

ARTICLE I: NAME AND PURPOSE

This organization shall be known as the Student Bar Association of the Valparaiso University School of Law, hereinafter referred to as the S.B.A.

We, the students of Valparaiso University School of Law, in order to develop and further scholastic attainment; to promote understanding among the faculty, law students, alumni, and the community; to further professional and social interest; to cooperate with national, state and local bar associations, and of the students of the Law School into an effective group is necessary to these ends, do establish this Constitution for the S.B.A.

ARTICLE II: MEMBERSHIP

All persons registered for five (5) or more academic credits at the Law School shall be members of the S.B.A.

ARTICLE III: ADMINISTRATIVE BOARD

Section One: Qualifications

- A. All members of the Administrative Board shall be members of the S.B.A.
- B. No S.B.A. member who has completed the second semester of study and is currently on academic probation shall run for or hold a position on the Administrative Board.
If such a member of the Administrative Board is placed on academic probation or falls below a 2.0 g.p.a., that member shall be automatically & immediately dismissed from the Administrative Board position. Students on academic probation during the first or second semester of study may hold a position on the Administrative Board subject to written approval by the Dean of Students.
- C. No member of the Administrative Board who is currently on academic probation while in the first or second semester of study shall run for a position on the Administrative Board.
- D. At the beginning of each semester, all Administrative Board members must agree, upon accepting their position, to have the Registrar submit verification that the member is not on academic probation and is maintaining a 2.0 g.p.a. or above, and present this to the S.B.A. President. If such verification is not obtained, the Administrative Board member shall be automatically & immediately dismissed from that position.

Section Two: Duties and Powers

- A. The Administrative Board shall be the governing body of the S.B.A. and have the duty to formulate policies, manage the affairs of the S.B.A., adjust grievances, and

have all other powers proscribed by or necessary for the proper execution of this Constitution.

- B. The Administrative Board shall have the power to approve all appointments made by the President and Vice President.
- C. The Administrative Board shall have the power to pass and amend the S.B.A. By-laws in accordance with this Constitution provided that no By-law shall be introduced and passed at the same meeting.
- D. The Administrative Board shall have the power to administer any sanction as provided herein.
- E. The Administrative Board may by majority voice create ad hoc committees. The function and length of service of each ad hoc committee shall be specified by the Administrative Board at the time the committee is created, except as otherwise defined by this Constitution.

Section Three: The members of the Administrative Board

The members of the Administrative Board shall consist of the following:

A. THE EXECUTIVE BOARD

1. The **PRESIDENT** – *The President shall:*
 - a. Preside over all meetings of the S.B.A. and the Administrative Board.
 - b. Appoint with the confirmation of the majority of the Administrative Board present the Chairperson and members of all S.B.A. governing committees with the exception of the chairperson of the Law Week Committee whom is the Vice President of S.B.A.;
 - c. Be the chairperson of the Orientation Committee.
 - d. Have emergency powers to make decisions affecting the S.B.A. in which the President is unable to assemble an emergency Administrative Board meeting. In this case all members of the Administrative Board must be notified of any decision or actions taken by the President.
 - e. Appoint the members of the Supreme Court by the first week of the fall semester.
2. The **VICE PRESIDENT** – *The Vice President shall:*

- a. Preside over the meetings of the Administrative Board and the S.B.A. in the absence of the President.
- b. Perform other duties as are specified in this Constitution, in the By-laws, or as directed by the Administrative Board, the President and the S.B.A.
- c. Be the chairperson of the Law Week Committee and have authority over all Law Week activities.

3. **The SECRETARY**

The Secretary shall:

- a. Record the minutes of all meetings of the Administrative Board and the S.B.A. These minutes are to be completed and posted in a prominent location no later than forty-eight (48) hours following the meeting.
- b. At the direction of the President, prepare an agenda for all meetings of the S.B.A. and post such agenda in a prominent place twenty-four (24) hours before the meeting, whenever feasible.
- c. Maintain records of all resolutions, business transactions and appointments made by the Administrative Board and the S.B.A.
- d. Be responsible for all student mail delivered from the administration to the S.B.A.
- e. Create a calendar each month to inform students of meetings and events for the S.B.A. and student organizations.
- f. Maintain the S.B.A. office in a running condition. This includes all office and organizational supplies.
- g. Maintain and Manage the S.B.A. world wide web page.
- h. Be the chairperson of the Communications committee.

4. **The TREASURER**

The Treasurer shall:

- a. Keep an account of all S.B.A. funds and make disbursements subject to the limitations imposed by the Administrative Board, the Constitution, and the By-laws.
- b. Post a monthly record of the financial report of the financial status of the S.B.A. in the S.B.A. office, and in another prominent location.

c. Be the chairperson of the Audit committee and the Budget committee and appoint, with the approval of the Administrative Board, the members of the Budget committee.

5. **The ABA REPRESENTATIVE**

The ABA Representative shall:

- a. Act as the Valparaiso University School of Law ABA Representative at the annual ABA Circuit and National Conference.
- b. Distribute membership and information material to any student requesting such.
- c. Write an annual report of work accomplished during the past year and submit it to the Administrative Board and the ABA/LSD. This report must be completed by the general election in the spring.
- d. Perform parliamentary duties during meetings of the S.B.A.

B. **REPRESENTATIVES**

1. A class representative shall be a member of the class he/she seeks to represent during that term in office. Class status shall be determined at the beginning of the fall semester for the school year served. Each shall be elected by a majority vote of their respective class.
2. There shall be three class representatives from each class.
3. One student from each class shall be elected as S.B.A. Faculty Representative. Each shall be elected by a majority vote of their respective class.

C. **VOTING MEMBERS**

1. The President of the S.B.A. shall vote only in the case of making or breaking a tie.
2. The Vice-President, the Secretary, the Treasurer, the Class Representative, Faculty Representative and ABA Representative each have one vote on the Administrative Board.

Section Four: Vacancy of Positions

Sub. 1: In the event that the President resigns or becomes ineligible to continue serving, the Vice President shall secede to that that office and shall serve for the remainder of the term.

Sub. 2: If a vacancy occurs in the office of Vice President, Secretary or Treasurer, or in the position of Class Representative, S.B.A. Faculty Representative, or

ABA Representative, a successor will be elected by the special elections process provided in By-law Two.

Section Five: Voting Quorum

Sub. 1: A quorum shall consist of two-thirds (2/3) of the voting members of the Administrative Board. No motions shall be voted on unless a quorum is present.

ARTICLE FOUR: REMOVAL FROM OFFICE

Section One: Any Executive Officer, Class Representative, ABA Representative or S.B.A. Faculty Representative may be removed from office by a two-thirds (2/3) vote of the Administrative Board.

Section Two: Absences

Sub. 1: The Secretary of the S.B.A. shall keep an attendance file on all Administrative Board members. Notification of unexcused absences by any member shall be forwarded to the individual by the Secretary.

Sub. 2: An Administrative Board member may miss three meetings with a valid excuse before action will be taken against that member. Any excused absences after three will count as unexcused absences and go against that member's record for the year. Excused absences must be cleared within forty-eight (48) hours of the missed meeting by the Secretary.

Sub. 3: A member will be removed for failure to attend two regularly scheduled meetings without a valid excuse during that year (term of office). Regularly scheduled meetings include faculty meetings for faculty representatives and all special meetings called of which notice has been posted three class days prior to the special meeting date.

ARTICLE FIVE: ANNUAL REPORT

The ABA representative shall draft an annual report of work accomplished and procedures used during the past year, with recommendations regarding procedures and goals for the next year. All members of the Executive Board shall assist in the preparation of the report. This report will be forwarded to the national ABA/LSD, as well as preserved for student review.

ARTICLE SIX: COMMITTEES

Section One: S.B.A. Governing Committees

Student committees shall be under the administration of the S.B.A. President, and are responsible for developing, presenting, and coordinating cultural, educational, film and

speaker events and program which shall broaden the law students' educational experiences and improve law student life. All members of student committees, including those members of the S.B.A. Supreme Court, must maintain a minimum 2.0 g.p.a. The standing committees of the S.B.A. and their functions shall be those designated in the By-laws of the S.B.A. The standing committees may be created or dissolved by majority vote of the Administrative Board. The following are the S.B.A. committees and their purposes:

Sub. 1: The ORIENTATION COMMITTEE shall coordinate with the Admissions Administrator the orientation of the new law students entering the Law School at the beginning of the fall semester. The President shall act as the chairperson of the Orientation Committee.

Sub. 2: The PROGRAMMING COMMITTEE shall be responsible for developing, presenting and coordinating social, recreational and educational events and programs which shall broaden the law students' acquaintances and improve law student life in general.

Sub. 3: The ELECTION COMMITTEE shall be responsible for the proper supervision of nominations and elections, procure poll workers, ballot boxes or voting machines and whatever additional equipment is necessary to the election process. No person shall run for office who is a member of the Election Committee.

Sub. 4: The BUDGET COMMITTEE shall be selected by the procedures listed under By-Law Six.

Sub. 5: The AUDIT COMMITTEE shall consist of one member of each class and the S.B.A. Treasurer. The Audit Committee shall review the financial records of the S.B.A. after the eighth (8th) week of each semester. The treasurer shall report the results of the audit at the next Administrative Board meeting following the audit.

Sub. 6: The MARTIN LUTHER KING, Jr. (MLK) COMMITTEE shall be responsible for cooperating with the administration in designing, developing, and implementing ideas and activities for Martin Luther King, Jr. Day.

Sub. 7 : The LAW WEEK COMMITTEE shall plan, budget, and implement every aspect of Law Week. This includes The Law Week Luncheon, The Law School Roast, and The Barrister's Ball. The Vice President shall act as Chairperson of this committee.

Sub. 8 : The COMMUNICATIONS COMMITTEE shall coordinate the production and distribution of the S.B.A. Administrative Board meeting minutes, advertising of all S.B.A. activities including but not limited to: meetings, assistance with student organization advertising, a monthly S.B.A. newsletter, and any other communications necessary for the operation of the S.B.A. The Secretary shall act as Chairperson of the Communications Committee.

Sub. 9: The SPECIAL COMMITTEE TO THE PRESIDENT will aid the President in researching problems, attending meetings, answering student concerns, and any other necessary requests of the President which relate to Valparaiso University School of Law.

Section Two: Student Faculty Committees

Student Faculty Committees shall be under the coordination of the S.B.A. President, except for the Honors Committee (Sub. 5). These committees shall act as liaisons between the S.B.A. Administrative Board and faculty members sitting on the respective committees. The Student Faculty Committees shall represent the interest of the S.B.A. The number of Student Faculty Representatives on each committee shall be determined by the law school Administration.

Sub. 1: The LIBRARY COMMITTEE shall represent the S.B.A. in all matters concerning acquisition of library materials and use of library facilities.

Sub. 2: The ADMISSIONS AND STUDENT RECRUITMENT COMMITTEE shall represent the S.B.A. in all matters concerning policies and fair admission procedures.

Sub. 3: The CURRICULUM COMMITTEE shall represent the S.B.A. in all matters concerning additions to and deletions from the curriculum. The committee shall represent student attitude concerning instructor appointment to each course.

Sub. 4: The READMISSIONS AND PETITIONS COMMITTEE shall represent the S.B.A. in all matters concerning policies, procedures and standards for readmission to Valparaiso University School of Law. In the event that only one student committee member is requested by the law school Administration, the President shall serve on this committee.

Sub. 5: The HONORS COMMITTEE, consisting of the Honor Commission, Honor Court and Presenters, shall have exclusive jurisdiction over law students for the enforcement and explanation of all academic and non-academic Law School regulations.

Sub. 6: The ALUMNI RELATIONS COMMITTEE shall represent the S.B.A. in all matters concerning alumni relations. The committee shall communicate directly with the Director of Alumni Relations.

Sub. 7: The CLERKSHIP COMMITTEE shall represent the S.B.A. in all matters concerning past, current and potential clerkships, internships, and externships. This person shall be involved with the Law School Clerkship Committee.

Sub. 8: The 3L STEERING COMMITTEE shall represent the third year class in all matters concerning graduation and commencement. This committee shall be

responsible for items including but not limited to caps and gowns, commencement pictures, graduation social gatherings, faculty advisor and hooders elections, commencement speaker, video yearbook, and other pertinent commencement activities.

The committee shall work with not only the S.B.A. Board that appointed the committee, but also with the incoming S.B.A. Board for the following year. The 3L steering committee shall be formed and members nominated at the beginning of the class' second year. Members shall be selected by SBA President and SBA 2L representatives. The committee shall form the second year to provide ample time for fundraising and planning and members can be reviewed by the steering committee chair and altered upon the beginning of their third year.

Sub. 9: The COMPUTER AND LEGAL EDUCATION COMMITTEE shall represent the S.B.A. in all matters concerning computer and legal education. The chairperson shall work closely with the computer lab supervisor and the law school computer and legal education committee.

Sub. 10: The PLACEMENT COMMITTEE shall represent the S.B.A. in all matters concerning student job placement. This includes school year and summer clerking jobs for current students and associate positions for graduates. The members shall work with the Career Services office.

Sub. 11: The LAW SCHOOL PUBLIC RELATIONS COMMITTEE shall represent the S.B.A. in all matters concerning the public relations between the S.B.A. and the university and city community. The chairperson shall be in contact with the city, the Student Senate, and the University administration. This committee is committed to communicating with the surrounding communities.

All other Student Faculty Committees created by the Law School Administration shall be subject to this Constitution, the By-laws of the S.B.A., and all other requirements of the Administration.

Section Three: Student Committee Members on Student Committees (Qualifications and Duties)

Sub. 1: All committee members shall be members of the S.B.A. as defined by Constitution Article II.

Sub. 2: Except for the Election Committee and subject to a majority vote of the Administrative Board, all committee appointments shall be made by the S.B.A. President after interviewing all applicants.

Sub. 3: The Responsibilities of a student committee chairperson shall be:

a. To report either orally or in writing the results of each committee meeting and the committee's progress to the Administrative Board at the next open meeting following each committee meeting.

- b. To conduct all committee meetings and be the committee's direct liaison to the Administrative Board.
- c. To attend all meetings called by the Administrative Board for committee chairpersons.
- d. To draft an annual report of work accomplished and procedures used during the past year, with recommendations regarding procedures and goals for the next year.

Sub. 4: Failures to actively participate in committee activities and duties may cause the removal of the student committee member.

Sub. 5: After an initial warning to the student committee member by the student committee chairperson, a recommendation may be made by the student committee chairperson to the S.B.A. President for removal. The student bar president shall remove the committee member following majority approval by the Administrative Board.

Sub. 6: Failure to actively participate in committee activities may cause the removal of the student committee chairperson.

Sub. 7: After an initial warning to the Student Committee Chairperson by the S.B.A. President, a recommendation shall be made by the S.B.A. President to the Administrative Board for removal. The S.B.A. President shall remove the committee member following majority approval by the Administrative Board.

Section Four: Qualifications and Duties of Student/Faculty Committee Members

Sub. 1: All committee members shall be members of the S.B.A. as defined by Constitution Article II.

Sub. 2: Subject to a majority vote of the Administrative Board, all committee appointments shall be made by the S.B.A. President after interviewing all applicants.

Sub. 3: Failure to actively participate in committee activities and duties may cause the removal of the student/faculty committee member.

Sub. 4: All student members of the Student/Faculty Committees shall report to the Administrative Board following a committee meeting. This report shall be at the next regularly scheduled Administrative Board meeting following the committee meeting. The member shall contact the S.B.A. Secretary to be placed on the meeting agenda.

ARTICLE SEVEN: INTERPRETATION OF THE CONSTITUTION

Section One: Nothing in this Constitution shall be construed to interfere or conflict with the authority of the President of Valparaiso University.

Section Two: In the event a conflict arises between the Constitution and the By-laws, the Constitution controls.

Section Three: The Administrative Board shall interpret the Constitution by majority of opinion.

ARTICLE EIGHT: AMENDMENT AND REVISION

Section One: The members of an ad hoc committee may be appointed by the S.B.A. President for the purpose of reviewing, amending or revising this Constitution. An Ad hoc Constitution Committee may also be initiated by a petition signed by not less than fifty (50) percent of the Student Bar Association. Such petition or appointment by the President shall state the purpose for the Ad hoc Constitution Committee's formation.

Section Two: Amendments and revisions shall be limited to the purposes as stated in Article Eight Section One.

Section Three: The Constitution Committee shall present reviews, amendments and revisions to the Constitution to the Administrative Board. A written copy of the proposed amendments or revisions shall be posted for at least ten (10) school days before such a vote may be held. A meeting of the general membership to discuss the proposed amendment(s) or revision(s) shall be called before a vote of the Administrative Board is taken.

Section Four: This Constitution shall be revised or amended by a favorable vote of a two-thirds (2/3) majority of those members of the S.B.A. who vote on the amendment(s) or revision(s). Such vote shall be by secret ballot.

Section Five: Amendments to this Constitution shall be submitted to the Dean of the School of Law and the President of Valparaiso University.

ARTICLE NINE: REVOCATION

Section One: All Prior Constitutions, Amendments thereto, and Bylaws thereof are hereby revoked and shall become null and void immediately upon adoption of this Constitution.

ARTICLE TEN: DISTRIBUTION OF PROPERTY UPON THE VOLUNTARY OR INVOLUNTARY DISSOLUTION OF THE ORGANIZATION.

Section One: Upon the dissolution of the Student Bar Association, assets shall be distributed for one or more exempt purposes within the meaning of section

501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the Organization is located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.