TITLE I - RULES FOR ALL GENERAL ELECTIONS

§1.01 Scope
(a) These elections shall govern campaigns and elections for any elective position or office of The John Marshall Law School Student Bar Association (SBA). Subject to the rulings or regulations of the Chairperson of the SBA Rules Committee (Committee), these rules may apply to any special elections.

(b) The Committee Chairperson may issue rulings on specific matters and general regulations to further the interpretation and enforcement of these rules.

(c) Elected positions or offices of the SBA include:

(1) President;
(2) Vice-President;
(3) Secretary;
(4) Treasurer;
(5) ABA Representative;
(6) Illinois State Bar Association Representative;
(7) Chicago Bar Association Representative;
(8) Evening Student Liaison;
(9) SBA Representatives.

i) Representatives shall be apportioned as follows:
   a) For the 1L class – two (2) delegates per section;
   b) For the 2L class – two (2) x (multiplied by) the number of sections that comprise that 2L class;
   c) For the 3L class – two (2) x (multiplied by) the number of sections that comprise that 3L class.

§2.01 Eligibility
Only those persons who comply with these rules shall be eligible to hold an elective position or office. As set forward in the JMLS SBA Constitution (The Constitution), any member of the SBA in good standing may run for any elective position or office.

§2.02 Election Dates
(a) As provided by The Constitution, a general election for positions of the SBA Executive Board should be held in April.
(b) As provided by The Constitution, a general election for SBA Representatives shall be held in September, except for the election for incoming January classes, which shall be held in February.

§3.01 Candidate Qualification
(a) To qualify as a candidate for an elective position or office, any eligible person must obtain and file an official Nominating Petition and Declaration of Candidacy (Petition) as prepared by the Rules Committee or the SBA Office.

(b) Petitions shall be available during the General Assembly meeting dedicated to elections. If a candidate is unable to attend the meeting, the candidate must make alternate arrangements with the SBA President prior to the elections meeting.

(c) Petitions shall be filed with the Rules Committee or a designated staff member no later than 6:00 p.m. on the tenth (10th) day before the scheduled election.

(d) In the event of a special election to which these rules apply, the Rules Committee or the Legislative Body may establish a special petition timetable.

(e) Any eligible person may obtain an elective position or office as a write-in candidate.

(1) Write-in candidates whose names are not printed on the ballot (i.e. any person who has failed to qualify as a candidate pursuant to subsection (a) of this section) shall still be governed by these rules insofar as they are applicable and shall still be subject to any sanctions for violation of applicable rules.

(2) Upon the election of a write-in candidate to any elective position or office, that candidate must file an Acceptance Statement with the Rules Committee no later than two (2) hours after certification and publication of the election results.

(f) Petitions for a position on the SBA Executive Board shall contain at least one hundred (100) signatures, together with the proper class designation of each signatory. Any student of The John Marshall Law School may sign a candidate’s petition for an SBA Executive Board position.
(g) Petitions for SBA Representatives shall contain at least twenty-five (25) signatures and class designations of students from the same class as that of the candidate.

(h) All signatures required under subsections (f) and (g) of this section shall be on an official petition as provided for in subsection (a) and available as provided for in subsection (b) of this section.

(i) JMLS students may sign more than one petition but may not sign any one petition more than once.

§3.02 Campaigning
(a) A candidate's election campaign shall commence no sooner than ten (10) days prior to the election date.

(b) Personal attacks on or defamatory statements about other candidates, SBA incumbents, faculty members or staff members are prohibited and shall be considered a breach of ethical conduct subject to disciplinary sanctions, and shall be referred to The John Marshall Law School Faculty Executive Disciplinary Committee for further proceedings.

(c) Campaigning is generally defined as any distribution or communication in an effort to obtain votes. Seeking signatures for petitions is not campaigning so long as any communication at that time does not solicit support or promises of votes for the candidate. Communications between a candidate and his or her staff shall not constitute campaigning. Other than petitions, no publication of intent to run for an elective position or office shall be allowed.

(d) No candidate shall campaign to more than ten (10) people at once pursuant to §§ 6.01 and 6.02.
   (1) Subsection (d) shall be applicable to in-person communication.
   (2) Subsection (d) shall not be applicable to the one (1) class speech that candidates are allowed to make.
   (3) Subsection (d) shall not be applicable to Internet social networking sites.
      i. Prior to any Internet campaigning, each candidate must request approval from the Rules Committee.

(e) No candidate shall campaign via email.

(f) Campaigning in the JMLS building lobby shall be allowed unless another organization or department has scheduled an event in that space.
(g) Campaigning on any floor, stairwell, or elevator of the library shall be strictly prohibited.

§3.03 Campaign Materials and Distribution
(a) The content of campaign materials is limited to presenting the qualifications, personal history, ideas and proposed policies of the candidate.

(b) Handouts and pamphlets may be distributed throughout the school. The posting of campaign materials shall be limited by an Election Committee determination to be established on an annual basis. The Election Committee’s annual determination of allowable campaign material postings shall include but not be limited to posting location, posting start time, posting duration and other procedural requirements. The Rules Committee should provide attendees of the General Assembly meeting dedicated to elections with a copy of the Election Committee’s annual determination. In the event that the Rules Committee does not provide attendees with a copy, candidates will still be bound to comply with the Election Committee’s annual determination and subject to any sanctions provided for in this title for violations.
(c) Candidates must approve all campaign materials.

(d) No campaign materials shall be posted before five pm (5 pm) on the day that Petitions for Candidacy are due.

(e) All campaign materials must be cleaned up and removed from the school premises the day after the election.

§4.01 Election Day Procedures
(a) Candidates’ name shall appear on the ballot in the order in which petitions were filed pursuant to §3.01.

(b) Each member of the SBA as defined in The Constitution may vote once.

(c) Polling shall last for no more than one (1) thirty-six (36) hour period.

(e) Each candidate for office may enlist aids to help them campaign.

§4.02 Election Certification
(a) The Committee shall count ballots and certify the election results. Certification of the results shall be published twenty-four (24) hours after the closing of the polls unless a campaign complaint has been filed. In the
event of a campaign complaint, certification of the election results shall be published within one-hundred and twenty (120) hours after the closing of the polls.

(b) Upon a candidate’s request, the Committee shall furnish specified vote totals for the race in which that candidate participated.

§5.01 Disciplinary Action
Aside from the referral of complaints for violation of section §3.02(b) relating to personal attacks and defamatory statements during campaign to The John Marshall Law School Disciplinary Committee, the SBA Rules Committee (Committee) shall retain jurisdiction to hear complaints of any violations of these election rules and impose necessary sanctions pursuant to the process set forth below.

(a) Any member of the Committee with a conflict of interest involving any candidate should refrain from participation in any decision during that election cycle.
   (1) Conflicts of interest will be determined by a quorum of the Committee.

§5.02 Complainants
Any SBA member of The John Marshall Law School as defined in The Constitution may file a complaint with the Committee regarding a candidate's violation of these election rules.

§5.03 Vicarious Responsibility
Each candidate shall be responsible for the conduct of any member of his or her staff and shall ensure that the members of his or her staff conduct themselves in accordance with these election rules. Disciplinary proceedings may be brought against a candidate for alleged violations of these election rules where the alleged violation resulted from a staff member’s conduct.

§5.04 Complaint Guidelines
Any complaint regarding an alleged violation of these election rules must:

(a) Be submitted in typed written form, alleging each separate violation of these rules in separate counts.

(b) Be filed within twenty-four (24) hours after the closing of the polls.

(c) Be filed with a member of the Committee with a return receipt signed by the person receiving the complaint.
(d) Specifically state the nature and facts of the alleged violation, as the complainant then knows them.

§5.05 Preliminary Procedures

(a) No later than twenty-four (24) hours after a complaint has been filed, the highest ranking non-candidate member of the Executive Board of the SBA (HRNCM) and Committee Chairperson shall meet. If either or both of these persons are unable to meet or are candidates themselves, the vacant position shall be filled by

(1) The other qualified person where one person cannot meet; or
(2) A person chosen by lot from the legislative body.

(i) Under no circumstances can a candidate or member of a candidate’s staff fill a vacancy.

(b) At this meeting the HRNCM and Committee Chairperson shall read and decide whether the complaint alleges a violation of these rules on its face.

(c) At this meeting the HRNCM and the Committee Chairperson shall determine under which of two categories the prima facie complaint falls:

(1) For minor matters, the HRNCM and Committee Chairperson shall determine the appropriate sanction immediately and inform the affected candidate of the decision. The affected candidate may then file his or her own complaint if he or she is dissatisfied with the decision.

(2) For major issues and all challenges for minor matters, the HRNCM and Committee Chairperson shall set a date and time for a hearing no later than four days after the meeting and give notice of such meeting to all parties involved and the Committee members.

(3) If the HRNCM and Committee Chairperson cannot agree whether the complaint alleges a violation of these election rules the complaint shall be deemed to be valid and a hearing time and date shall be set as above.

(d) Minutes of this meeting between the HRNCM and Committee Chairperson shall be given to the SBA Secretary and be available for public inspection.

§5.06 Formal Hearing

The following rules shall apply to all hearings called to decide the merits of a valid complaint.
(a) All parties duly served shall be present. The hearing panel shall consist of the Committee, with the Committee Chairperson presiding. A quorum of the Committee must be present for a valid decision to emanate.

(b) All parties may present any and all evidence and witnesses necessary to support their case. The complainant shall present his or her evidence and witnesses first, then the respondent(s). At no time shall any person make a personal attack or defamatory statement against any other party, witness or member of the hearing panel. Any such attack or statement will be handled pursuant to § 3.02(b).

(c) The hearing panel shall publish its decision on the merits of the complaint and any sanctions to be imposed within twenty-four (24) hours after the hearing. The hearing panel shall consider the merits by a preponderance of the evidence standard. Any dissent may appear with the panel's decision.

§5.07 Appeal
(a) Any party has a right to appeal the hearing panel's decision. Notice of intent to appeal shall be filed with the HRNCM no later than twenty-four (24) hours after the hearing panel's decision has been published. The HRNCM shall notify all parties and the Appeals Board of the appeal and set a time and place for the appeal within forty-eight (48) hours after receiving the notice of intent to appeal.

(b) The Appeals Board shall consist of a three (3) member panel, filled first by non-candidate Executive Board members in order of seniority, then from the SBA Legislature by lot. No member of the Rules Committee may sit on the Appeals Board.

(c) The appellate procedure shall be the same as that followed during the hearing except the Appeals Board shall hear testimony by the Committee Chairperson as to the hearing panel's decision and the reasons for its decision.

(d) The Appeals Board shall announce its decision, by a majority vote and preponderance of the evidence standard, within twenty-four hours after the appellate hearing. All decisions of the Appeals Board are final.

§5.08 Sanctions
(a) The degree and type of sanction imposed by the hearing panel shall be within the panel's discretion so as to promote further adherence to these election rules and discourage any further violations. Sanctions imposed
may include, but are not limited to: reprimands; campaign limitations; or expulsion or disqualification from the election. Only in the most extreme cases shall the matter be referred to The John Marshall Law School Faculty Executive Disciplinary Committee, which shall be the harshest sanction imposed.

(b) The Appeals Board may modify the sanctions imposed by the hearing panel as it sees fit.

§6.01 Open Forums
(a) During campaign, the only time that a candidate for an SBA Executive Board position may speak to a class section or larger audience is through an open forum sponsored by the Committee and presided over by the Committee Chairperson or his or her delegate.

(b) An SBA Representative or Executive Board member who is a candidate for any office or position, including the one presently held, may say no more than a short announcement of his or her candidacy and the office sought during class announcements pursuant to his or her elective office.

§6.02 Procedure at Open Forums
(a) Each candidate for an opposed Executive Board position shall be allowed no more than five (5) minutes to speak at an open forum. Unopposed candidates shall not address the open forum due to time constraints. Opposed candidates will speak in the following order:

- (1) Presidential candidates;
- (2) Vice-Presidential candidates;
- (3) Secretarial candidates;
- (4) Treasurer candidates;
- (5) ABA Representative candidates;
- (6) Chicago Bar Association Representative candidates;
- (7) Illinois State Bar Association Representative candidates;
- (8) Evening Student Liaison candidates.

(b) At the conclusion of all opposed candidates’ speeches, the presiding person shall recognize audience members for a “Question and Answer” period, to last no longer than thirty (30) minutes. The questions may be directed to a specific candidate or to all candidates for a specific office. Each candidate’s response to each question shall be limited to ninety (90) seconds.

(c) All appropriate election rules apply to an open forum.
(d) No proxies will be allowed in open forum.

§ 7.01 Appointments
Before becoming effective, appointments to elected positions made by the SBA President shall be approved by a majority of the Executive board in a manner the Executive Board deems appropriate.

This section shall not be applicable to appointments on to Faculty Committees or to the Executive Board in accordance with The Constitution.

TITLE II - RESPONSIBILITIES

§ 1.01 A non-exhaustive list of responsibilities of the Executive Board are described in Art. IV §§ 3-4 of The Constitution.

§ 1.02 Beyond those responsibilities enumerated in The Constitution, individual Executive Board members historically take on other responsibilities. A Historical Duties List, as determined by the current SBA Executive Board shall be distributed to all potential candidates at the Executive Board Election Meeting.

(a) The Historical Duties may be adjusted throughout the term as necessary, with the approval of the President and all involved Board Members.

TITLE III - SBA MEETINGS

§ 1.01 General Provisions
(a) The proceedings of the SBA meetings shall be governed by the latest edition of Robert’s Rules of Order.

(b) The SBA shall meet as needed, but in no case less than once (1) a month.

(c) The time and day of the week shall be set for the semester on the first general meeting of the SBA of that semester.

(1) The schedule set pursuant to this subsection shall not substantially conflict with the class schedule of any Executive Board member.

(d) The Legislature shall be considered in recess when Fall and Spring classes are in session. This shall not include reading days or exam periods.

§ 2.01 Attendance
(a) Attendance at each of the regularly scheduled meetings shall be mandatory for all SBA Representatives and Executive Board members.

(b) Failure to comply with subsection (a) at rate of seventy-five percent (75%) shall be considered “for cause” as stated in Article III, Sections 7 and 8 of The Constitution.

(c) The following are to be considered excused absences when calculating compliance with subsection (a):
   (1) Class scheduling conflicts;
   (2) Family emergency;
   (3) Serious illness;
   (4) Religious observances;
   (5) Any other circumstances deemed excused by a decision of a majority of a quorum of the Executive Board.

(d) Executive Board Members and SBA Representatives shall notify either the President or the Secretary of their anticipated absence as soon as possible prior to any scheduled meeting.

(e) SBA Representatives may appoint a proxy to attend a meeting in the event of absence.
   (1) Sending a proxy shall not be considered an excuse pursuant to an unexcused absence.

(f) The Secretary shall publish a complete attendance record indicating whether each SBA Representative was present, excused or unexcused.

TITLE IV – COMMITTEES

§ 1.01 Standing Committees
   (a) Rules Committee
      (1) The Rules Committee shall be responsible for making sure these Rules are updated and maintained.
      (2) The Rules Committee Chairperson shall be appointed by the SBA President, subject to the approval of the Legislature.
      (3) The Rules Committee shall function as the interpreting body of these Rules.
      (4) The Chairperson shall appoint four (4) to six (6) Committee Members from the student body. The President shall have the power to veto up to three (3) appointments.
(b) Diversity Affairs Committee
   (1) The Diversity Affairs Committee ("DAC") shall promote diversity and inclusiveness amongst the students and student organizations, and, as JMLS representatives, to the greater legal community by:
      (i) Planning and implementing programming for Diversity Week and other diversity-related ABA-required activities;
      (ii) Promoting diverse attendance and participation in the SBA and its events; and
      (iii) Developing and implementing new ideas and programs to support this mission.

   (2) The DAC shall be separate and distinct from the Office of Diversity Affairs, especially in that the DAC will not focus on recruitment of new diverse students. The DAC shall be accountable to the SBA Executive Board and the SBA Legislature.

   (3) The DAC shall receive its budget from the SBA in the same manner as any other SBA Committee.

   (4) One (1) Chairperson and one (1) Vice-Chairperson shall lead the DAC. After Commencement, the newly elected SBA President shall appoint students to these positions, from existing committee members if possible. These appointments shall be confirmed by a simple majority of a quorum of the newly elected SBA Executive Board.

(c) Barristers Ball Committee

(d) Public Interest Auction Committee

(e) Student Used Book Sale Committee

(f) 1L Charity Event Committee
   (1) The 1L Representatives shall hold a charity event benefiting the charity of their choosing.
   (2) The 1L Representatives shall appoint a chairperson from among themselves.
   (3) An Executive Board member shall act as liaison to facilitate this committee as needed.

(g) Public Interest Scholarship Committee ("PISC")
   (1) Purpose: Each academic year, there shall be a PISC, which shall be charged with the duty of awarding and disbursing scholarships for
those qualified students who will serve in unpaid positions during the summer in the area of public interest law.
(2) The PISC shall be formed during the fall semester of each academic year.
(3) Composition: The PISC shall consist of:
   (i) One PILC (Public Interest Law Club) Exec Board Member, any member of their choosing from year to year;
   (ii) The top two members of the SBA Executive Board, not applying for a Public Interest Scholarship under this section, in order of seniority;
   (iii) The CBA Representative will choose two (2) professors to be on the PISC. Each year the CBA Representative shall decide on those professors who are best to serve on the PISC.

(4) Duties: The duties of the PISC shall be:
   (i) To decide how many scholarships will be awarded and the amount of each scholarship depending on the amount of money raised through the Public Interest Auction;
   (ii) To encourage students to apply for the public interest scholarships;
   (iii) To decide which applicants shall receive scholarships.

   (e) Scholarship award decisions shall be made before the Spring Fling, which is held during the spring semester of each academic year.

   (f) The scholarship recipients shall be announced during the Spring Fling.

§ 2.01 Ad Hoc Committees
Committees shall be formed and Chairpersons shall be selected on an as needed basis pursuant to Title III § 1.01(a).

TITLE V - FINANCES
§ 1.01 Approval
(a) The President may unilaterally approve nominal expenditures for SBA needs in the amount of $0 - $499;
(b) Those expenses that are between $500 - $999 shall be approved by the Executive Board. Approval shall be subject to unanimous minus one (1) vote of a quorum present;
(c) Those expenditures that are above $1000 shall be approved by a majority vote of the legislature. For expenditures under this section (3) made while the legislature is in recess, approval under subsection (2) shall suffice.
TITLE VI - REMUNERATION AND OATH OF ELECTED OFFICERS

Each Elected Officer, before they enter into their respective office, shall take and subscribe to the following oath or affirmation.

The sitting Rules Committee Chairperson or his or her proxy shall administer the oath to all of the incoming members of the Executive Board. The SBA President shall administer the oath to the new legislature at the first meeting after 1L elections.

“I __________(Name) do solemnly swear (or affirm) that I will faithfully execute the office of ________(President, Vice President, Treasurer, Secretary, Representative, Etc.) of the Student Bar Association of the John Marshall Law School, that I will fulfill my fiduciary responsibilities to the student body as an officer of the Association, that I will work diligently and to the best of my ability to serve the students, whose interests will be my highest priority in my official capacity, and that I will, to the best of my ability, preserve, protect, and defend The Constitution of the John Marshall Law School Student Bar Association.”

TITLE VI AMENDATORY POWERS AND SEVERABILITY

(a) These rules are subject to amendment of the SBA Legislature or Committee at any reasonable time.

(b) Severability Clause. All rules contained herein shall be construed consistently with the JMLS SBA Constitution. Should any rule or any portion of a rule be found invalid under the JMLS SBA Constitution, the remainder shall still be valid and enforceable.