

# **CONSTITUTION**

## **Creighton University School of Law Student Bar Association**

### **PREAMBLE**

We, the students of Creighton University School of Law, to provide for self-government, to promote cooperation with the Law School Faculty, to encourage scholarship, to promote extra-curricular activities, to create spirit and loyalty for our school and profession, and to participate with the organized Bar and the American Bar Association, establish this constitution for the Creighton University School of Law Student Bar Association.

### **DEFINITIONS**

For the purposes of this document, the below-listed terms shall be defined as follows.

CUSL shall be defined as Creighton University School of Law.

CSU shall be defined as Creighton Student Union.

ABA shall be defined as American Bar Association.

ABALSD shall be defined as American Bar Association, Law Student Division.

1L shall be defined as any student currently enrolled at CUSL who has completed 29 or fewer semester units in an ABA approved law school or schools or as otherwise defined by the CUSL Administration in the Academic Rules.

2L shall be defined as any student currently enrolled at CUSL who has completed 30 but not more than 55 semester units in an ABA approved law school or schools or as otherwise defined by the CUSL Administration in the Academic Rules.

3L shall be defined as any student currently enrolled at CUSL who has completed 56 or more semester units in an ABA approved law school or schools but has not received a degree from an ABA approved law school or as otherwise defined by the CUSL Administration in the Academic Rules.

AJD shall be defined as any student currently enrolled at CUSL who is in their first or second year of the accelerated juris doctorate program offered at CUSL.

### **ARTICLE I**

#### **NAME**

The name of this organization shall be “the Creighton University Student Bar Association,” hereinafter referred to the SBA.

## **ARTICLE II**

### **MEMBERSHIP**

§1. All law students enrolled in CUSL shall be members of the SBA.

§2. An official list from CUSL registrar will be used to determine the class (1L, 2L, 3L, or AJD) of members who are currently enrolled in CUSL.

## **ARTICLE III**

### **OFFICERS, POWERS, AND DUTIES**

§1. Four officers and seven representatives shall constitute the Executive Council of the SBA: President, Vice-President, Secretary, Treasurer, two 1L class representatives, two 2L class representatives, two 3L class representatives, and 1 AJD class representative to be elected as hereinafter provided. ABA and CSU representatives will be appointed after application and interview by the Executive Council. The President, Vice-President, Secretary, and Treasurer shall constitute the Executive Board. In the event both 3L representatives elected are absent in the first semester due to academic programs such as the GOAL degree, etc. the President shall appoint a third 3L representative to serve for the entire year. Under such circumstances, the Executive Council shall include the third 3L representative.

§2. Officers and representatives shall be elected annually. They shall serve until their duly elected successors take office. 3L, CSU, and ABA representatives serve until graduation.

§3. The officers-elect and representatives-elect shall take office at the conclusion of the first scheduled SBA meeting in April.

§4. In order to continue to serve or to become a candidate for the Executive Council, a student must have a minimum cumulative grade point average at the end of any semester of C (2.0 or as otherwise defined by the CUSL Academic Rules).

§5. The duties of the officers and representatives include, but are not limited to:

(a) The President:

- (i) Shall serve as a voting member of the Executive Council;
- (ii) Shall call all meetings of the Executive Council;
- (iii) Shall convene all meetings of the student bar;
- (iv) Shall preside at and make necessary preparations for all meetings;
- (v) Shall officially represent the SBA at all public functions; and
- (vi) Shall assume all other powers and duties necessary to execute this constitution.

(b) The Vice-President:

- (i) Shall serve as a voting member of the Executive Council;
- (ii) Shall assume the powers and duties of the President when necessary during the President's absence, inability, or illness;
- (iii) Shall coordinate activities with recognized student organizations;

- (iv) Shall coordinate the activities and supervise elections in accordance with this constitution; and
  - (v) Shall interpret this constitution, subject to a final appeal to the faculty advisor for the SBA, all members of the Executive Council having the right to appeal the Vice-President's interpretation of the constitution within a reasonable time.
- (c) The Secretary:
- (i) Shall serve as a voting member of the Executive Council;
  - (ii) Shall record all meetings of the SBA and compile and make available all the records and minutes of these meetings upon request by any member of the SBA;
  - (iii) Shall keep a master calendar of the SBA; and
  - (iv) Shall supervise all SBA correspondence.
- (d) The Treasurer:
- (i) Shall serve as a voting member of the Executive Council;
  - (ii) Shall supervise the SBA funds;
  - (iii) Shall prepare a financial report at the end of each semester;
  - (iv) Shall have a current balance and update of all SBA accounts available at each SBA meeting; and
  - (v) Shall have a status of the balance of each item in the SBA budget at each meeting.
- (e) The 3L Class Representatives:
- (i) Shall serve as voting members of the Executive Council;
  - (ii) Shall represent their respective classes;
  - (iii) Shall coordinate the SBA activities with their respective classes including planning end-of-semester, SBA-sponsored class parties; and
  - (iv) Shall make any necessary SBA announcements to their respective class.
- (f) The 2L Class Representatives:
- (i) Shall serve as voting members of the Executive Council;
  - (ii) Shall represent their respective classes; and
  - (iii) Shall make any necessary SBA announcements to their respective class.
- (g) The 1L Class Representatives:
- (i) Shall serve as voting members of the Executive Council;
  - (ii) Shall represent their respective classes; and
  - (iii) Shall make any necessary SBA announcements to their respective class.
- (h) The AJD Class Representative:
- (i) Shall serve as a voting member of the Executive Council;
  - (ii) Shall represent their respective class; and
  - (iii) Shall make any necessary SBA announcements to their respective class.
- (i) The CSU Representatives:
- (i) Shall serve as voting members of the Executive Council upon appointment;
  - (ii) Shall represent SBA at CSU meetings; and
  - (iii) Shall report relevant items addressed at CSU meetings to the Executive Council.

## **ARTICLE IV**

### **MEETINGS**

- §1. All SBA meetings are open to all students. However, portions of meetings may be closed at the discretion of the President.
- §2. The Executive Council shall meet weekly, but meetings may be canceled or rescheduled at the discretion of the President, with notice to the Executive Council and the members of the SBA.
- §3. Attendance at SBA meetings is required for members of the Executive Council unless excused in advance by the SBA President.
- §4. Attendance at SBA sponsored events and functions is required for members of the Executive Council unless excused in advance by the SBA President. Executive Council is expected to attend a minimum of 80% of all SBA events and functions.

## **ARTICLE V**

### **ELECTIONS**

- §1. The annual elections of officers and 2L and 3L representatives will be held in spring semester each year.
- §2. One 1L representative will be elected from each section in September each year. One AJD representative (who can be in their first- or second-year of the AJD program) will be elected in September each year.
- §3. All members in good standing, who meet the grade point average requirements, are eligible to be candidates for the Executive Council positions. To become a candidate, a student must file a petition prior to the deadline set by the Executive Council before the election. This petition must be signed by at least 20 current law students. No write-in candidates are allowed.
- §4. In 2L and 3L class representative elections, students may vote for two candidates. 1L elections for class representative are by section, each student voting for one candidate from his or her respective section. The AJD representative can be voted for by any student, but each student only gets to vote for one candidate for the AJD representative position.
- §5. The vote shall be by secret ballot. A voter must show valid CUSL ID or provide other verification of enrollment to vote. Voting may be conducted by paper ballot or electronic means, provided that reasonable security and auditing means are implemented.
- §6. All candidates shall be elected by a plurality of votes cast. Exact numbers of votes for each candidate will not be released unless a candidate successfully challenges the results of the election.
- §7. Should a candidate wish to challenge the results of the election (the “challenging candidate”), they may do so via petition to be submitted to the Executive Council and Administration. This petition must be signed by at least 20 current law students. Once a student has submitted a signed petition to the

Executive Council, thereby successfully challenging the results of the election, the results of the election that pertain to the challenging candidate will be released to the challenging candidate, and only to the challenging candidate.

## **ARTICLE VI**

### **POWERS AND DUTIES OF THE EXECUTIVE COUNCIL**

§1. The Executive Council shall have the power to formulate policies, manage SBA affairs, and promulgate necessary by-laws in support of and in accordance with this constitution.

§2. The President shall have the power to designate committees and appoint SBA members to the designated committees.

§3. The Executive Council shall conduct all SBA affairs.

§4. Any vacancy, excluding the office of President, which occurs in one of the offices mentioned in Article III, §1 or §2, shall be filled by presidential appointment and 2/3 majority approval of the Executive Council, without the President voting.

§5. If the office of the President shall become vacant, the office shall be succeeded in the following manner: Vice-President, Treasurer, Secretary. In the event all four offices of the Executive Board become vacant simultaneously, a new election shall be organized and held by the remaining members of the SBA Executive Council in accordance with Article V.

§6. The Executive Council shall have the power to allocate SBA funds according to the By-Laws.

## **ARTICLE VII**

### **DELEGATES**

§1. The SBA Executive Council shall interview and appoint a student ABALSD representative. The ABALSD representative shall also serve as an official delegate from CUSL to the ABALSD.

§2. Before October 1 each year, the SBA Executive Council will interview applicants for representatives from the SBA to the CSU. The number of CSU representatives appointed is determined by the CSU representative census.

## **ARTICLE VIII**

### **BY-LAWS AFTER RATIFICATION**

The Executive Council will, after ratification, decide which of the previous academic year's by-laws will remain effective and which will be nullified. The ratified by-laws shall be made available to all currently enrolled students of CUSL.

## **ARTICLE IX**

### **AMENDMENTS**

§1. This constitution shall be amended by a 2/3 vote of the Executive Council and 3/4 vote of the Executive Board. Proposed amendments must be circulated to each member of the Executive Council by the proponent of the amendments at least 7 days before any votes may be cast on the amendments.

§2. Upon unanimous vote of the Executive Council, the Executive Council may waive the time limits set forth in §1. Under such circumstances, the Executive Council must vote unanimously to pass the proposed amendment.

## **ARTICLE X**

### **REMOVAL OF OFFICERS**

§1. Any one of the officers mentioned in Article III, §1 or §2, may be removed by recall. A recall is achieved by a petition with at least 100 signatures of currently enrolled students submitted to the Secretary. The petition must be published to all SBA members within 5 days of the Secretary's receipt of the petition. A 2/3 vote of all SBA members, held consistent with the election rules of this constitution, is sufficient to remove the officer listed in the petition.

§2. Any class representative may be recalled by recall similar to §1, but the petition must contain at least 25 signatures of currently enrolled students from the represented class, and the voting is to be restricted to the represented class.

§3. Any member of the Executive Council may call for disciplinary action against any other member of the Executive Council for cause during an SBA Executive Council meeting. Disciplinary actions include but are not limited to temporary suspension and expulsion for the remainder of the academic year. Such disciplinary actions and their underlying causes must be first discussed by the Executive Council, then ratified by a 2/3 vote of the Executive Council before any discipline is to become effective.

§4. Upon removal of an officer, any vacancy may be filled in accordance with Article VI, §4 and §5 or may be left vacant, at the discretion of the President.

## **BY LAWS**

Original Language:

§1. Operating Funds

(a) Officially recognized organizations may request funds on an event by event basis from SBA through the regular allocation process to be achieved by SBA co-sponsoring an event.

(i) It is understood that officially recognized organizations will generally be able to request \$200 per academic school year, but no organization is guaranteed or limited by this \$200 requirement.

(b) Funding may be requested on an event by event basis from SBA funds through the regular allocation process to be achieved by SBA co-sponsoring an event.

(c) The following prescribes the priorities, from greatest to least, for the use of SBA funds:

(i) Events open to the entire law school community

(ii) Events co-sponsored with a recognized student organization or university office

(iii) Events exclusive to members of the organization

(d) SBA may choose to send flowers, donations, or another type of gift to student members of the law school who have experienced unfortunate circumstances personally or with immediate family members (such as, but not limited to the death of an immediate family member or prolonged hospitalization).

(i) Expenses under this subsection shall not exceed \$50, plus tax and/or shipping.

§2. Procedures

(a) All organizations requesting money shall submit budgets no later than the date set by the Executive Council.

(b) The Executive Council may personally question representatives from organizations requesting money as deemed necessary for further consultation.

(c) 1/2 approval by the Executive Council shall release funds. Organizations shall receive notification of allocations within 7 days of the request.