

# William S. Boyd School of Law Student Bar Association Constitution

## **ARTICLE 1. NAME:**

This organization shall be known as the "William S. Boyd School of Law Student Bar Association"

## **ARTICLE 2. PURPOSES:**

Section 1. To act as a means for law student self-government.

Section 2. To provide medium and to serve as an advocate for the expression of law student's views and concerns.

Section 3. To serve as a liaison between students, the administration, and the faculty of the Law School.

Section 4. To sponsor and maintain services and activities beneficial to the law students and Law School community at large.

## **ARTICLE 3. MEMBERSHIP:**

All registered Juris Doctor candidates at William S. Boyd School of Law are hereby declared members of this organization.

## **ARTICLE 4. OFFICERS:**

Section 1. Officers Enumerated.

1.1. The officers of the Student Bar Association shall be the President, the Full-Time Vice President, Part-Time Vice President, the Treasurer, and the Executive Secretary.

Section 2. Qualifications for Officers.

2.1. All candidates for any office shall be currently enrolled law students.

Section 3. Membership on the Executive Board.

3.1. All officers shall be members of the Executive Board.

Section 4. Duties and Powers of Officers.

4.1. President:

- 4.1.1. Shall be the chief executive officer of the Student Bar Association.
- 4.1.2. Shall be responsible for the prompt and orderly execution of all resolutions adopted by the Executive Board and the Board of Governors.
- 4.1.3. Shall preside over all duly constituted meetings of the Board of Governors.
- 4.1.4. Shall preside over all duly constituted meetings of the Executive Board.
- 4.1.5. May appoint a Parliamentarian who shall be a member of the Student Bar Association; who shall advise the President on procedural matters relating to the Student Bar Association Constitution.
- 4.1.6. Shall appoint with the advice and consent of the Board of Governors all committee chairpersons for internal committees of the Student Bar Association.
- 4.1.7. Shall nominate, with the advice and consent of the Board of Governors, the student members of all student-faculty committees.
- 4.1.8. Shall appoint a representative to the Graduate and Professional Student Association who shall be a member of the Student Bar Association with the advice and consent of the Board of Governors.
- 4.1.9. Shall call meetings of the Executive Board and the Board of Governors in accordance with relevant constitutional provisions and/or motions of the Board of Governors.
- 4.1.10. Shall serve as the official representative of the Student Bar Association outside the Law School Community.
- 4.1.11. Shall designate one of the Vice Presidents (on an alternating basis) to fulfill the Presidential duties in the President's absence.
- 4.1.12. Shall review the agenda provided by the SBA Secretary within four (4) working days of the next SBA meeting.

4.2. Full-Time and Part-Time Vice Presidents:

- 4.2.1. Shall be responsible for ensuring communication between the Board of Governors and students serving on faculty-student and Student Bar Association's internal committees; the division of which shall be determined by the Board of Governors.
- 4.2.2. Shall be responsible for the effective operation of committees as empaneled by the executive Board or Board of Governors.

4.2.3. Shall exercise the duties and powers of the President as per 4.1.11 herein in his or her absence.

4.2.4. Shall assume the office of President whenever a vacancy arises, as determined by a majority vote of the Board of Governors.

4.2.5. Shall perform such other duties as the President and Board of Governors may assign in the administration of the Student Bar Association.

4.3. Treasurer:

4.3.1. Shall be the chief financial officer of the Student Bar Association.

4.3.2. Shall be chairperson of any Student Bar Association budget committee.

4.3.3. Shall oversee all fiscal matters relating to the collection and disbursement of Student Bar Association funds.

4.3.4. Shall keep clear and comprehensive records of all these transactions.

4.3.5. Shall prepare financial statements and make them available to the Law School community for each fiscal period as defined by the agreement between the Law School and the Student Bar Association.

4.3.6. Shall make available the biannual budget passed by the Board of Governors.

4.3.7. Shall perform such other duties as the President and the Board of Governors may assign in the administration of the Student Bar Association.

4.4. Executive Secretary:

4.4.1. Shall be in charge of keeping all records except those relating to fiscal matters under the purview of the Treasurer.

4.4.2. Shall keep accurate and complete minutes of all meetings.

4.4.3. Shall oversee the administration and the execution of Student Bar Association correspondence.

4.4.4. Shall perform such other duties as the President and Board of Governors may assign in the administration of the Student Bar Association.

4.4.5. Shall oversee public relations for the Student Bar Association under the direction of the Board of Governors.

4.4.6. Shall issue, publish, and post in a conspicuous place accurate agendas and minutes as approved by the Board of Governors.

4.4.7. Shall provide the SBA President with an accurate agenda within five (5) working days of the next SBA meeting.

**Section 5. Tenure of Officers and Representatives:**

5.1. Officers shall hold office from fifteen (15) class days after the announcement of final election results.

5.2. Representatives shall hold office from fifteen (15) class days after the announcement of final election results.

**ARTICLE 5. THE EXECUTIVE BOARD:**

Section 1. The Executive Board shall be composed of the Officers of the William S. Boyd School of Law Student Bar Association as described in Article 4. The executive and administrative powers and responsibilities of the Student Bar Association shall be vested in the Executive Board.

Section 2. In the event that an immediate decision is necessary, and the Board of Governors is unavailable, this body shall have the power to act. Any action taken by the Executive Board shall be subject to veto by a majority of the Board of Governors present and voting at a duly called meeting.

**ARTICLE 6. BOARD OF GOVERNORS:**

Section 1. Members: All officers of the Student Bar Association and Class Representatives are members of the Board of Governors.

Section 2. Members of the Board of Governors are SBA President, Vice President (Full-Time), Vice President (Part-Time), Treasurer, Secretary, 4L Representative (Part-Time), 3L Representative (Full-Time), 3L Representative (Part-Time), 2L Representative (Full-Time), 2L Representative (Part-Time), 1L Representative (Day Division, Section 1) 1L Representative (Day Division, Section 2), 1L Representative (Night Division), and the LLM Representative.

Section 3. All legislative powers shall be vested in the Board of Governors where not inconsistent with other provisions of this Constitution.

Section 4. The Student Bar Association's budget(s) shall be subject to the approval of the Board of Governors. Decisions of the Board of Governors shall be determined by a simple majority vote. In the event of a tie, the President shall make the determining vote.

**ARTICLE 7. CLASS REPRESENTATIVES:**

Section 1. The First Year Class in the day division program shall be represented on the Board of Governors by one (1) representative from each section. Second and Third Year Classes in the day division program shall be represented on the Board of Governors by one (1) representative from each class.

Section 2. First, Second, Third, and Fourth Year Classes in the evening division program shall be represented on the Board of Governors by one (1) representative from each class.

Section 3. LLM students shall be represented on the Board of Governors by one (1) representative from this section.

Section 4. Tenure of Representatives: Representatives shall hold office from fifteen (15) days after the announcement of final election results until fifteen (15) days after the announcement of the next election results.

## **ARTICLE 8. NON-VOTING REPRESENTATIVES:**

### **A. Graduate and Professional Student Association Representative:**

#### **Section 1. Qualifications:**

1.1. All candidates for Graduate and Professional Student Association Representative shall be a currently enrolled law student.

#### **Section 2. Duties and Powers:**

2.1. Shall represent the Law School on the Graduate and Professional Student Association.

2.2. Shall be required to present, at least twice a semester, reports to the Board of Governors describing the business conducted at the meeting of the Graduate and Professional Student Association.

2.3. Shall perform such other duties as the President may assign.

#### **Section 3. Tenure:**

3.1. The tenure of the Graduate and Professional Student Association Representative shall be in accordance with the Graduate and Professional Student Association of UNLV.

### **B. Transfer Student Representative:**

#### **Section 1. Qualifications:**

1.1 All candidates for the Transfer Student Representative shall be a currently enrolled law student.

1.2 All candidates MUST have started their law degree at another law school and then transferred to the William S. Boyd School of Law.

Section 2. Duties and Powers:

2.1. Shall represent the interests of the transfer students within the William S. Boyd School of Law.

2.2. Shall be present at all Board of Governors meetings and provide input on the discussions.

2.3. Shall perform such other duties as the President may assign.

Section 3. Tenure:

3.1. Representatives shall hold office from fifteen (15) days after the announcement of final election results until fifteen (15) days after the announcement of the next election results.

**ARTICLE 9. ELECTIONS:**

Section 1. Election Chairperson:

1.1. Shall be appointed by the President with the advice and consent of the Board of Governors.

1.2. Shall appoint an Election Committee.

Section 2. Elected Positions:

1.1. The positions to be voted upon shall be those of the Board of Governors, and student graduation speakers for the fall or spring graduation ceremony.

1.2. Members of the Student Bar Association shall only elect Executive Board Members and the Representative from the division in which they are currently enrolled, excluding elections for student graduation speakers where all graduating members of the Student Bar Association may vote for a graduation speaker representing the division in which they spent the majority of their enrollment. Where a student has spent equal time in both day and night divisions, they will vote for a division in which they are currently enrolled.

1.3. Any member of the Student Bar Association is eligible for any position of the Board of Governors, with the exception that only those members currently enrolled in a respective division (Day or Night) may run as a candidate for the Representative, or Vice President, of that division.

Section 3. Election Committee:

3.1. Shall establish rules and regulations for the election procedures consistent with relevant sections of the Constitution and By-laws.

Section 4. Nominating Petitions:

4.1. In order for the name of any person to be placed on the ballot for one of the Board of Governors' positions, he or she must submit a petition to the Election Chairperson. 4.2 For an executive board position, the petition must contain twenty (20) nominating signatures of currently enrolled law students. 4.3 For a class representative position, the petition must contain nominating signatures from at least ten percent (10%) of the class for which the position of representative is sought.

Section 5. Voter Turnout Required:

5.1. No student shall be elected as class representative unless he or she receives the vote of ten percent (10%) of the class from which he or she was elected. The size of the class shall be determined by final registration figures immediately preceding the election.

Section 6. Vacancies:

6.1. If any position(s) remains vacant due to the failure to meet the voter turnout requirement, then the Election Chairperson shall, with the advice and consent of the Board of Governors, coordinate a new election for such position(s).

Section 7. Certification of Qualification:

7.1. Certification of candidates' qualifications for any elected position, as defined in this Constitution, shall be made by the Election Committee with right of appeal to the Board of Governors.

Section 8. Scheduling of Elections:

8.1. All Student Bar Association elections, except for the election of the entering class, shall be held no later than the end of the last full week of classes in April on a day designated by the Board of Governors

8.2. The election of First Year class representatives shall be held no later than the end of the last full week of classes in September on a day designated by the Board of Governors.

8.3. If the Board of Governors determines that it is not feasible to hold elections at that time, then elections will be held at the earliest possible date.

8.4. Nominations shall not be due and elections shall not be held on any holiday.

**ARTICLE 10. REMOVAL:**

Section 1. Impeachment by Board of Governors:

1.1. Upon application of at least half of the voting members of the Board of Governors, the Board shall conduct a hearing no less than five (5) and no more than ten (10) school days after application to consider the removal of an officer or representative for malfeasance in office. At such hearing, the member in question shall have the right to face the accusing applicants and offer defense to the charges. At the conclusion of such hearing upon affirmative vote of two-thirds (2/3) of the total voting membership of the Board of Governors, the member in question shall be removed from office.

Section 2. Vote of Confidence by the Student Body:

2.1. Upon written petition by twenty-five percent (25%) of the members of the body from which an officer or representative was elected, or, where a representative was appointed by the President, upon the written petition by twenty-five percent (25%) of the President's constituency, such person shall be subject to a Vote of Confidence.

2.2. Such Vote of Confidence shall be held no less than five (5) nor more than ten (10) school days after the filing of any such petition and shall be a yes-no vote to determine whether the person recalled shall remain in office.

2.3. In no event shall any officer or class representative be subject to a Vote of Confidence before the expiration of thirty (30) days from his or her assumption of office.

2.4. In no event may an officer or representative be recalled unless half the number of those who voted in the election at which such person was elected shall vote in such Vote of Confidence.

Section 3. Automatic Removal for Non-Attendance at Meetings:

3.1. If any member of the Board of Governors shall be absent from three (3) consecutive, or a total of five (5) regular meetings of the Board of Governors without valid excuse, he or she shall automatically be removed from office. The validity of the excuse shall be determined by the Board of Governors.

**ARTICLE 11. VACANCIES AND ABSENCES:**

Section 1. Temporary Absences:

1.1. In the event of a temporary absence of any officer or member of the Board of Governors of the Student Bar Association, the President may appoint a temporary replacement with the advice and consent of the Board of Governors.

Section 2. Permanent Vacancies:



2.1. President: In the event of a permanent vacancy in the office of the President, a special election between the two Vice Presidents shall be conducted within fifteen (15) days of the occurrence of such vacancy.

2.2. Officers: In the event of a permanent vacancy in the Executive Board, a special election shall be conducted within fifteen (15) days of the occurrence of such vacancy.

2.3. Representatives: In the event of a permanent vacancy in the seat of a representative, a special election shall be conducted within fifteen (15) days of the occurrence of such vacancy.

2.4. If the Board of Governors determine that it is not feasible to hold elections within fifteen (15) days of the occurrence of such vacancy, then elections will be held at the earliest possible date.

Section 3. For the purpose of this Article, the Board of Governors shall determine whether the absence of any member shall constitute a temporary absence or a permanent vacancy.

#### **ARTICLE 12. INTERNAL COMMITTEES OF THE STUDENT BAR ASSOCIATION:**

Section 1. The President, with the advice and consent of the Board of Governors, shall appoint the chairpersons of all internal committees of the Student Bar Association.

Section 2. The members of committees may be appointed by the President or the respective chairpersons.

#### **ARTICLE 13. FACULTY-STUDENT COMMITTEES:**

Section 1. The President, with the advice and consent of the Board of Governors, shall nominate the student members of all faculty-student committees. Students shall be informed of the positions open on the faculty- student committees. Applications for the committees and boards shall be submitted no later than the last day of the second full week of classes in the fall semester.

Section 2. Only currently enrolled students in good standing may be appointed to faculty-student committees. "Good standing" is as defined in the Student Handbook.

Section 3. Preference for appointment to sit on any faculty-student committee shall be given to students not serving on the Board of Governors.

Section 4. One student from each faculty-student committee shall be required to present, at least once a semester, a report to the Board of Governors, describing the business conducted at the meetings of the faculty – student committees. If a student member on a faculty-student committee fails to fulfill his or her obligations, he or she will be relieved from the position and a new member will be appointed by the Board of Governors.

**ARTICLE 14. BOARD OF GOVERNOR MEETINGS:**

Section 1. Meetings shall be conducted in accordance with Constitution and By-laws of the Student Bar Association.

Section 2. Scheduling of meetings shall be in accordance with the Constitution, By-laws and the Nevada Open Meeting Law.

Section 3. If the President appoints a Parliamentarian, he or she shall advise the President on procedural matters relating to the Student Bar Association Constitution and By-laws of the Student Bar Association.

Section 4. Regular meetings of the Board of Governors shall be open to the student body at large.

**ARTICLE 15. INITIATIVE:**

Section 1. Any Student Bar Association member may petition the Board of Governors to adopt or rescind legislation by presenting a petition signed by no less than thirty (30) Student Bar Association members.

Section 2. Upon receipt of such petition, the Student Bar Association Board of Governors shall order a referendum to be conducted under the supervision of the Election Chairperson no less than five (5) nor more than ten (10) class days after the filing of any such petition.

Section 3. The Student Bar Association shall be bound by the results of any such referendum, provided that at least one-third (1/3) of the Student Bar Association membership shall have voted in such a referendum.

**ARTICLE 16. STUDENT GROUPS AND ORGANIZATIONS; RECOGNITION; FUNDING:**

Section 1. Student Group and Organization Recognition:

1.1. The Board of Governors of the Student Bar Association has the authority to approve and sanction new student groups and organizations.

1.2. No new student group or organization may use the name of William S. Boyd School of Law or receive funding through the Board of Governors unless the Board of Governors approve that group's constitution, charter, and by-laws.

1.3. To be recognized and receive funding, an organization must have at least five active members, with the exception of organizations in their first year of existence.

Section 2. Student Group Funding:

2.1. All approved student groups and organizations are eligible to apply for funding through the Student Bar Association's Board of Governors.

2.2. The President of the Student Bar Association, on behalf of the Board of Governors, will negotiate a Student Group and Organization base budget with the administration of the Law School prior to the submission of the Law School budget to the University. The President will be responsible for insuring that the administration is informed of any known additional groups or extraordinary functions which may require funding during the next academic year. The Board of Governors will make every possible effort to insure an adequate appropriation is made from the Law School to the Student Bar Association and the student groups and organizations.

2.3. The Treasurer of the Student Bar Association will review the funding applications of each student group or organization and determine the amount of funding each student group or organization will receive for the fall and spring semester.

2.4. The Treasurer, in determining the amount of funding for each student group or organization, will consider the projects and programs proposed by that student group or organization and the impact of those projects and programs on the law school community and the student group organization. The Board of Governors, in compliance with Article 18, will not consider the political or social goals or beliefs of any student group or organization in making funding decisions.

2.5. Funds for fall and spring semester, will be made available to the student groups and organizations upon approval of that semester's budget by the administration for compliance with University policy.

2.6. The Treasurer may approve reasonable funding advances upon request.

### Section 3. Funding Appeal Process:

3.1. Any student group or organization has the right to appeal funding decisions made by the Student Bar Association's Board of Governors.

3.2. The Appeal Board will consist of the President of the Student Bar Association and one (1) representative group of leaders from student groups or organizations eligible to receiving funding from the Student Bar Association. Each student group or organization shall be appointed to the Appeals Board for at least one (1) calendar month period during the school year. The Student Bar Association will inform each student group or organization of their assigned Appeal Board month by the last day of September. Each Student Organization will have to appoint one (1) of its members to serve on the Appeal Board.

3.3. The Appeal Board will determine the validity of any appeal regarding funding through the Student Bar Association. If the appeal is found to be valid, the Appeal Board will make alterations in the overall Student Group and Organization budget to

accommodate any appropriate changes. The Appeal Board will not have the authority to change the Student Bar Association budget except by a two-thirds affirmative vote. 3.4. A student group or organization may appeal the decision of the Appeal Board to the administration of the Law School. The administration will not invalidate a decision of the Appeal Board unless that decision is in violation of Law School policy.

#### Section 4. Budget Amendments and Requirements:

4.1. Approved budgets may be amended with the approval of the Board of Governors of the Student Bar Association.

4.2. If additional funds are requested by a student group or organization and are not available in the overall Student Group budget, the Treasurer and President of the Student Bar Association will request additional funding through the administration, where appropriate.

### **ARTICLE 17. AMENDMENTS TO THE CONSTITUTION:**

Section 1. The Executive Board cannot amend the Constitution.

Section 2. Amendments to this Constitution may be proposed by the Board of Governors. Such amendments shall require approval by two-thirds (2/3) vote of the entire voting membership of the Board of Governors.

Section 3. Amendments by Initiative:

3.1. Amendments to this Constitution may also be proposed by initiative. Any Student Bar Association member may propose an amendment to this Constitution by presenting to the Board of Governors a petition signed by no less than twenty five (25) percent of the Student Bar Association. An amendment proposed by initiative need not be approved by the Board of Governors, and shall be submitted directly to the student body for ratification as provided in Section 4.

Section 4. Ratification of Amendments:

4.1. Any amendment to this Constitution, whether proposed and approved by the Board of Governors, or proposed by Initiative, shall be subject to ratification by the membership of the Student Bar Association. A ratification referendum shall be held not less than five (5) nor more than ten (10) class days after such amendment shall have been presented to the Board (if proposed by initiative). A majority vote of all Student Bar Association members voting shall be required for ratification. No amendment shall be considered ratified unless at least one-third (1/3) of the Student Bar Association membership shall have voted in such a referendum.

4.2. Each amendment proposed may pass or fail exclusive of all other amendments. Each proposed amendment shall be separated by the subset in which it exists.

4.3. The SBA Board of Governors may make general grammatical changes to the Constitution limited to correcting spelling errors, formatting errors, and the insertion or deletion of a space or punctuation where there is no potential to alter the meaning of any provision.

**ARTICLE 18. NON-DISCRIMINATION CLAUSE:**

The Board of Governors shall neither commit nor sanction discrimination in any manner based on ethnicity, color, national origin, race, religion, sex, sexual orientation, or physical handicap.

**ARTICLE 19. SAVING CLAUSE:**

Nothing in this Constitution shall be interpreted as invalidating any existing By-laws of the legislation which is not inconsistent with the Constitution.