

CONSTITUTION

SUFFOLK UNIVERSITY LAW SCHOOL

STUDENT BAR ASSOCIATION

Preamble

We, the students of Suffolk University Law School, in order to support and encourage academic excellence and professional development; to preserve the right of students to acquire a quality legal education in a just and reasonable environment; to provide a means of communication between students and the Law School; and to maintain liaison with alumni, do hereby establish this Constitution for the Student Bar Association of Suffolk University Law School.

Article I. Definition

The Student Bar Association (SBA) is the representative body of the students. Any student enrolled in Suffolk University Law School (SULS) is eligible to be a member of the Association upon payment of annual dues. The Board of Governors of the SBA shall determine the amount of the assessment from time to time.

Article II. Purpose

The purpose of the SBA is to act in the interests and for the benefit of its members, the student body. The SBA sponsors programs and activities of academic, professional, and social nature. The SBA is the representative of the student body with respect to the Law School administration as well as to organizations outside SULS.

Article III. Board of Governors

1. Membership

A. Board of Governors (B.O.G.), composed of the following, shall govern the SBA:

a. Class Representatives. There shall be five representatives from the first year day division class, four representatives from the second year day division class, one representative from the third year day division class, three representatives from the first year evening division class, three representatives from the second year evening division class, two representatives from the third year evening division class, and one representative from the fourth year evening division class.

If a class is divided into sections, one representative shall be elected from each section by members of that section for an annual term beginning October 1, and the remaining representatives shall be elected by the students in their same division year for an annual term beginning January 1. If a class is not divided into sections, all class representatives shall be elected by the students in their same division year.

(i) Each class representative shall have the further duty of serving on at least one Standing Committee, as appointed by the President and Vice President with the advice and consent of the Board.

(ii) One of the representatives from the second year of the Day division shall be a vice-chair of the Orientation Committee.

(iii) One of the representatives from the second or third year of the Evening Division shall be a vice-chair of the Orientation Committee.

(iv) The committee vice chairs in sections (ii) and (iii) above shall be chosen by a majority vote of the Board.

b. President of the Suffolk Chapter of the American Bar Association, Law School Division. This individual shall be an ex officio voting member.

c. The President and Vice President shall also be voting members.

2. Powers and Duties

a. The B.O.G. shall have the power to formulate policies of the SBA and to supervise its activities. It shall have all powers necessary and proper to achieve the purposes of the organization, unless explicitly limited in this Constitution or its Bylaws.

b. The B.O.G. shall have the power to approve any appointments made by the President and Vice President to the Executive Committee, to standing committees, to ad hoc committees, and to the remaining terms of vacant offices. Approval of all such appointments shall be by a simple majority vote.

c. The B.O.G. shall have the exclusive power to decide the allocation of SBA funds.

d. The B.O.G. shall elect the Chief Justice by a simple majority vote.

Article IV. Executive Committee

1. Definition

The executive and administrative functions of the SBA shall be carried out by the Executive Committee, in accordance with the policies of the Board of Governors and subject to the powers of the B.O.G. as enumerated herein.

2. Officers

a. The officers of the Executive Committee shall be the President and the Vice President, who shall be elected by the student body as a whole and serve annual terms beginning January 1 of each year. Of the two officers, one shall be a member of the day division and the other of the evening division, and both shall have completed their first year of law school in good standing. Both must be able to serve for their entire term.

b. The officers shall not be elected individually, but shall be elected in slates consisting of a candidate for each office.

3. Appointed Members

The following members shall be appointed by agreement of the President and Vice President, with the advice and consent of the Board of Governors. In making their appointments, the President and Vice President shall consider both day and evening division students in good academic standing. The terms of the members of the Executive Committee shall coincide with that of the SBA President and Vice-President. Members are eligible for reappointment or re-election.

a. Treasurer

- b. Secretary
 - c. Director of Academic Affairs
 - d. Director of External Affairs
 - e. Director of Student Affairs
 - e. Director of Alumni Affairs
 - f. Director of Technology
 - g. Liaison to the Massachusetts Bar Association
 - h. Liaison to the Boston Bar Association
4. Other Members

The following shall also be voting members:

- a. The President of the Suffolk Chapter of the American Bar Association/Law Student Division (ABA/LSD), as nominated by the SBA President and confirmed by the B.O.G.
- b. A representative of the Council of Presidents, chosen by the Council of Presidents.
- c. Chair of the Graduation Committee. The Chair of the Graduation Committee shall be the previous SBA President should he/she be graduating in the Spring. If this person is not eligible or unwilling to serve in this capacity, the previous SBA Vice-President shall serve. Where either the previous President or Vice-President is unwilling or unable to serve, the sitting President, with agreement of the Vice President, may appoint a third-year day or fourth year evening student to the position.

5. Duties and functions

- a. President. The President is the Chief Executive Officer of the SBA and is responsible for faithfully executing the will of the B.O.G. The President shall have all powers necessary and proper to carry out the policies formulated by the B.O.G., and to carry out his or her own policy, subject to the limitations of this Constitution, its Bylaws, and decisions of the B.O.G. The President is the ex officio chair of the Executive Committee, ex officio chair of the Council of Presidents, and ex officio member of all standing and ad hoc committees. The President is an official spokesperson of the SBA. The President shall convoke all meetings of the B.O.G. The President shall, by agreement with the Vice President, submit appointments to the B.O.G. for positions on the Executive Committee. The President may establish ad hoc committees from time to time as he or she may deem necessary and proper, and may request that Board members serve on such committees. The SBA President also serves as a voting member of the Law Student Division Assembly of the American Bar Association.
- b. Vice President. The Vice President shares the responsibility with the President for the faithful execution of the will of the B.O.G. The Vice President shall perform all duties necessary to assist the President, and shall fulfill the duties of the President in the event of the President's absence, incapacity, or death. The Vice President is an official spokesperson of the SBA. The Vice President shall, by agreement with the President, submit appointments to the B.O.G. for positions on the Executive Committee. The Vice President shall Chair the Orientation Committee.
- c. Treasurer. The Treasurer shall be responsible for managing the financial affairs of the SBA. He or she shall maintain appropriate financial records in a professional manner, provide regular statements of financial condition to the Board, and ensure that funds are spent in a manner consistent with the budget adopted by the B.O.G. The Treasurer may implement such procedures as he or she may deem necessary to

ensure that funds are managed in accordance with generally accepted accounting procedures. The Treasurer shall perform such other duties as may be requested from time to time by the Board or by the President, and shall perform all duties necessary to assist the President and Vice President. The Treasurer shall annually have a financial review of the SBA finances performed by an independent third party certified public accountant, and shall report to the B.O.G. the results of the audit in a timely fashion.

d. Director of Student Affairs. The director shall be responsible for representing the interests of the student body in regard to all aspects of SULT that impact the quality of student life. This responsibility may include, but is not limited to, working closely with the appropriate or corresponding administrators or staff members and conducting student surveys to gain insight as to the needs and desires of the student body. The director may create subcommittees as they see fit from time to time with the approval of the SBA President.

e. Director of Academic Affairs. The director shall be responsible for zealously representing the interests of the student body with respect to all academic aspects of SULT. The director's responsibilities may include, but are not limited to, maintaining a close relationship with the appropriate or corresponding members of the law school administration or staff and conducting surveys to gain insight as to the academic needs and desires of the SULT student body with regards to course offerings. The director may create sub-committees as they see fit from time to time with the approval of the SBA President.

f. Director of External Affairs. The Director shall maintain liaison with the school newspaper, university public relations office, local, state, and national media, and other appropriate public relations medium. The Director shall promote the goodwill of the school and the SBA. The purpose of the liaisons is to promote the best interests of the student body and to represent the student body to those organizations. The Director shall perform such other duties as may be requested from time to time by the Board or by the President, and shall perform all duties necessary to assist the President and Vice President. The Director shall advise the President in a timely manner of all public relations activities, and shall be an advisor the President in all matters related to the duties of the Director. The Director may establish such subcommittees as he or she shall deem appropriate to carry out these duties efficiently and effectively.

g. Director of Technology. The Director shall be responsible for working closely with the computer services staff at the law school to develop and maintain the most effective and user friendly information technology systems at SULT.

h. Secretary. The Secretary shall be official recording officer and custodian of records of the SBA. He or she shall record attendance at all meetings, take minutes of said meetings, maintain a list of B.O.G. and Executive Committee members, and keep all SBA correspondence. The Secretary shall perform such other duties as may be requested from time to time by the Board or by the President, and shall perform all duties necessary to assist the President and Vice President. The Secretary shall be responsible for managing all elections to B.O.G. positions, and to that end may establish such subcommittees as he or she shall deem appropriate to carry out these duties efficiently and effectively.

i. Chief Justice. The Chief Justice shall advise the B.O.G. and the Executive Committee on constitutional issues, matters of parliamentary procedure, and other issues of legal interpretation. In addition, the Chief Justice shall chair the Grievance Committee. In that capacity, the Chief Justice shall consider all appropriate grievances submitted to the B.O.G. or the Executive Committee from within those bodies or from the student body, and shall make a recommendation to the B.O.G. as to their disposition in a timely manner but in no event later than the next regularly scheduled meeting of the B.O.G.

j. President of the ABA/LSD Chapter. The ABA/LSD president shall be an ex officio member of the Executive Committee, and shall be responsible for administering the various competitions sponsored by the national ABA. He or she may establish such subcommittees as he or she shall deem appropriate to carry out these duties efficiently and effectively.

k. Director of Alumni Affairs: The Director shall maintain a relationship with Suffolk alumni and alumnae, with appropriate Bar organizations, and with other entities as the Director, the President, the Vice

President, or the B.O.G. may deem appropriate. The Director shall work with the Director of External Affairs to promote the goodwill of the School and the SBA to alumni. The Director may represent the President, Vice President, and B.O.G. at official alumni events at the discretion of the President. The purpose of the liaisons is to promote the best interests of the student body and to represent the student body to those organizations. The Director shall perform such other duties as may be requested from time to time by the Board or by the President, and shall perform all duties necessary to assist the President and Vice President. The Director may establish such subcommittees, as he or she shall deem appropriate, to carry out these duties efficiently and effectively.

l. Liaisons to the Massachusetts Bar Association and Boston Bar Association: These liaisons shall apprise the Board of Governors and/or student body where appropriate, of upcoming events, opportunities, and law student membership information for these organizations.

m. Chair of the Graduation Committee: The Chair of this Committee shall budget and plan events for graduating law students. The Chair shall arrange for a vote of the graduating law students for their choice of a student commencement speaker. The Chair may establish such subcommittees, as he or she shall deem appropriate, to carry out these duties efficiently and effectively.

6. Co- Directors.

There shall be Co-Directors of Student Affairs, Academic Affairs, and Alumni Affairs. One director must be a member of the day division and the other a member of the evening division.

Article V. Budget Procedures

1. Fiscal Year

The budget year of the SBA shall run from October 1 through September 30.

2. Budget Process

a. Hearings. The B.O.G. shall hold hearings to evaluate budget requests, and shall approve an operating budget no later than September 30 of each year.

b. Voting. The annual budget and any supplementary expenditures shall be approved by a two-thirds majority.

c. Approved expenses. No organization or committee shall spend funds in excess of its total budgetary allotment without the approval of the B.O.G. as defined herein. The annual budget shall establish expenses that do not exceed the total of anticipated revenues plus one-half of any surplus carried forward from the prior year. The other half of any surplus carried forward from the previous fiscal year shall be appropriated in a manner decided upon by the B.O.G.

d. The B.O.G. shall approve funds to enable the Treasurer to have an independent third-party financial review of the SBA finances performed by a certified public accountant on an annual basis.

3. Budget Requests

a. The President and Vice President shall submit to the B.O.G. requests for budgets for each of the Executive Committee activities.

b. Any organization that wishes to be recognized and funded by the SBA must submit a budget request to the B.O.G. in such form and under such procedures as the B.O.G. shall from time to time establish.

c. Any student organization that wishes to receive further funding from the SBA must demonstrate the following standard practices:

- (1) That minute transcripts of each and every official organizational meetings be promulgated to its members.
 - (2) That the first official organizational meeting at the beginning of every academic school year be held no earlier than five o'clock post meridiem (P.M.), thereafter all organizations should schedule meetings according to its members' interest.
 - (3) It is understood that event(s) planning is/are within each organization's discretion, but a reasonable attentiveness to include the whole student body, which also consists of the Evening Division, be displayed within the course of each academic school year.
- d. The B.O.G. reserves the right to review organizations' practices after approval of each school year's annual operating budget and will take any measures appropriate the ensuing academic year to facilitate fair standard practices.
4. Accounting
- a. The Treasurer shall maintain the SBA's financial records, and provide financial reports to the B.O.G.,
 - b. The Treasurer shall not disburse funds where such disbursement will exceed the budgetary allotment, as amended by the B.O.G., of the affected organization or committee. The Treasurer shall not pay or reimburse for Massachusetts State Sales Tax in cases where it should not be assessed because of Suffolk University's tax status.
 - c. The accounts shall be submitted to an annual review by a certified public accountant. The accountant may not be a SULLS student or Suffolk University employee.
 - d. The Board of Governors and SBA Treasurer are required to keep a minimum of five percent of the total annual fee revenues in a contingency line item at all times. Funds from the contingency line may only be budgeted or spent when approved by a unanimous vote of the entire sitting membership of the Board of Governors at a regularly scheduled meeting, or a special meeting as called by the President upon extenuating circumstances. Allocations, if any, made to the SBA Scholarship Endowment Fund held at the University's Development Office are exempted from this rule at the close of the fiscal year.

Article VI. Elections

1. Petitions

The President, Vice President, and members of the Board of Governors shall be elected by the appropriate membership of the SBA according to rules and procedures promulgated by the Secretary, as Chair of the Elections Committee, from time to time. In order to have his or her name placed on the ballot, a candidate for office must submit to the Elections Committee, at a time and place specified by the Elections Committee, a petition for candidacy. Candidates seeking the positions of President and Vice President must present their candidacies as a President/Vice President slate, and have fifty (50) valid student signatures on a petition. A candidate for Board of Governors must have twenty-five (25) valid signatures.

The Chief Justice shall be elected by the Board of Governors then assembled at last regularly scheduled Board meeting of the calendar year and according to rules and procedures promulgated by the Secretary, as Chair of the Elections Committee, from time to time.

2. Runoffs

A majority vote is required for election to any office. In any election in which a slate of candidates fails to achieve a majority of the vote, a runoff election will be held. A majority vote shall consist of a simple majority of all ballots casts for each office.

3. Vacancies

Should any B.O.G. or Executive Committee position become vacant during the term, a replacement may be appointed by agreement of the President and Vice President, subject to ratification by a two-thirds majority vote of the Board of Governors. Should the position of President become vacant, the Vice President shall accede to that office and the Chief Justice shall act as Vice President until the position is filled. Should the position of Vice President become vacant, the Chief Justice shall act in that capacity until the vacancy is filled.

Article VII. Meetings, Quorums, and Votes

1. Frequency

The B.O.G. shall meet no less than once a month during the academic year. All official meetings shall be publicized by appropriate means reasonably calculated to notify all B.O.G. and Executive Committee members.

2. Time and Place

Meetings shall be scheduled at times and places that are reasonably convenient to a majority of members of the B.O.G.

3. Attendance

Failure of a B.O.G. or Executive Committee member to attend two consecutive meetings shall automatically be grounds for commencement of impeachment proceedings.

4. Proxies

A voting B.O.G. member may give a written proxy to another B.O.G. member so long as the absent member is deemed excused. Said proxy shall be in writing and remain in effect for all votes at the meeting at which the proxying member cannot attend or until they arrive. No member may act on behalf of more than one other member.

5. President's vote

The President shall vote only in cases where his or her vote will affect the outcome.

6. Quorum

A quorum of more than half of the sitting members of the B.O.G., including the President and Vice President, shall be required to transact business.

7. Majority and two-third vote

a. To calculate majorities, only those members present or proxied, who vote yea or nay, shall be counted. Abstentions shall not be counted in the tally of votes.

b. The following votes shall require a two-thirds majority:

(1) To approve or amend the Budget.

(2) To amend the Bylaws.

(3) To approve members of the Executive Committee.

- (4) To elect the Chief Justice.
 - (5) To elect replacements for vacant positions.
 - (6) To remove B.O.G. or Executive Committee member from office.
- c. Amendments to the Constitution shall require a three-quarters majority.
- d. All other questions may be decided by majority vote.

8. Rules of Order

On procedural questions not governed by this Constitution, B.O.G. meetings shall be governed by the most current version of Roberts Rules of Order. Recognizing the necessarily limited time available for B.O.G. meetings, it is intended that these rules be applied with reason and flexibility rather than with punctilious precision. Application of the Rules may be waived at the start of the meeting by a simple majority of those voting members present constituting a quorum upon motion of any such member. Reinstitution of the Rules shall be approved upon simple majority vote.

9. Agreements

Wherever in this constitution where agreement of the President and Vice President is required, and such agreement does not exist, the President or Vice-President may petition the B.O.G. on the matter. A two-thirds vote of the B.O.G. is required to approve any such matters in favor of the petitioner.

Article VIII. Removal From Office

1. General

The President, the Vice President, a member of the Executive Committee, or a member of the B.O.G. may be removed from office by a two-thirds vote of the B.O.G. following due process.

2. Procedures

a. The following procedures shall be followed to remove a member of the Executive Committee or the B.O.G.

- (1) Charges against a member shall be submitted in writing to the Chief Justice, as chair of the Grievance Committee.
- (2) The Grievance Committee shall consider the charges and make a written recommendation to the B.O.G. as to their disposition.
- (3) The B.O.G., on a majority vote, shall rule on the Committee's recommendation.
- (4) Should the B.O.G. decide to pursue expulsion proceedings, it shall fix a time and place for the proceedings.
- (5) The Secretary (or the President if the Secretary is the subject) shall notify the member in writing, of the time and place of the meeting, and include a copy of the charges and the Grievance's Committee's report.
- (6) The member shall appear before the B.O.G. at the time and place designated to show cause why he or she should not be expelled. Failure to appear shall result in automatic removal.

b. The President, with the agreement of the Vice President, may suspend an appointed member of the Executive Committee, and assume that officer's duties or appoint an interim replacement, pending impeachment proceedings.

3. Academic Standing

Each member of the Board of Governors or of the Executive Committee, including the President and Vice President, shall be in good academic standing at the time of his or her appointment or election, and shall maintain good academic standing during his or her term of office. Failure to maintain good academic standing, as defined by the Law School, shall constitute grounds for automatic removal from office.

Article IX. Governing Documents

1. The Constitution

The Constitution establishes the structure and function of the SBA. It is superior to and supersedes all other documents of governance. All actions taken by the B.O.G., officers, committees, or other representatives of the SBA shall be in compliance with the Constitution. The Constitution may be amended only by a three-quarter vote of the B.O.G., notice to the Faculty advisor to the SBA, and approval of the Dean of Suffolk University Law School.

2. Bylaws

The Bylaws provide more detailed rules of operation and function. The SBA Bylaws, as amended from time to time, shall govern in all situations where the Constitution is silent. Bylaws may be established or amended by a two-thirds vote of the B.O.G.

Article X. Student Organizations

1. Approval

The B.O.G. shall have sole authority to grant official recognition to student organizations seeking official status at SULS, under such procedures as the Bylaws shall dictate or the B.O.G. shall promulgate from time to time. The B.O.G. shall not deny recognition to any organization that meets the requirements of Paragraph 2 of this Article.

2. Requirements

Approved organizations must have no less than ten (10) members, who must also be Suffolk University Law School students, shall have a constitution and purpose not inconsistent with the Constitution of the SBA, and shall comply with Article XI of this constitution.

3. Council of Presidents

There shall be a Council of Presidents, composed of the presidents of all SBA-approved organizations. The President of the SBA shall be an ex officio member of the Council of Presidents, and shall convoke its meetings. The Council shall meet at least two times during each semester. Members of the Executive Committee shall make every effort to attend these meetings.

Article XI. Non-Discrimination

The SBA shall not deny any student the right to become a full member, or to hold office, on the basis or race, color, religion, creed, national or ethnic origin, sex, sexual orientation, handicap, age, veteran status, marital status, or prenatal status.

Article XII. Ratification and Adoption

This Constitution shall become effective only after:

1. Approval by a two-thirds majority of the presently constituted Board of Governors.
2. Ratification by majority vote of the student body.
3. Approval by the Dean of Suffolk University Law School.

Sunset Provision: Current elected members of the Board of Governors who's terms in office are effected by these amendments shall be allowed to finish their regular term or remain in office under the new term, whichever is longer, so long as it does not extend beyond December 31, 2002.