

CONSTITUTION

PREAMBLE

We the students of The John Marshall Law School, in order to promote a high standard of legal education and proficiency, ensure a representative voice for the student body and provide a means of exercising the rights and discharging the obligations inherent in us as students, do hereby adopt and establish this Constitution for the John Marshall Law School Student Bar Association.

ARTICLE I. Membership and Grant of Power.

§1. Membership. The Student Bar Association (SBA) of The John Marshall Law School shall be comprised of all regularly enrolled students of The John Marshall Law School.

§2. Grant of Power. The SBA shall have all the rights, powers and privileges inherent in the students of The John Marshall Law School, individually and collectively. The SBA shall represent the interests of the students of The John Marshall Law School, individually and collectively.

ARTICLE II. Bill of Rights.

§1. Introduction. The SBA of The John Marshall Law School is an association entrusted with the affirmative duty to act as advocate for the rights of students individually and collectively; Students as citizens have certain inherent and inalienable rights; Any enumeration of rights herein shall not deny or disparage these or other rights retained by the students as members of this association; Nothing in this Constitution shall deprive any student of the right to pursue or defend private interests before any person or body.

§2. Delineation of Rights. The rights of any student shall include, but not be limited to, the following: A quality legal education resulting from competent instruction and the best available materials Reasonable notification of any pending or proposed action, which for any reason may result in a student's own dismissal or suspension; A hearing prior to dismissal or suspension at which confrontation of the witnesses or evidence by the student, and representation, either *pro se* or by a person of the student's choice, to present evidence on the student's own behalf shall be available;

Reasonable notice of any action by the school substantially affecting the student's interests as a student;

Reasonable access to the student's own records, examinations, or any other information held by the school, which reflects on that student's character or academic fitness;

Peaceful and lawful assembly at the school;

Expression of him/herself in any reasonable manner;

Furtherance of the student's own legal education through extra-curricular activities; Dignified treatment commensurate with the study of law;

Review by the student body of administrative actions, which substantially affect their interests as students;

Voting representation by the student body on all policy-making bodies, which affect the quality of legal education;

Reasonable access to all records of this association.

ARTICLE III. Legislative Article.

§1. Composition.

The legislative authority of this association shall be vested in the Legislature, which shall be comprised of Delegates elected proportionately by the members from the smallest practical class unit;

The number of Delegates will be allocated in the following terms: two delegates per First Year Section; three Delegates for Part-Time Students; three Delegates for Second Year Students; three Delegates for Third Year Students;

The term "Part-Time Students" will include Part-Time Students and Evening Students as determined by the Registrar's Office.

Each elected Delegate shall hold office for a one year term. If a vacancy occurs on the Legislature for any reason, the President shall appoint a successor with the advice and consent of 2/3 of present voting Delegates;

No Delegate shall hold a contemporaneous Executive office within the Student Bar Association;

The Legislature may recognize as non-voting liaisons the heads, or appointed or elected delegates of other student organizations of the school.

§2. Powers.

The Legislature shall have the power:

By a two-thirds vote of the Delegates present and voting to adopt, repeal or amend such by-laws as are necessary for the proper execution of this Constitution;

By a majority vote of the Delegates present and voting, to adopt, repeal or amend such resolutions as are necessary for the proper execution of this Constitution;

To determine the rules of its proceedings;

To create, appoint, regulate and dissolve standing committees by a two-thirds vote of the Delegates present and voting. Eligibility for committee membership shall be open to any member of this association;

To create *ad hoc* committees and regulate their membership, chairmanship and scope of inquiry;

§3. Duties. A Delegate shall:

Represent the Delegate's class unit in meetings of the Legislature;

Reasonably inform the Delegate's class unit on the activities of the SBA.

Miss no more than two meetings of the SBA without a valid excuse accepted by the SBA Secretary.

§4. Meetings. The Legislature shall:

Be convened at least three times each semester, excluding the summer semester;

Not hold a general meeting within three days of any other general meeting of the Legislature unless approved by a majority of the Delegates, or as provided for in by-laws;

Conduct open meetings.

§5. Transaction of Business.

The Legislature shall conduct all business by a majority vote of Delegates present and voting except as otherwise provided in this Constitution. The Legislature may not transact any business without a quorum of Delegates present and voting or voting by proxy. A quorum shall consist of a majority of the Delegates. The Legislature shall address issues on the agenda for its meetings. The Legislature may submit agenda items, or conduct business, in an appropriate manner, that is not on the agenda.

The Legislature may refer any resolution or by-law to the association members by means of a referendum, and if so the decision of the association members on the referendum shall bind the Legislature.

§6. Proxy Voting.

The Legislature may, in its discretion provide for a system of proxy voting by the Delegates, subject to the following procedures:

A Delegate must appoint a member of his class unit as his proxy, unless no such class member is available, in which case another Delegate may be appointed as the proxy, but at no time shall any Delegate hold more than one proxy. A Delegate may direct his proxy, in writing, as to votes to be cast on any and all matters before the Legislature. All proxies must be presented to and recorded by the Secretary prior to the start of such meeting, in writing and signed by the Delegates presenting proxy. No proxies shall be submitted once the meeting has been called to order. Any proxy submitted thereafter shall not be recognized as present and voting. Proxies shall be counted for all purposes as if the Delegate proxy is present and voting.

§7. Discipline of Delegates.

The Legislature shall be primarily responsible for the discipline of its members. The Legislature may, upon cause, remove a Delegate, by a two-thirds vote of a quorum of Delegates present and voting after the Delegate has an opportunity to defend their actions. A Delegate shall be disciplined only once for the same offense.

§8. Discipline of Executive Officers.

The Legislature shall have the sole power to conduct investigations to determine the existence of cause for impeachment of Executive Officers. The Legislature may, upon cause, impeach Executive Officers by a two-thirds vote of a quorum of Delegates present and voting. After an Executive Officer has been impeached, the Executive Officer may be removed by a majority vote of a combination of the remainder of the Executive Board and the Dean of Student Affairs.

ARTIVLE IV. Executive Article.

§ 1. Composition. The Executive Board shall consist of the President, Vice-President, Secretary, Treasurer, American Bar Association Representative, Illinois State Bar Association Representative, Chicago Bar Association Representative, Executive Evening Student Liaison, Alumni Relations Liaison and Executive Master of Laws Student Liaison. Each Executive Officer shall hold office for one year. No Executive Officer may hold a contemporaneous Legislative office.

§ 2. Powers.

The executive powers of this association shall be vested in the Executive Board.

The executive powers include, but are not limited to:

Directing and coordinating the activities of this association;

Calling regular and emergency meetings of the Legislature, provided that notice of the time and place of the meeting is given at least 24 hours before the meeting is to begin and a majority of the Executive Board agree that such a meeting is warranted;

Primary power for interpreting this Constitution;

Establishing and appointing members to such *ad hoc* committees as it deems necessary and proper. Such committees having a single purpose and goal are confined to narrow or short-term projects. The President appoints the Chairperson who serves at his will;

§3. Duties.

The Executive Board shall:

Faithfully execute the policies and decisions duly promulgated by the Legislature;

Meet a minimum of twice a month;

Report its activities to the Legislature;
Conduct full Constitutional review every 2 years;

Act as representatives of this association to the faculty, administration, Board of Trustees, and other associations and groups within the school.

§4. President.

The President shall:

Be the presiding officer of the Legislature;

Be the chairperson and spokesperson of the Executive Board;

Have primary responsibility for coordinating the activities of the Legislature and the Executive Board;

Sit on the Board of the Faculty Executive Committee;

Be a member of the American Bar Association, the Illinois State Bar Association, and the Chicago Bar Association;

Be the primary liaison of this association to the faculty, administration, Board of Trustees, and other associations and groups within the school;

Have authority to appoint students to serve on the faculty committees, subject to the approval of the Dean of Student Affairs;

Appoint members to the Election Committee;

Allocate duties and responsibilities to other Executive Officers;

May, under their sole discretion, appoint individuals to serve as cabinet members, whose duties and responsibilities will be up to the designation of the President as long as such duties and responsibilities designated are not already codified to other such individuals within this Constitution;

Prepare and publish an early agenda no less than 72 hours prior to each meeting of the Legislature, and a finalized agenda for the day of each meeting of the Legislature;
Authorize expenditures of the association's funds;

Have the power to veto any resolution approved by the Legislature subject to override by two thirds vote of the Delegates present and voting;

Have exclusive power to appoint an individual to any vacant Executive Board position subject to the advice and consent of a majority of the Executive Board (excluding the President) and subject to the approval of the Dean of Student Affairs;

§5. Vice President.

The Vice-President shall:

Serve as the President's primary assistant in the performance of the President's duties and serve in the capacity of the President in the President's absence;

Serve in the capacity of Ombudsman to assist in handling specific problems for such members requesting such services;

Serve as primary caretaker of all scheduling, development, and execution of the yearly Barrister's Ball;

Carry out those functions designated by the President.

§6. Secretary.

The Secretary shall:

Record the minutes of each meeting of the Executive Board and the Legislature;

Record the attendance of each meeting of all members of the Executive Board and the Legislature;

Make available a copy of the minutes of each open meeting within a reasonable time after the completion of such meeting;

Be responsible for all non-financial records and titles of this association;

Make a permanent record and cause to be published all by-laws and resolutions;

Keep and preserve the original copy of this Constitution.

Make available upon request to any member a copy of this Constitution;

Distribute a copy of this Constitution and by-laws to each Delegate at the beginning of the Delegate's term:

Appoint, at the Secretary's discretion, an assistant who shall assist the Secretary in the Secretary's duties, but who shall not have a voting right;

Carry out those functions necessary to assist the Dean of Student Affairs with the day-to-day operations of the student body concerning student issues;

Carry out those functions designated by the President.

§7. Treasurer.

The Treasurer shall:

Be responsible for all financial records of this association;

Account for all revenues and expenses of this association;

Report to the Executive Board and Legislature on the status of this association's financial position;

Organize and have primary responsibility for at least one event, the purpose of which is to raise funds for this association;

Carry out those functions necessary to assist the Dean of Student Affairs with the day-to-day operations of the student body concerning student issues.

Carry out those functions designated by the President.

§8. American Bar Association Representative.

The American Bar Association Representative shall:

Promote membership of the American Bar Association;

Act as liaison of this association to the American Bar Association;

Attend the conventions and meetings of the American Bar Association at the expense of this association;

Inform the members of this association of the activities and opportunities available to members of the American Bar Association;

Carry out those functions designated by the President.

§9. Illinois State Bar Association Representative.

The Illinois State Bar Association Representative shall:

Promote membership of the Illinois State Bar Association;

Act as liaison of this association to the Illinois State Bar Association;

Attend conventions and conferences of the Illinois State Bar Association at the expense of this association;

Inform the members of this association of the activities and opportunities available to members of the Illinois State Bar Association;

Carry out those functions designated by the President.

§10. Chicago Bar Association Representative.

The Chicago Bar Association Representative shall:

Promote membership of the Chicago Bar Association;

Act as liaison of this association to the Chicago Bar Association;

Attend conventions and conferences of the Chicago Bar Association at the expense of this association;

Inform the members of this association of the activities and opportunities available to members of the Illinois State Bar Association;

Carry out those functions designated by the President.

§11. Executive Evening Student Liaison.

The Executive Evening Student Liaison shall:

Act as the primary liaison between part-time and evening students and the Executive Board and Legislature;

Carry out those functions designated by the President.

§12. Executive Master of Laws Student Liaison.

The Executive Master of Laws Student Liaison shall:

Act as the primary liaison between master of laws students and the Executive Board and Legislature;

Carry out those functions designated by the President.

§13. Alumni Relations Liaison.

The Alumni Relations Liaison shall:

Act as the primary liaison between the Alumni Board and the Executive Board and Legislature;

Serve as primary caretaker of all scheduling, development, and execution of the yearly Student-Alumni Exchange;

Serve as primary caretaker of all scheduling, development, and execution of the yearly Public Interest Auction;

Carry out those functions designated by the President.

§14. Voting Rights.

Each Executive Officer shall have one vote on all matters considered at meetings of the Executive Board and one vote on all matters considered at meetings of the Legislature. At meetings of the Legislature, the President shall have a vote, but only to break a tie.

§15. Vacancies.

In the event of a vacancy on the Executive Board, the President shall appoint, subject to approval of the Dean of Student Affairs, an individual to fill the vacancy. The appointment must be approved by a majority vote of the SBA Executive Board (excluding the President). In the event of a vacancy of the President of the Student Bar Association for any reason whatsoever, the Vice President shall assume the duties and perform such duties until the next regularly scheduled Legislative Meeting, at which time the matter shall be brought before the Legislature for the deliberation as to the feasibility of conducting new elections.

The Legislature may, by a vote of three-fourths of all Delegates present and voting, determine that a new election will be held. In the absence of a new election, the powers of the SBA Presidency shall bestow upon the Vice President for the remainder of the term. In the event that the Vice President is unable to perform and execute the powers of the Presidency, the line of succession shall be as follows:

- i. Secretary
- ii. Treasurer
- iii. American Bar Association Representative
- iv. Illinois State Bar Association Representative
- v. Chicago Bar Association Representative
- vi. Executive Evening Student Liaison
- vii. Alumni Relations Liaison
- viii. Executive Master of Laws Student Liaison

ARTICLE V. Elections.

§1. Election Committee.

The Election Committee shall be composed of 2 members appointed by the President, 2 members appointed by the Associate Dean for Student Affairs, 1 member appointed by the SBA Executive Board (excluding the President), the President (as a nonvoting member) and the Associate Dean for Student Affairs (as a nonvoting member) and shall supervise and conduct all elections within this association. The Executive Board's delegate to the committee will head the Election Committee and decide any tie votes.

§ 2. General Procedures.

Adequate notice of the time and place of elections shall be provided to members of this association. Elections shall be held through the law school's website. In case of a tie vote, a run-off election between the tying candidates shall be held. The same rules that are applicable to general elections shall apply to the run-off election.

§3. Elections for the Legislature.

Elections for the Legislature shall be held twice annually, in September and January, but there may only be one election per year for any given seat in the Legislature. A member, in order to have his/her name printed on ballots for the election, shall obtain 25 signatures for the position of Delegate on a nominating petition from members of his/her class unit. A member may vote only for a candidate from his/her class unit. Voting for Delegates shall be cumulative, with those candidates receiving the highest number of votes being elected. Newly elected Delegates shall take office upon announcement of election results.

§4. Elections for the Executive Board.

Elections for the Executive Board shall be held annually, during the first Tuesday in the month of April. Elections shall last 48 hours. A member, in order to have his/her name printed on ballots for the election, shall obtain 100 signatures for any Executive Board position on a nominating petition from members of this association. The candidate who receives the highest number of votes for the office contested shall be elected. Newly elected Executive Officers shall take office at the end of the spring term.

ARTICLE VI. Amendment and Repeal.

§1. Ratification of an Amendment.

Any Student Bar Association member may propose an Amendment. An Amendment shall be ratified when it is approved by a majority vote of Student Bar Association members who voted.

§2. Ratification of a New Constitution.

Any Student Bar Association member may propose a new Constitution. Such Proposed Constitution shall be ratified when it is approved by a two-thirds vote of Student Bar Association members who voted. At that time the Proposed Constitution shall take effect. After the effective date of a New Constitution, this Constitution shall be null void.

§3. Signatures.

Members may challenge signatures for two weeks after ratification. Two weeks after ratification, the Amendment or New Constitution becomes effective.