

**THE CONSTITUTION OF THE STUDENT BAR ASSOCIATION
OF WHITTIER LAW SCHOOL**

ADOPTED AND RATIFIED ON APRIL 21, 2005

PREAMBLE

WE THE STUDENTS of Whittier Law School, in order to empower the Student Body by representing their interests to the Faculty and Administration, provide for the development of legal traditions among the students, and provide for or support efforts to promote the social and educational interests of the entire student body, hereby ordain and establish this Constitution for the **Whittier Law School Student Bar Association**.

ARTICLE I.

The Membership of the Student Bar Association

Section 1. The membership of the Student Bar Association, hereinafter "S.B.A.," shall consist of all students currently enrolled at Whittier Law School who have paid their S.B.A. dues.

Section 2. The membership of the S.B.A. shall have the following rights and responsibilities:

Section 2.1. All S.B.A. members shall be entitled to vote in all S.B.A. elections and referendums.

Section 2.2. All S.B.A. members shall be entitled to present resolutions for consideration by the governing board of the S.B.A. In addition, S.B.A. members shall also be entitled to prepare initiatives for adoption by the entire membership of the S.B.A.

Section 2.3. All S.B.A. members, in good standing, as that term is defined in the Whittier Law School Academic Rules and Regulations, shall be eligible to run for any position for which they qualify within the governing board of the S.B.A.

Section 2.4. All rights and responsibilities enumerated in this constitution shall not be construed to deny or disparage others retained by the members of the S.B.A.

Section 3. No S.B.A. member shall act in the name of the S.B.A. in any matter or by any means, unless he or she has given notice to the President and received authorization from the S.B.A. Board.

Section 4. All recognized S.B.A. publications and organizations shall be subject to the laws and regulations of the S.B.A.

Section 5. Any S.B.A. member who is suspended or expelled from Whittier Law School shall automatically have his or her membership privileges suspended. The duration of the suspension is to be directly proportional to the actions taken by the Administration. Membership privileges, except the ability to hold office, shall not be suspended if a member is placed on academic probation.

ARTICLE II.

The Dues of the Student Bar Association

Section 1. The S.B.A. shall collect dues at the commencement of each semester from all registered students. Dues shall not be refundable in whole or in part for any reason.

Section 2. It shall be the duty of the Treasurer to confirm that the Administration has collected dues at the time of registration for the upcoming semester from all students. The Treasurer shall inquire into the sums collected from the administration and record the deposit of said sums in the S.B.A. Ledger.

Section 3. The amount of the dues shall be determined by a majority vote of the Executive Board and placed before the S.B.A. Assembly in a resolution to be approved by a two thirds vote of the entire S.B.A. Board. In the absence of an express resolution, the dues shall be equal to that levied the previous semester. Any action regarding dues must be reported to the Members and the Administration.

Section 4. The Treasurer shall have the responsibility to inquire into any deductions from the total amount of dues taken by the Administration at the commencement of the semester and shall then report said deduction to the governing board of the Student Bar Association.

Section 5. The dues shall not be increased more than once per academic year.

ARTICLE III.

The Governing Board of the Student Bar Association

Section 1. The membership of the S.B.A. shall be governed by the S.B.A. Board. The S.B.A. Board shall consist of two components: 1) an Executive Board and 2) the S.B.A. Assembly.

Section 2. The Executive Board shall consist of the President, Vice President Day, Vice President Evening, Secretary, and Treasurer.

Section 3. The S.B.A. Assembly shall consist of the Class Representatives, the Sergeant-at-Arms, the Parliamentarian, the Student Activities Director, and the Alumni Liaison. In addition, the A.B.A./L.S.D. Representative and the Editor-in-Chief of the "Zealous Advocate" may also serve in the S.B.A. Assembly upon election by the S.B.A. membership to their respective offices.

Section 4. All legislative, executive, and judicial powers of the Student Bar Association, as enumerated in this Constitution and the Bylaws of the Student Bar Association, hereinafter "S.B.A. Bylaws," shall be vested in the S.B.A. Board. These powers shall include, but are not limited to the following:

Section 4.1. The power to enact resolutions necessary and proper to comply with and fully execute all of the goals of Whittier Law School and the Student Bar Association.

Section 4.2. The power to initiate and regulate any and all activities of the Student Bar Association.

Section 4.3. The power to ratify any and all expenditures from the Treasury as necessary to comply with the provisions of this Constitution and the Bylaws.

Section 4.4. The power to make any and all rules and procedures as necessary to carry out its mandate under this constitution. These rules and procedures shall be proscribed in the S.B.A. Bylaws. The first ten Bylaws must be approved by a majority of the S.B.A. members. Additional Bylaws may be proposed by any S.B.A. Board Member in the form of a resolution for approval by two-thirds of the entire S.B.A. Board.

Section 4.5. The power to require reports at its discretion from all committees and commissions of the S.B.A. These reports may be made orally at S.B.A. meetings or written and presented to the President.

Section 4.6. The power to provide for the installation and transition of the incoming Board.

Section 5. All expenditures from the Treasury must be submitted to the S.B.A. Board in the form of a resolution to be approved by majority vote. Any reimbursement must first be approved by a majority vote of the S.B.A. Board on a case-by-case basis. Such reimbursement shall be made upon submission of a receipt and the appropriate reimbursement forms with proper signatures in accordance with Whittier Law School accounting practices.

Section 6. The S.B.A. Board shall not appropriate funds beyond the reasonably foreseeable future revenue of the Student Bar Association. To this end, the S.B.A. Board shall have the discretion to approve or deny requests for funds, so long as there is a legitimate and nondiscriminatory purpose for limiting the request of funds. Any expenditure of funds greater than \$1,000.00 shall require a two thirds vote of the S.B.A. Board.

Section 7. The S.B.A. Board shall meet as needed to fulfill the goals set forth in this Constitution, but not less than once a month during the academic year. Such a rule shall not apply to the summer semester. The S.B.A. Board shall follow the procedural rules established in the S.B.A. Bylaws and the Manual of Parliamentary Procedure adopted by the S.B.A. Board during all meetings.

Section 7.1. The S.B.A. meetings shall be open to all S.B.A. Members. At the discretion of the S.B.A. Board, the meetings may be closed during discussion of resolutions and other matters in which the presence of S.B.A. members would unfairly prejudice the proceedings or matters that are disciplinary in nature.

Section 7.2. The S.B.A. Board shall meet in emergency session whenever such a session is required and upon written notice of the President, notice to be given five days in advance to all board members, or upon petition of one-third of the entire S.B.A. Board, to be given five days in advance.

Section 8. No member of the S.B.A. Board shall receive monetary compensation for services.

Reimbursements for expenditures must be authorized by the S.B.A. Board.

Section 9. All powers not delegated to the S.B.A. Board by the Constitution or Bylaws are reserved to the S.B.A. Board respectively, or to the membership of the S.B.A.

ARTICLE IV.

The Duties and Responsibilities of the Student Bar Association Board Members

Section 1. The Officers of the Executive Board shall have the following duties and responsibilities:

Section 1.1. The Duties of the President. The Duties and Responsibilities of the President shall include the following:

Section 1.1.1. To serve as the official spokesperson of the S.B.A.

Section 1.1.2. To serve as the Chairperson of the S.B.A. Board and the S.B.A. Election Committee.

Section 1.1.3. To expend funds of the S.B.A. for office supplies and other expenses incidental to the operation of the Board. Such expenditures shall not exceed \$500.00 during the term of office. The President shall report and provide original receipts of all such expenditures to the Board at the next regularly scheduled meeting. Failure to produce receipts will bar reimbursement of those funds.

Section 1.1.4. The President, in September, shall request from the Registrar a list of all students for the purpose of determining class representation for voting purposes.

Section 1.1.5. The President shall request and receive regular written reports from the student/faculty committee representatives, standing committee representatives, and the A.B.A./L.S.D. Representative.

Section 1.1.6. The President shall prepare an inaugural address to the S.B.A. Board outlining his or her goals for the term. The President shall also prepare a State of the S.B.A. address to the student body to be placed in the student mailboxes on or about the beginning of each semester.

Section 1.1.7. The President shall also be responsible for ensuring that all members of the S.B.A. Board are performing their duties and responsibilities. In the event that any of the Executive Board officers cannot perform their duties, the responsibility will fall upon the President to carry out those duties or nominate any board member to carry out said duties

Section 1.1.8. The President shall represent the S.B.A. at all necessary American Bar Association functions and shall be reimbursed for all reasonable costs incurred by that representation, including but not limited to transportation, housing, and fees.

Section 1.1.9. The President shall perform all other duties specified elsewhere in this Constitution and the Bylaws.

Section 1.2. The Duties of the Vice President Day and Evening. The Duties and Responsibilities of the Vice President Day and Vice President Evening shall include the following:

Section 1.2.1. The Vice Presidents shall oversee the functioning of all recognized S.B.A. committees and other organizations funded by the S.B.A. to insure that they comply with the requirements of this Constitution and the Bylaws.

Section 1.2.2. The Vice Presidents shall act in conjunction with the President to fulfill all goals of the S.B.A. and Whittier Law School. The Vice Presidents shall assist the President in the management and operation of the S.B.A.

Section 1.2.3. If the President is unable to fulfill all of the duties of the office of the President, the Vice Presidents shall step in and assume the duties in the manner proscribed under Article VIII of this Constitution.

Section 1.3. The Duties of the Secretary. The Duties and Responsibilities of the Secretary shall include the following:

Section 1.3.1. The Secretary shall prepare and maintain current S.B.A. records, including, but not limited to: 1) the minutes of all S.B.A. meetings, which should be posted no later than seventy-two hours after an S.B.A. meeting; 2) a current directory of all S.B.A. Board

members; 3) copies of all S.B.A. correspondence; and 4) preparation of all reminders of meetings and announcements to be made in classes.

Section 1.3.2. During S.B.A. meetings, in addition to taking the minutes, the Secretary shall: 1) call the roll; 2) read letters addressed to the S.B.A. Board, 3) call and record the vote of the S.B.A. Board on all resolutions; and read all reports of the S.B.A. committees.

Section 1.4. The Duties of the Treasurer. The Duties and Responsibilities of the Treasurer shall include the following:

Section 1.4.1. To serve as principal financial officer of the S.B.A. and shall at all times during the term of his or her office be responsible for the safekeeping and handling of S.B.A. funds, moneys, negotiable paper, assets, and accounts.

Section 1.4.2. To submit financial statements to the S.B.A. on or near the thirtieth day following his or her election to office, listing all assets and liabilities of the S.B.A. Thereafter, he or she shall continue to submit up-to-date financial statements at every regular meeting of the Board. Such statements shall be exact in nature, estimates are permitted only if exact figures are not available at the time of the meeting. Copies of the financial statements presented to the S.B.A. shall be maintained in the S.B.A. Ledger, which shall be kept in the S.B.A. Office and available for perusal by any S.B.A. member.

Section 1.4.3. The Treasurer and President, or any other Board Member whom the President nominates, shall be authorized to affix their signature to negotiable paper on behalf of the S.B.A., provided such an expenditure of S.B.A. funds is authorized or ratified by the S.B.A. Board in compliance with this Constitution and the Bylaws. No fewer than two signatures shall be required on any negotiable paper submitted by the S.B.A.

Section 1.4.4. The Treasurer, after consultation with the S.B.A. Board, shall be required to prepare a recommended budget for the coming school year no later than thirty days after the first day of classes.

Section 1.4.5. Neither the Treasurer acting alone or in concert with any or all of the S.B.A. Board shall be permitted at any time to borrow on the credit of the S.B.A.

Section 1.4.6. The Treasurer shall have the sole responsibility of assisting the Treasurer-Elect with effectuation of the turning over of the books and accounts of the S.B.A. by the last day of classes of the spring semester prior to exams.

Section 2. The members of the S.B.A. Assembly shall have the following rights and responsibilities:

Section 2.1. The Duties of the Class Representatives. The Duties and Responsibilities of the Class Representatives shall include, but not be limited to the following:

Section 2.1.1. The Class Representative shall have the responsibility to report to his or her constituency each of the topics discussed at the S.B.A. meeting. This should be done within one week after the S.B.A. meeting. This may include announcing upcoming Law School events and generally keeping their constituency informed. The class representative may use whatever method is most likely to successfully communicate with his or her constituency.

Section 2.1.2. The Class Representative should always point out to his or her constituency the availability of the posted minutes and their location.

Section 2.1.3. The Class Representative shall have the responsibility of promoting S.B.A. sponsored activities and projects to his or her class, including the time and location of such events.

Section 2.1.4. The Class Representative should solicit from his or her class any ideas, suggestions, comments, and criticisms. The Class Representative shall bring these to the attention of the S.B.A. Board; even if the Class Representative does not agree with them.

Section 2.1.5. If a problem peculiar to the class and not within the S.B.A. should arise, the Class Representative shall be the liaison between his or her class and the Administration. All issues discussed with the Administration must first be heard before the S.B.A. Board.

Section 2.1.6. The Class Representative should balance the opinion of his or her class with his or her own judgment on what is in the best interests of the class and Whittier Law School. The Class Representative should be the voice of his or her class in the Student Bar

Association and shall take whatever actions are necessary to fully and faithfully represent their interests, including polling of class opinion in cases of controversy. The Class Representative shall never vote or act solely for personal benefit or the benefit of any faction.

Section 2.1.7. Failure of the Class Representative to uphold any of these duties may result in disciplinary action pursuant to Article VIII of this Constitution.

Section 2.2. The Duties of the Sergeant-at-Arms. The Sergeant-at-Arms shall have the following duties and responsibilities:

Section 2.2.1. The Sergeant-at-Arms shall be in charge of maintaining the integrity of S.B.A. Meetings. To this end, the Sergeant-at-Arms shall, upon direction of the chair, remove any member from the S.B.A. meeting who is being disruptive or otherwise ordered to leave.

Section 2.2.2. The Sergeant-at-Arms shall be responsible for insuring that only one representative from each of the student organizations is represented at all S.B.A. meetings.

Section 2.2.3. The Sergeant-at-Arms shall assist the Student Activities Director in the operation of all S.B.A. events and activities as necessary.

Section 2.3. The Duties of the Parliamentarian. The Parliamentarian shall have the following duties and responsibilities:

Section 2.3.1. The Parliamentarian shall be responsible for ensuring that the S.B.A. Board follows the provisions of this Constitution and the Bylaws, consistent with the provisions of Article VI of this Constitution.

Section 2.3.2. The Parliamentarian shall have the duty to study this Constitution, the Bylaws, and the Manual of Parliamentary Procedure duly adopted by the S.B.A., so that he or she can provide advice to board members and prepare Amendments to this Constitution and additions to the Bylaws.

Section 2.3.3. It shall be the sole duty of the Parliamentarian to draft Amendments and new Bylaws, after consultation with members of the S.B.A. Board. The Parliamentarian shall serve as chairman of the Bylaws Committee and appoint its members to assist in the drafting of Amendments and new Bylaws as necessary.

Section 2.3.4. The Parliamentarian shall work with the Secretary to insure that the S.B.A. Record is up to date and that a current copy of the Constitution and Bylaws is available to all S.B.A. members upon request.

Section 2.3.5. The Parliamentarian may vote in all matters brought before the S.B.A. Board.

Section 2.4. The Duties of the Student Activities Director. The Student Activities Director shall have the following duties and responsibilities:

Section 2.4.1. To organize and administer the following activities: 1) Annual installation and award activities; 2) social activities; and 3) any and all other S.B.A. events or activities the Board may approve.

Section 2.4.2. To oversee any committee involved in the preparation and planning of any of the above enumerated activities, to ensure efficient running of the committee, and that preparation of the events are proceeding on schedule.

Section 2.4.3. To prepare a master calendar of all functions of the S.B.A. with respect to the activities enumerated above with a timely distribution to the students. This provision may be satisfied by updating the calendar outside the S.B.A. Office.

Section 2.4.4. To prepare a budget request for necessary expenditures and to submit it for approval by the S.B.A. Board.

Section 2.5. The Duties of the Alumni Liaison. The Alumni Liaison shall have the following duties and responsibilities:

Section 2.5.1. To attend both the S.B.A. Board meetings of the S.B.A. and meetings of the Alumni Association of Whittier Law School.

Section 2.5.2. The responsibility to report between the S.B.A. and the Alumni Association and to coordinate and develop programs beneficial to both organizations. Additionally, the

Alumni Liaison must sponsor at least one joint activity per year between the alumni and the current student body.

Section 2.6. The Duties of the A.B.A./L.S.D. Representative and the Editor-in-Chief of the *Zealous Advocate*. The A.B.A./L.S.D. Representative and the Editor-in-Chief of the *Zealous Advocate* shall follow the duties of their offices as established by the A.B.A. or the publication respectively. The A.B.A./L.S.D. Representative and the Editor-In-Chief of the *Zealous Advocate* are responsible for the installation of their successors.

ARTICLE V.

The Student Bar Association Committees

Section 1. The Student Bar Association Board shall establish such committees as necessary and proper to effectively serve the interests of the S.B.A. and meet the mandate of this Constitution and the Bylaws.

Section 1.1. The President shall have the power to create a committee and appoint its chairperson. The S.B.A. Board may create a committee and appoint its chairperson by majority vote. The chairperson of the committee shall have the power to appoint individual members of the committee, subject to veto by the President or a majority vote of the S.B.A. Board. The committee chairperson should ensure that the committee membership reflects that of the student body. Dual representation on multiple committees should be avoided but it is permitted if no other appropriate candidates can be found.

Section 2. The S.B.A. shall have representation on the following Whittier Law School committees, subject to the acquiescence of the faculty to having a student serve on such committees:

Section 2.1. Faculty Committees. The S.B.A. Board shall appoint any S.B.A. member to serve on the following Faculty Committees: 1) Curriculum; 2) Library and Technology; 3) Long Range Planning; 3) Honors Board; 4) Center for Children's Rights; 5) Intellectual Property Program; and 6) any other Faculty Committee that should be created by Whittier Law School that affects the members of the S.B.A. The President shall oversee the appointment process and be charged with management of committee representation; the President may delegate this authority to one of the Vice Presidents at his or her discretion.

Section 2.2. Parallel Faculty Committees. The S.B.A. Board shall appoint any S.B.A. member to serve on the following Parallel Faculty Committees: 1) Academic Standards; 2) Admissions; 3) Personnel; 4) Governance; and 5) any other Parallel Faculty Committee that should be created by Whittier Law School that affects the members of the S.B.A. The President shall oversee the appointment process and be charged with management of committee representation; the President may delegate this authority to one of the Vice Presidents at his or her discretion.

Section 3. Students do not have a vote in parallel faculty committees, but do have a vote in faculty committees, subject to faculty acquiescence in the ability of the student representative to vote. All of the parallel faculty committee meetings are confidential, and students may only attend if they are invited to give comments. Student representatives of faculty committees shall attend all meetings as called by the chair.

Section 4. Representatives shall contact the appropriate chairpersons of their faculty committee and attend all meetings. Representatives of parallel student faculty committees shall communicate with counterpart faculty chair as necessary.

Section 5. All Representatives must submit an oral or written report after each meeting of their committees describing past, on-going, and future issues discussed in those meetings. Failure to do so may result in removal from the committee. It is the responsibility of the Representatives to fully apprise the S.B.A. of all issues and discussions held within these committees.

Section 6. The S.B.A. President shall serve as the student representative at all faculty meetings and shall bring to the attention of the faculty all pertinent student concerns. The President may draft recommendations for the faculty to adopt, but the President is not entitled to vote at faculty meetings.

ARTICLE VI.

Parliamentary Procedure and Legislative Authority

Section 1. The Student Bar Association shall be governed first by this Constitution and then the procedures established in the Bylaws. The rules contained in the current edition of the *Robert's Rules of Order Newly Revised* shall govern the Student Bar Association in all cases to which they are applicable and in which they are not inconsistent with this Constitution and the Bylaws and any special rules of order the S.B.A. may adopt.

Section 2. The Student Bar Association shall abide by the Rules and Regulations of Whittier Law School and the Laws and Regulations of the City of Costa Mesa, the County of Orange, the State of California, and the United States of America.

Section 3. The S.B.A. President and Parliamentarian shall have the power to ensure that the provisions of this Article are followed by the S.B.A. Board.

ARTICLE VII.

Student Bar Association Elections

Section 1. General Elections. General elections shall begin on or near the last week of March or first full week of April or at such time as is reasonably necessary shortly before or thereafter. Elections will take place over a three week period in the following order: 1) petition week; 2) campaign week; and 3) voting week. The new officers shall assume their duties after the last full day of class of the Spring Semester, but are permitted to begin the transition immediately following certification of the election.

Section 1.1. A transition period for the Board-elect shall be observed. This transition period will facilitate communication from the Board regarding procedures and administrative contacts to be appropriately passed on to the Board-elect.

Section 1.2. Appointment of the faculty committee members and parallel student faculty committee members shall occur as soon as possible during the Fall Semester. Notice shall immediately be given to the faculty of the committee appointments.

Section 1.3. Turning over the S.B.A. accounts and books to the Treasurer-elect shall occur during the transition period.

Section 2. The First Year Class Representative Elections. The First Year Class Representative elections shall take place in the fourth full week of classes in the Fall Semester or as soon as possible thereafter as feasible.

Section 3. The Spring Admit Class Representative Elections. The Spring Admit Class Representative elections shall be elected in the fourth full week of classes in the Spring Semester or as soon thereafter as feasible.

Section 4. Election Committee. General and Special Elections shall be conducted by an Election Committee which shall be composed of the S.B.A. President, Secretary, Third Year Day and Fourth Year Evening Representatives. In addition, the Election Committee may appoint any appropriate S.B.A. members to serve on the committee so long as they do not have a personal interest in the outcome. Enumerated committee members shall recuse themselves in the event that they are seeking office in the upcoming election.

Section 5. Election Code. The Election Committee shall be governed by the applicable provisions of this Constitution and the procedures established in the Election Code of the Student Bar Association.

Section 6. Qualifications of the Candidates. Candidates must meet the following qualifications to serve on the S.B.A. Board:

Section 6.1. The only academic requirement a student must meet in order to be a candidate for office is that he or she must be in good academic and financial standing with Whittier Law School.

Section 6.2. A student may not be a candidate for more than one office and must have a minimum of two semesters remaining in school.

Section 6.3. Candidates for all offices, except First Year Class Representative and Spring Admit Class Representative, must have completed at least one full semester of study at Whittier Law School with the exception of those situations in which no qualified candidate can be found to fill the position.

Section 6.4. A candidate for the office of President must be an entering Second, Third, or Fourth Year Day or Night Student.

Section 6.5. A president can be elected for two consecutive one year terms of office.

Section 6.6. A candidate for the office of Vice President Day or Day Class Representative Position must be a member of the Day Class.

Section 6.7. A candidate for the office of Vice President Evening or any Evening Class Representative position must be a member of the Evening Class.

Section 7. Constituents. Constituents for the following offices are all students: President, Secretary, Treasurer, Parliamentarian, Sergeant-at-Arms, Student Activities Director, Alumni Liaison, A.B.A./L.S.D. Representative, and Editor-in-Chief of the *Zealous Advocate*.

Section 7.1. The Constituents of the Day Vice President are all day students.

Section 7.2. The Constituents of the Evening Vice President are all evening students.

Section 7.3. The Constituents of the First Year Day Representatives are all first year day students.

Section 7.4. The Constituents of the Second Year Day Representatives are all second year day students.

Section 7.5. The Constituents of the Third Year Day Representative are all third year days students

Section 7.6. The Constituents of the Spring Class Representatives are all spring class students.

Section 7.7. The Constituents of the First Year Evening Representative are all first year evening students.

Section 7.8. The Constituents of the Second Year Evening Representative are all second year evening students.

Section 7.9. The Constituents of the Third Year Evening Representative are all third year evening students.

Section 7.10. The Constituents of the Fourth Year Evening Representative are all fourth year evening students.

Section 7.11. The voting process should draw careful distinction to assure that students only vote for candidates that are part of their constituency.

Section 8. The Number of Class Representatives. The number of first year class representatives, day and evening, shall be equal to that of the number of sections with one representative being chosen per section. The number of second year class representatives, day and evening, shall be equal to that of the number of sections, day and evening, during their first year. The number of third year day and third year evening and fourth year class representatives shall be equal to that of the number of sections during their first year. The spring admit students shall have one representative per section. The S.B.A. Board may change the number of class representatives to reflect the increase in student population as needed by resolution adopted by two-thirds majority.

Section 9. Notice of Elections. Notice of Elections and a copy of the Election Code governing such elections shall be given during the week prior to petition week. The Election Committee shall ensure that notice of such elections is prominently posted throughout the school.

Section 10. Nominations. All candidates as a condition precedent to their candidacy shall submit a petition signed by no fewer than twenty-five students who are also constituents to the office or position indicated on the petition. Said petition must also contain a representation that the candidate is in good academic standing and has a minimum of two semesters remaining in school. For the purposes of this Constitution and Bylaws, semester will be defined as only the Fall and Spring terms, as classified to be a semester under Whittier Law School standards. Summer sessions is classified as a special session and is not considered a semester and will not be used as one for the purposes of this Constitutions and Bylaws in the calculation of remaining semesters of attendance.

Section 10.1 Write in candidates will be allowed only for those offices in which there were no petitions received at the close of election week.

Section 11. Election Procedures. The election shall be conducted in accordance with the Election Code of the Student Bar Association.

Section 11.1. Members who have completed their petitions shall attend a Mandatory Candidates Meeting to be held at the end of petition week and prior to the start of campaign week.

Section 11.2. A copy of the Election Code and this Constitution shall be made available to each member who has submitted their completed petition at the candidates' meeting to be held at the end of the petition week.

Section 11.3. Official campaigning as defined by the Election Code shall only take place during the week before the Election.

Section 11.4. The Election shall take place during the last full week in March or as soon thereafter as feasible. The Election of the First Year Representative shall take place during the fourth full week of classes during the Fall Semester or as soon thereafter as feasible. The Election of the Spring Admit Representative shall take place during the fourth full week of the Spring Semester or as soon thereafter as feasible.

Section 11.5. Broad discretionary authority is granted to the Election Committee in application and interpretation of this Article and the Election Code. All decisions regarding the Election Process shall be made by the Election Committee. All decisions of the Election Committee shall be subject to appeal to the S.B.A. Board if a majority of all candidates sign a petition and submit it to the Election Committee Chair.

Section 12. The Right to Vote. The right of all students who have paid their dues to the S.B.A. to vote in S.B.A. elections shall not be infringed. Students graduating shall be entitled to vote in all S.B.A. elections held before their graduation.

ARTICLE VIII.

Vacancy, Censure, Impeachment, and Recall

Section 1. In the event of a vacancy in any S.B.A. office, the S.B.A. Board, shall, at its discretion, hold a special election to fill the vacancy. The S.B.A. Secretary or Treasurer shall prepare a general notice to the S.B.A. membership informing them of the vacancy and calling all interested members to attend a special session of the S.B.A. to be called by the S.B.A. President. Vacancies shall be filled by qualified students upon a majority vote of the S.B.A. Board.

Section 1.1. If a vacancy occurs in the office of the President, the S.B.A. Secretary shall call a special session of the S.B.A. Board, in which one of the Vice Presidents shall be nominated to fill the vacancy. The vacancy shall be filled by the Vice President who receives a majority of the votes cast by the entire S.B.A. Board.

Section 2. All members of the S.B.A. shall be subject to censure for intentionally or negligently violating any provision of this Constitution and the Bylaws, failing to perform the duties and responsibilities of his or her office, or any conduct unbecoming a member of the S.B.A. or of a student of Whittier Law School to the detriment of the members.

Section 2.1. A resolution for censure of a S.B.A. board member shall be brought by any member of the S.B.A. Board, including the President.

Section 2.2. The S.B.A. Board shall then schedule a special hearing in which the board member who is accused shall present his or her case to the S.B.A. Board. This will be followed by the board member who brought the resolution, who will also present his or her case. Arguments shall be limited to ten minutes with five minute rebuttal for the member who is accused. If the member who is accused is present at the meeting that the resolution is presented, the President shall immediately call for a special session and arguments will commence.

Section 2.3. The S.B.A. Board shall deliberate in closed session and the resolution to censure shall need to be passed by two thirds vote. The S.B.A. Secretary shall prepare an official document on S.B.A. Letterhead detailing the censure and signed by all members of the S.B.A. Board who voted for the censure. This document will be posted and a copy given to the censured member.

Section 3. All members of S.B.A. Board shall be subject to impeachment and removal from office for gross dereliction of their duties, reckless disregard for the rules and regulations of Whittier Law School, the Constitution and Bylaws of the S.B.A., or other serious conduct unbecoming a member of the S.B.A. or a student of Whittier Law School. Impeachment proceedings shall be initiated by any board member upon presentation of a resolution. The President shall immediately call to order disciplinary proceedings. The

Secretary shall cease recording minutes during the disciplinary proceedings. The board member presenting the resolution shall have ten minutes to present his or her case, which will be followed by the member who is subject to impeachment, who shall also have ten minutes to present his or her case. Upon conclusion of arguments, the member subject to impeachment shall leave the room while the S.B.A. Board deliberates on whether to remove the member. An S.B.A. board member shall be removed by a two thirds vote of the entire S.B.A. Board, only upon completion of the disciplinary proceedings established in this Constitution and the Bylaws.

Section 4. All members of the S.B.A. Board shall be subject to recall upon petition by the membership of the Student Bar Association and a special election to determine whether the officer shall be recalled and who shall replace him or her. The petition shall be signed by a majority of the S.B.A. board member's constituency and presented to the President. The President shall call for the special election, to be held within two weeks. The special election shall be conducted by the S.B.A. Election Committee. In the event that the President is subject to recall, the S.B.A. Board shall nominate one of the Vice Presidents to call for the special election and serve as chairman of the S.B.A. Election Committee in the President's place during the special election.

ARTICLE IX.

The Initiative Process

Section 1. All resolutions must first be heard and voted upon by the S.B.A. Board. Resolutions substantive in nature shall require a majority vote as that term is defined in the manual of parliamentary procedure. Resolutions that are procedural in nature, such as additions to the Bylaws, shall require a two-thirds majority vote as that term is defined in the manual of parliamentary procedure.

Section 2. Resolutions may be brought by any S.B.A. board member during S.B.A. meetings. Resolutions brought by other S.B.A. members shall be delivered to the President no less than two days before the next scheduled S.B.A. meeting. All resolutions shall require a motion to approve and a second before discussion and voting are to begin.

Section 3. If a resolution is not approved by the S.B.A. Board, any S.B.A. member may circulate a petition bearing the signatures of at least one third of the S.B.A. membership calling for a special "initiative election" to approve the resolution. Upon presentation of the petition and verification of the signatures, the S.B.A. President shall call for a special election, to be overseen by the S.B.A. Election Committee, to take place no later than two weeks after presentation of the petition in which a majority vote of all S.B.A. members will be required to adopt the resolution.

ARTICLE X.

Student Organizations

Section 1. All student organizations at Whittier Law School must be recognized by the administration and the S.B.A. Only recognized organizations shall be able to request funds from the S.B.A. and meeting space in the S.B.A. Lobby.

Section 2. For the purpose of recognition by the S.B.A., a student organization shall be defined as a group of charter members consisting of at least five students in good academic standing currently enrolled at Whittier Law School.

Section 3. Additional members of the student organization may be students, their spouses, or faculty.

Section 4. Each student organization shall have a faculty advisor.

Section 5. Each recognized student organization must have drafted bylaws adopted by the members of the organization. A student organization may adopt the bylaws of its national organization by a majority vote of its charter members or by whatever procedures the national organization provides.

Section 5.1. The bylaws must include the following:

Section 5.1.1. A description of the purpose and goals of the organization.

Section 5.1.2. A provision for nondiscriminatory membership requirements.

Section 5.1.3. Descriptions of meeting requirements, officer positions, and voting procedures.

Section 5.2. The S.B.A. Board shall determine if the above requirements have been adequately met.

Section 6. Two copies of the bylaws and a list of members shall be filed with the Board at the beginning each Fall Semester. One copy of the bylaws will be filed by the S.B.A. President with the Associate Dean of Student Affairs. The second copy and the list of members shall be retained by the S.B.A. Secretary.

Section 7. One member of each recognized student organization may be chosen to represent the organization at S.B.A. Meetings as *ex officio* board members. The student organization shall be responsible for selecting their representative. Upon selection by the student organization, the representative shall notify the S.B.A. President upon their nomination.

Section 7.1. The designated member shall have the right to attend S.B.A. general Board meetings and may present issues for discussion during the meetings. The designated representative shall have all rights and responsibilities of a duly elected Board Member, except the ability to vote.

Section 7.2. The designated member is responsible for acquiring and adhering to the rules and regulations regarding organizational conduct on campus from the Board. Said Rules and Regulations as established in this Article shall be incorporated into the Student Organization Code, and made available to all student organizations via their S.B.A. representative.

Section 7.3. The designated member need not be limited to one person, but no more than one designated member may be present from each recognized student organization during all S.B.A. Board Meetings. Designated members do not count toward the quorum requirement for the S.B.A. Board to conduct business.

Section 8. Student Organizations shall follow the provisions of this article and the procedures established in the Student Organization Code.

Section 9. Failure to adhere to the rules and regulations of the S.B.A. governing student organizations will result in loss of recognition for the remainder of the year and will result in the loss of the ability to request funding from the S.B.A., loss of the right to have representation on the S.B.A. Board, and the ability to obtain use of the S.B.A. Office for organizational meetings.

ARTICLE XI.

Student Organization Fund

Section 1. The S.B.A. shall create as part of its budget a Student Organization Fund. The S.B.A. shall allocate funds from the Student Organization Fund to encourage and facilitate the success of various student organizations on campus, subject to the following procedures and restrictions.

Section 2. Student Organizations shall be entitled to an initial disbursement from the Student Organization Fund at the beginning of each semester upon successful completion of the recognition procedures established in Article X of this Constitution and submission of: 1) a form provided by the S.B.A. requesting funds signed by at least two officers of the student organization; 2) a current list of members with contact information for the officers; 3) a list of planned events; and 4) a proposed budget for the semester. The deadline for applying for the initial disbursement shall be established by the President and Treasurer and should be no later than the end of the third week of class. In addition to the initial disbursement, Student Organizations may request additional limited funding for a specific event or activity during the course of the semester. Failure to obtain an initial disbursement shall not preclude a student organization from obtaining additional limited funding.

Section 3. Student organizations wishing to apply for additional limited funding must submit a form provided by the S.B.A. identifying a specific event or activity they wish funded, along with an itemized estimate of costs. Additional limited funding to student organizations is limited to three allocations during the course of the semester. The S.B.A. shall not approve additional limited funding without a member of the student organization making the request being present at the S.B.A. meeting in which the proposal will be approved to answer any questions or address any concerns the board may have.

Section 4. The proposals for additional limited funding are to be submitted to the President or Treasurer no later than two days before the S.B.A. meeting at which the proposal will be voted upon.

Section 5. The S.B.A. Board is required to post notice of the availability of the Initial Disbursement and Additional Limited Funding no later than the Friday of the second full-week of class in the Fall and Spring Semester. If the board fails to do so, organizations shall have an extended deadline for each and every day that the Board fails to post notice.

Section 6. The S.B.A. Board reserves the right to deny any and all applications for initial or limited funding if any of the following occurs:

Section 6.1. Incomplete applications are received.

Section 6.2. No applications are received.

Section 6.3. The Board has attempted to budget for the student organization fund in good faith, but simply does not have adequate funds to support the fund.

Section 7. The S.B.A. Board shall have broad discretion in determining whether a Student Organization shall receive additional limited funding for its proposed event or activity. The S.B.A. Board should never allocate funds for a specific event or activity that is not open to all the students of Whittier Law School or does not benefit all the students of Whittier Law School or is not consistent with the purpose of the Student Bar Association in promoting the social and educational interests of the students of Whittier Law School.

Section 10. The S.B.A. Board may allocate additional limited funding to student organizations requesting funds to reimburse the sending of representatives of Whittier Law School to off-campus events upon submission of written request, a written itinerary of actual costs incurred during the event, a document from the event that describes the event, and a written explanation of how Whittier Law School benefited from the student organization's attendance at the event.

Section 10.1. The S.B.A. shall never fund in excess of half the costs actually incurred when a student organization, other than the S.B.A., sends a representative to an off-campus event.

Section 11. The amount of money allocated for the initial disbursement to the various student organizations through the Student Organization Fund shall never exceed or fall below twenty percent of the S.B.A. budget for the semester. This amount is to be divided equally among the student organizations that properly apply for the initial disbursement.

Section 12. The amount of money allocated for additional limited funding shall not exceed ten percent of the total amount available in the Student Organization Fund at the beginning of the semester.

Section 13. The President and Treasurer shall be responsible for overseeing the Student Organization Fund and adhering to the procedures established under this Article.

ARTICLE XII.

Amendments to the Constitution

Section 1. Amendments to the Constitution may be proposed by any member of S.B.A. Board in the form of a resolution that shall require a two-thirds vote of the S.B.A. Board to adopt the resolution. Upon adoption, the S.B.A. Parliamentarian shall draft the text of the proposed Amendment that shall be submitted to the membership of the S.B.A. in a special election for a majority vote of those participating in the election to ratify.

Section 2. Amendments to the Constitution may be proposed by individual members of the S.B.A. upon presentation of a petition signed by one third of the entire S.B.A. membership, at which time the S.B.A. Board shall submit the petition to the S.B.A. Parliamentarian, who shall draft the proposed Amendment with assistance from the members who drafted the petition and submit that draft to the membership of the S.B.A. in a special election for a majority vote of those participating in the election to ratify.

Section 3. Proposed Amendments shall be submitted to the Student Body during the General Elections in the Spring Semester. The Election Committee shall oversee and certify results of the ratification process for amendments as delineated under this Article.

Section 4. The provisions of this Article apply only to Amendments which affect the Articles of this Constitution. They do not apply to the S.B.A. Bylaws, which shall be adopted and ratified by the S.B.A. Board only.

Section 5. Amendments to this Constitution shall be substantive in nature only. The S.B.A. Parliamentarian shall be vested with the authority to determine if the Amendment is substantive or procedural in nature. The

S.B.A. Parliamentarian shall be responsible for updating this Constitution by adding the Amendment to the Constitution. If the amendment calls for a change in the text of this Constitution, the text shall be changed in addition to adding the Amendment to the Constitution. The Amendments should be in numerical order.

ARTICLE XIII.

Ratification of this Constitution and the Bylaws

Section 1. This Constitution and the first ten Bylaws shall be ratified by majority vote of the S.B.A. Members participating in a special ratification election. This Constitution and the Bylaws shall replace the existing Bylaws and not act retroactively.

Drafted by Jason S. DeSon
2004