

D. An adopted censure motion may be recognized anytime two-thirds of the Members present and voting vote to reconsider it.

Section 7. Substitute Chairmanship

If the President cannot hold his or her chair, the Vice President shall hold it. If neither the President nor the Vice President can hold the chair, then any Member of the Executive Committee may hold chair.

Section 8. Accessibility

Each Member of the SBA Board shall submit and thereby cause to be posted in a conspicuous manner such responsibilities as such Member undertakes in his or her position, as well as telephone and email contact information for publication to the Student Body.

Section 9. Committee Membership
Each Member of the SBA Board shall serve on at least one standing committee per year, and any ad hoc committee as might be required. All standing committees shall be specified in this Constitution and all ad hoc committees shall be designated by the President at the beginning of each new SBA term.

Section 10. Board History

SBA general board meeting minutes, DAC meeting minutes, and Constitutional Committee Notes shall be documented and preserved by SBA Executive Committee and made available to the student body.

Section 11. Impeachment

A. The Board shall have the sole power to impeach and try its Members.

B. A Member shall be subject to removal from office if the Member commits gross nonfeasance, misfeasance or malfeasance that impinges upon or harms the effective operation of the SBA. Such conduct shall include, but is not limited to, absence from an excessive number of Board or committee meetings, failure of a chair to call committee meetings, and failure to perform activities prescribed for the Member in the Constitution and by-laws.

C. Any Member may present a Bill of Impeachment to the Board. The Bill shall describe the complained of offense with specificity.

D. A Bill of Impeachment shall be passed by a simple majority of Members present and voting.

E. A copy of the passed Bill of Impeachment shall be served on the impeached Member by hand or by email to the impeached Member’s last known address. Such Bill shall also be made available to all voting Members. Such service shall be made at least seven (7) days before the trial.

F. The impeached Member shall have full access to all materials and documents necessary to prepare his or her defense. The trial of an impeached Member shall take place at the next regular meeting after the impeachment. The trial shall take priority over all other business of the Board. Neither the impeached Member, nor the Member who presented the Bill of Impeachment, shall hold his or her chair during the trial. Witnesses may be called by both the impeached Member and the Member who presented the Bill of Impeachment. All Members shall have the right to speak at least once on the matter and to address questions to the impeached Member and to the witnesses.

G. The impeached Member shall not vote on his or her conviction. The impeached Member shall be convicted upon a two-thirds majority vote of those present and
voting; so long as such majority is also a simple majority of all Members of the Board, not counting the impeached Member.

H. The penalty shall only be removal from office and barring the Member from holding any office for the remainder of the Board’s term.

I. Any Member dismissed or suspended by the university shall be automatically removed from the Board.

Article II. Executive Committee Officers

Section 1. The President

The President Shall:

A. Be a 3L or 4L graduating in May;

B. Act as the presiding officer of the Board;

C. Act as a voting Member and presiding officer of the SBA Executive Committee;

D. Coordinate the activities of the Board;

E. Be the primary liaison of the SBA to the faculty, the administration, the Board of Trustees and any other association or group within the school, except as otherwise provided in this Constitution;

F. Allocate duties and responsibilities to other Members of the Board beyond those provided in this Constitution;

J. Serve on the Budget Committee;

K. Have the discretion to appoint a Chief of Staff with confirmation of the Executive Committee;

L. Attend other conferences of the ABA Law Student Division at the expense of the SBA;

M. Have the primary power to interpret this Constitution and By-Laws of the SBA, subject to override by a two-thirds vote of the full SBA Board and publication to the full Student Body;

N. Act as the representative of the full SBA Board in all matters not otherwise detailed herein, except in such cases in which he or she designates a proxy from within the ranks of the Board;
O. Ensure a smooth and orderly transition for his or her successor.

**Section 2. The Vice President**

The Vice President Shall:

A. Be a currently enrolled student as determined by the College of Law requirements;

B. Act as a voting Member of the SBA Board;

C. Act as a voting member of the Executive Committee;

D. Serve on the Budget Committee;

E. Assist the President in the performance of his or her duties and serve in the capacity of the President in his or her absence;

E. Act as Election Commissioner and be responsible for orderly Student Bar Association student elections, unless he or she is running for any elected post in that election, in which case, the President shall appoint an Election Commissioner from the Board or from the Student Body at large;

F. Ensure a smooth and orderly transition for his or her successor.

**Section 3. The Secretary**

The Secretary shall:

A. Act as a voting Member of the SBA Board;

B. Act as a voting Member of the Executive Committee;

C. Take and record the minutes of each Board meeting;

D. Be responsible for the correspondence of the SBA;

E. Ensure a smooth and orderly transition for his or her successor.

**Section 4. The Treasurer**

The Treasurer shall:

A. Act as a voting Member of the SBA Board;

B. Act as a voting Member of the SBA Executive Committee;
C. Chair the Budget Committee;

D. Meet with the President and Vice President to determine organization allocation recommendations for presentation to and majority vote approval of the Budget Committee;

E. Maintain a budget based on revenues and expenditures of the SBA;

F. Publish budget to the student body;

G. Collect and deposit all revenues of the SBA;

H. Ensure a smooth and orderly transition for his or her successor.

Section 5. The Social Chair

The Social Chair shall:

A. Act as a voting Member of the SBA Board;

B. Act as a voting Member of the SBA Executive Committee;

C. Coordinate all social events of the SBA that do not fall within the duties designated to other SBA Board Member duties;

D. Coordinate with the treasurer to maintain a budget for all social events.

E. The Social Chair’s budget requests must abide by all provisions falling under Article IV, Section 1 of this Constitution.

F. The Social Chair shall plan events that foster community and promote diversity at the DePaul University College of Law.

G. Act as Chair of the Special Events Committee and ensure that such Committee meets at least one (1) time per month;

H. Ensure a smooth and orderly transition for his or her successor.

Section 6. The Faculty and Curriculum Representative

The Faculty and Curriculum Representative shall:

A. Act as a voting Member of the SBA Executive Committee;
B. Have the duty of evaluating present programs and suggest revisions to the law school curriculum;

C. Attend all general and ad hoc meetings of the faculty as a voting Member;

D. Be a Member and active participant in both the Faculty Recruitment Committee and the Curriculum Committee;

E. Act as Chair of the Student Representation Committee;

F. Ensure a smooth and orderly transition for his or her successor.

Section 7. Dean’s Advisory Council Chair

The Dean’s Advisory Council Chair shall:

A. Serve as a voting member of the SBA Executive Committee;

B. Act as the Chairperson of the Dean’s Advisory Council;

C. Coordinate all Dean’s Advisory Council meetings with the deans and all other representatives to the council;

D. Assemble an agenda prior to each of the Dean’s Advisory Council meetings, and publish to the SBA the minutes of the meetings after they are conducted;

E. Ensure a smooth and orderly transition for his or her successor.

Section 8. Chief of Staff

The Chief of Staff, if appointed, shall:

A. Be appointed by the President and confirmed by the elected members of the Executive Committee.

B. Assist the President with his or her goals and duties in an administrative capacity as needed.

Section 9. Qualifications

No student may serve on the SBA Executive Committee who also serves as the President, Vice President or Treasurer of another organization eligible to receive SBA funding, or who exerts comparable influence over such organization’s financial decisions and requests. All disputes over potential conflicts of interests will be settled by the Dean of Students.
Article III. Committees

Section 1. Committee

The Student Bar Association shall have the following standing committees:

A. Executive Committee
B. Budget Committee
C. Diversity Committee
D. Internal Affairs Committee
E. Special Events Committee
F. Community Service Committee
G. Deans Advisory Council
H. Constitutional Committee
I. Vita Committee

Section 2. General Duties of Committee Members

A. Each committee Member shall:
   i. Attend his or her regularly scheduled committee meetings;
   ii. Attend the regularly scheduled SBA meetings;
   iii. Perform the duties required by the committee upon which he or she serves;
   iv. Follow all duties as stated in the Bylaws.
B. The Chair of each committee shall:
   i. Act as a liaison between his or her committee and the Student Body;
   ii. Submit a written report to the President of the actions and activities of his or her committee within seven (7) days of each committee meeting;
   iii. Carry out those functions as designated by the President and this Constitution;
   iv. Follow all duties as stated in the Bylaws;
   v. Ensure a smooth and orderly transition to his or her successor.

Section 3. Committee Duties

All Committee duties and responsibilities are designated in the bylaws.

Article IV – Governance and Budget

Section 1. Budgets and Event Funding

A. Generally,
   i. The SBA shall not expend or otherwise allocate funds in any other manner than by the process provided for in this Constitution and Bylaws.
ii. The SBA can only fund registered student organizations complying with University and College of Law policies regarding funding of events and organizations.

iii. The SBA may only fund events which are open to the entire College of Law Student Body.

iv. Any funded organization may only expend its funds on the item or event for which such funds were allocated.

B. Semester Budgets.

i. The SBA shall consider budget requests by student organizations and components of the SBA which are submitted to the Treasurer of the SBA before the deadline set by the Treasurer.

ii. The SBA shall only allocate funds for student organizations for the current semester.

iii. Budget requests shall include detailed information of past activities of the organization as well as proposed activities of the organization.

C. Budget & Funding Allocation Approval Process.

i. Within five (5) days of receipt of initial designated requests, the Budget Committee chaired by the Treasurer shall create a budget with allocations to be proposed to the full Board. The budget committee shall incorporate feedback prior to approval.

ii. Any subsequent funding requests, exceeding $100, shall be proposed to the full Board. The budget committee shall incorporate feedback prior to approval.

iii. Such recommendation shall be based on applications submitted by student organizations and components of the SBA.

D. Publication.

i. Each semester, after the approval of the budget requests by the Budget Committee, the Treasurer of the SBA shall publish the budget decision for each organization to that organization’s treasurer and president within two days.

ii. Each semester, no later than thirty (30) days after the conclusion of the budget request process, the Budget Committee shall publish an Interim SBA Budget Report to the entire student body. This report shall provide, at minimum, a summary of student organization funding allocations as well as all SBA
expenses to-date for that semester. The Budget Committee has discretion to define the form of the Interim Budget Report.

iii. Each semester, no later than ten (10) days after the conclusion of the final exam period, the Budget Committee shall publish a Final SBA Budget Report to the entire student body. This report shall provide, at minimum, a summary of student organization funding allocations as well as all SBA expenses for that semester. The Budget Committee has discretion to define the form of the Final Budget Report.

E. Reconsideration.

i. The President shall select a place and date, which shall not be fewer than five (5) school days nor more than ten (10) school days after the publication of the budget, for a special meeting to consider requests for reconsideration that deviate from approved allocations.

ii. The Executive Committee shall hear all interested parties speak on the reconsideration requests and shall approve or deny such requests by a majority vote of those present.

Section 2.

The Student Bar Association shall distribute an up-to-date version of this Constitution to the entire student body within the first four weeks of each academic year.

Article V. Voting Rights

Each Member of the Board, except as enumerated in the Constitution, shall have one vote on all matters considered at meetings of the Board. There shall be no proxy voting.

Article VI. Elections

Section 1. Candidates

A. Qualifications

Except as otherwise provided herein, any Member of the Student Body may hold any position on the SBA Board.

B. Election Conduct
i. Each candidate for elected office shall submit a petition with student signatures in order to stand for election and have his or her name appear on the ballot. The number of signatures required shall depend upon the position sought.

   a. Candidates for the following offices must submit petitions consisting of 50 or more student signatures:

      President
      Vice President
      Treasurer
      Secretary
      Faculty and Curriculum Representative
      Social Chair

   b. Candidates for all other offices must submit petitions consisting of 25 or more student signatures

ii. The Election Committee will review all submitted petitions for candidacy.

iii. If a Candidate fails to meet the deadline for turning in a petition, he or she will be ineligible to be on the ballot.

iv. If a candidate submits an incomplete or irregular petition, he or she will be notified by the Election Committee and be given until the end of the next business day at 6:00p.m. to fix the problem.

v. If the candidate fails to meet the deadline for resubmission or submits a fraudulent petition by the new deadline of 6:00p.m. of the following business day, they will be ineligible to be on the ballot.

vi. SBA candidates shall not create “teams” or “slates” to run for the Board, nor conduct themselves in a way that may give others the impression that they are running with a partner or a team, with the exception of the President and Vice President. A Candidate’s merit should be evaluated by their peers or an individual. Candidates for President and Vice President may run in “teams” or “slates.”

vii. All perspective candidates must attend a meeting scheduled by the Election Committee in which all campaign rules are discussed. If the Candidate cannot attend one of the two meetings, they must schedule a separate meeting with the Election Committee. If the perspective Candidate fails to go to one of the scheduled meetings or meet with the Election Committee separately, they will be disqualified from being on the ballot but may still be eligible to run as a write-in Candidate.
viii. A candidate running for an elected position may not spend more than $100 to fund his or her campaign. If a question arises of whether a candidate has exceeded this amount, the Election Committee may request the candidate’s receipts.

Section 2. Campaign Infractions

A. If a Candidate or other student is concerned that the election rules are not being followed by a particular Candidate, the complaining party must address their concern first with the Election Committee. If the matter cannot be resolved, the complaining party and the Election Committee, together, will address the matter with the Dean of Students.

B. No libelous or slanderous statements will be allowed during the campaign. If the election committee is made aware of such statements, the election committee will ask the offending party to discontinue such conduct. Persistence in such statements may result in disqualification.

Section 3. The Election Committee

A. The Election Committee shall consist of the President and Vice President. Should anyone on the Election Committee be an active candidate for an elected position they are unable to serve as Election Commissioner, and the remaining eligible members of the Committee shall fill their empty seat with a 3L member of the SBA who is not running for office.

B. The Election Committee shall:

i. Post notices in conspicuous locations throughout the law school notifying students as to when petitions are available and to where they should be submitted.

ii. Select a day that campaigning will begin. No public campaigning will be allowed before that day.

iii. Prepare ballots listing the names of the eligible candidates and providing for write-in candidates for all positions.

iv. Verify through affidavit that all candidates for SBA Board election:

   a. Have no intention of graduating or transferring before the expiration of their respective terms of office.

   b. Will attend the regularly scheduled meetings of the SBA Board.
v. Promulgate rules concerning campaign practices subject to a majority vote by the Board.

vi. Post notices of the election in conspicuous locations throughout the school four (3) weeks prior to the holding of elections.

vii. Post notices of the campaign rules in conspicuous locations throughout the school three (3) weeks prior to the holding of the election.

viii. Ensure that elections are held at a special polling place and by secret ballot.

ix. Declare the results of the election. Those gaining a plurality-majority of votes at such elections shall be declared elected.

x. Post the results of the election in conspicuous locations throughout the law school.

Section 4. Ties

In the event of a tie, the Election Committee shall hold a run-off election to decide between the candidates involved in the tie. The candidate securing a majority of the votes of those voting shall be declared elected.

Section 5. Term

Newly-elected Board Members shall take office at the first full meeting of the Board following the publication of election results.

Section 6. Counting and Tallying Votes

A. Upon receiving the ballots, the Elections Committee and a supervising faculty member shall count the votes for each candidate in each position twice.

B. A tally of the votes received by each candidate will be kept for future review and will include:

   i. The name of each candidate in each position, including the names of write-in candidates; and

   ii. The number and percentage of votes each candidate received.

   iii. A tally is defined as the total number of ballots cast and total number of votes per candidate.

C. The names of those elected shall be published.
D. The vote tally shall be disclosed to individuals upon request.

E. Ballots shall be preserved the SBA Faculty Advisor until the following SBA election.

F. Any candidate receiving a vote may request a recount of the votes following the announcement of the winners. Upon such request the SBA Faculty Advisor will be provided with the ballots and the tally, and he or she shall define the method of recount. Only one (1) recount will be permitted per election cycle.

Section 7. Voting procedures

A. Voting shall take place, at minimum, between 12:00 p.m. to 1:00p.m. and from 5:00 p.m. to 6 p.m., Monday through Thursday during the week of elections.

B. Only votes cast in person shall be accepted.

C. At the end of each voting day the ballot box shall be returned to a faculty member who volunteers to secure the ballot box in their office.

D. A list of the students who cast votes shall be kept, and that list shall be compared to the number of ballots cast.

Article VII. Amendments

A. An amendment to this constitution may be proposed by any SBA board member official; or by a student with 50 students’ signatures in support.

B. Any proposed amendment must come with a statement containing:
   i. Advisory statement purpose behind the amendment
   ii. Current wording and proposed wording

C. Constitutional Committee will submit a statement consisting of the current constitutional wording and the proposed constitutional wording to the SBA board.

D. Proposed amendments shall be available to the student body for, at least, two weeks prior to the Board vote.

E. This Constitution may be amended in whole or in part by a two-thirds majority vote of the full Board so long as quorum is met.

F. Such amendment shall not be voted upon until the full Board meeting following its proposal.
Amendment History

1. This Constitution was amended by the General Board on:
   a. March 21st, 2013