

**STUDENT BAR ASSOCIATION CONSTITUTION
NOVA SOUTHEASTERN UNIVERSITY
SHEPARD BROAD LAW CENTER
(Last Updated, Fall 2014)**

PREAMBLE

We, the students of the Nova Southeastern University Shepard Broad Law Center, strongly believe that Student Government should be predicated upon responsiveness, accountability and broad participation. To this end, we hereby establish this Constitution of the Student Bar Association, which shall provide for a Student Government with the power to enact suitable laws for the purpose of initiating and carrying out student activities in an orderly and efficient manner.

ARTICLES

ARTICLE ONE: ORGANIZATION

Section I

Name

The name of this organization shall be the Student Bar Association of the Nova Southeastern University Shepard Broad Law Center.

Section II

Membership

The Membership of the Student Bar Association shall consist of the students of Nova Southeastern University Shepard Broad Law Center.

Section III

Government

The government of the Student Bar Association shall be composed of the Representative Council.

ARTICLE TWO: REPRESENTATIVE COUNCIL

Section I

Composition

(1) The Representative Council shall consist of sixteen (16) elected members.

(2) The First Year Class, the Second Year Class, and the Third Year Class shall each elect four Council Representatives for a term of one calendar year. The First Year Evening Division Class, the Second Year Evening Division class, the Third Year Evening Division Class, and the Fourth Year Evening Division class shall each elect one Council Representative for a term of one calendar year.

(3) The Executive Board shall be comprised of the following: President, Vice-President, Treasurer and Secretary. These positions shall be held by members of the Representative Council. The Representative Council and the Executive Board shall be elected by direct vote of the members of the student body.

(5) The election of the Representative Council Members shall be held first. The vote for Executive Board positions shall follow within two weeks after the results of the Representative Council vote are posted.

Section II

Executive Powers

(1) General Powers. All executive powers of the Student Bar Association shall be vested in the Executive Board. An Executive Board Member may

only run if they can serve the entire academic year. Therefore, if the candidate is aware of a clinic out of the area, then he/she may not run for an Executive Board position. If this clause is violated under any circumstance, resignation will mean a forfeiture of stipend and no recognition of service. Out of the area is defined by an inability to attend all meetings and contact the students via email and/or phone, as well as unable to attend other law school functions. Placements considered out of the area are located outside of Miami-Dade, Palm Beach, and Broward counties.

(2) President. The President shall serve as chief executive officer of the SBA for the entire year for which he/she was elected. The President shall be elected for the entire NSU Law Center academic school year. The President shall preside over meetings of the Representative Council. The President shall oversee and coordinate the activities of the Representative Council so as to ensure that the Representative Council will function effectively. The President shall be empowered to appoint chairpersons of ad hoc committees. All appointments are subject to the advice and majority consent of the Representative Council. The President shall represent the Student Bar Association at all the Law Center Faculty meetings. The President shall sign, in conjunction with the Treasurer, all disbursements. The President shall call special sessions of the Representative Council when emergency action is necessary, giving at least twenty-four (24) hour notice to all representatives. The President shall have the power to issue executive orders on all matters not before the Council, on an emergency basis. The President shall have the power to delegate any power granted to him/her pursuant to the Constitution. The President shall have the sole power to call for emergency voting on matters that necessitate immediate action between duly scheduled and announced meetings. The Secretary shall record the vote in the minutes of the subsequent meeting of the President's motion and vote taken.

The Bylaws provide a greater level of detail with regard to the scope of the President's authority and responsibility, but shall not abridge the powers vested in the President through this Constitution.

(3) Vice-President. The Vice-President shall exercise the duties and powers of the President in the event of the President's temporary absence and generally assist the President in the conduct of his/her duties. The Vice-President shall, in the event of the President's temporary absence, become the Acting President during that absence, assuming all duties and responsibilities therein. The Vice-President shall be elected for the entire NSU Law Center academic school year. The Vice-President shall oversee all SBA committees. The Vice-President shall also represent the SBA at all the Law Center Faculty meetings, in the President's absence. The Vice-President shall carryout all other duties delegated to him/her by the President. In the event of the President's permanent absence, the Vice-

President shall succeed to the office of President and assume all duties and responsibilities therein.

(4) Treasurer. The Treasurer shall have fiscal responsibility of the Student Bar Association. He/She shall manage the Student Activity Fund, propose the Student Bar Association Budgets, and sign, in conjunction with the President, all disbursements. The Treasurer shall be elected for the entire NSU Law Center academic school year.

(5) Secretary. The Secretary shall keep all records, including record of all laws and the minutes of the Representative Council. The Secretary shall post the minutes of all meetings within two school days as well as the announcements and agendas of such meetings. The Secretary shall be elected for the entire NSU Law Center academic school year. The Secretary shall be charged with the duty of seeing that each new member and officer of the Representative Council is provided with a copy of the Constitution of the Student Bar Association.

Section III

Fiscal Powers

(1) The Treasurer shall draft and publish to all organizations, his/her regulations for organizations to apply for funding. The Council is not required to approve the Treasurer's Regulations, but approval by the Council of the regulations deems the regulations enforceable by the Council. In preparing each semester's SBA budget, the Treasurer shall reserve adequate funds to ensure all student organizations receive SBA funding.

(2) Student Activity Fund. All student activity moneys shall comprise the Student Activity Fund. The Treasurer shall propose a budget each semester, no less than thirty days from the start of that semester, and the Representative Council shall act upon the Treasurer's proposal.

(3) Administrative Fund. In the event that the SBA Council is charged with disbursements of the Administrative Fund, the Treasurer shall reserve adequate funds to ensure that all student organizations receive access to the Administrative funding for the first disbursement.

(4) Student Organizations may submit a funding request from the SBA budget once a per semester during SBA's Budget Meeting, by presenting a written request prior to a meeting of the Representative Council, subject to the Treasurer's guidelines. The Treasurer shall make a recommendation, and the Representative Council shall approve, deny, or amend the Treasurer's recommendation. Student Organizations may seek additional funding throughout the year by submitting a written proposal to the treasurer and/or ~~attending~~ requesting to attend an SBA meeting. SBA Organizations granted funding shall submit a report and receipts to the University's Accounting office verifying the disbursement of funds within one month after the event for which funds were requested. Organizations failing to submit its reports and receipts shall be subject to the Treasurer's funding regulations, subject to approval of SBA Council.

(4) Emergency funding requests may be approved by a majority vote of the Representative Council taken by electronic mail polling of the

Representatives. The Secretary shall record the vote in the minutes of the subsequent meeting of the motion and vote taken via electronic mail.

(5) The Treasurer shall prepare a full accounting of all expenditures for the Representative Council and the Law Center Administration at the end of each semester, or on request with reasonable notice.

Section IV

Legislative Powers

(1) Introduction of Legislation. Council Representatives shall have the power to introduce legislation. Any member of the Student Bar Association may draft a proposal and present it to the Representative Council for its consideration. The Representative Council is required to approve, deny, or amend all submitted proposals.

(2) Council Representatives shall have the power to approve, deny, or amend all legislative proposals before the Representative Council. A quorum must be present at any meeting of the Representative Council and a majority vote of those members present shall be required to enact proposed legislation. Quorum shall be defined as fifty percent (50%) plus one vote of the Representatives holding office. Vacant seats shall not be considered to preclude formation of a quorum. The Representative Council shall have the power to repeal any previously enacted law by a majority vote.

(3) The Representative Council shall hold at least two regular meetings per month during any month in which classes are in session for at least three weeks; however, additional, special meetings may be held at the request of the President. The President or the Representative Council may invoke rules of Parliamentary Procedure at its discretion. All meetings of the Representative Council are open to members of the Student Bar Association and the Faculty.

ARTICLE THREE: STANDING COMMITTEES

Section I

Organization

(1) The Student Bar Association shall create standing committees throughout the year. The Chairperson of the committees shall be Council Representatives. The Chairperson shall be appointed by a majority vote of the Representative Council. The Chairpersons of each committee shall solicit committee members from the student body at large.

(2) One Representative shall sit on each Faculty Committee, with another Student Bar Association member serving as an alternate in the Representative's absence. Representatives shall be appointed by the President, subject to the advice and consent of the Representative Council. The Representative shall report to the Representative Council at each meeting the matters discussed and/or decided by the Faculty Council.

Section II

Function

The standing committees shall research and develop potential or pending legislation at the direction of the Representative Council. The Chairperson of each Committee shall report to the Representative Council on such undertakings. Legislation that has been enacted into law shall be

implemented by the appropriate committee. This section shall not be applicable to the Constitution Committee.

ARTICLE FOUR: ACADEMIC DISCIPLINARY PANEL

Section I Composition

The Academic Disciplinary Panel shall be comprised of four (4) duly elected Student Justices to be elected by the student body and three (3) Faculty Justices to be appointed by the Center Faculty according to procedures it may establish. The Student Justices shall be elected during the winter election to serve for the following calendar year. All investigations and hearings are governed by the Academic Disciplinary Process.

Section II Honor Code

The Honor Code shall be enforced by the Academic Disciplinary Panel during all decisions and all Academic Disciplinary Panel rulings are subject to the laws and penalties of the Honor Code.

ARTICLE FIVE: CONSTITUTION

Section I Amendments

(1) Any member of the Student Bar Association may submit a proposal for an amendment to this Constitution. The member shall provide reasonable notice and discussion of such proposed amendments during a SBA meeting. After due consideration has been given to a proposal, the Council may elect to either approve or reject the amendment by majority vote, or elect to modify the proposed amendment.

Section II Bylaws

(2) The bylaws will be proposed by the executive board, Council may elect to either approve or reject the by laws by majority vote, or elect to modify the proposed Bylaws.

ARTICLE SIX: ELECTIONS

Section I Eligibility of Voters

All members of the Student Bar Association are eligible to vote for the officers of the Student Bar Association.

Section II Eligibility of Candidates

(1) Academic Qualifications. Each candidate shall be in good standing at the Law Center, maintaining a cumulative GPA of 2.0 or higher.

(2) Petition. Each Day Division candidate must submit a petition to the Election Board bearing fifty (50) verified signatures of members of his/her respective class. Each Evening Division candidate must submit a petition to the Election Board bearing twenty-five (25) verified signatures of the members of his/her respective class. The Academic Disciplinary Panel must submit fifty (50) signatures from any member of the Student Bar Association.

(3) Candidacy for President. The Representative seeking the office of Student Bar Association President must serve two consecutive semesters as a Student Bar Association Representative.

(4) Candidacy for Vice President, Secretary and/or Treasurer. The Representative seeking the office of Student Bar Association Vice President, Secretary and/or Treasurer must serve one (1) semester as a Student Bar Association Representative. The semester need not constitute a full-term semester, but may constitute a partial term, beginning upon the official election of the candidate. In the event there are no interested candidates who have served as Student Bar Association Representatives, the Student Bar Association may seek interested members from the student body.

ARTICLE SEVEN
Section I

ELECTION COMMITTEE

Election Committee Chairman and Members

(1) The President along with previous Election Committee Chairman shall appoint an Election Committee Chairperson. The Chairperson will conduct the election, and enforce both the election regulations and campaign procedures.

(2) The Election Committee will consist of (4) students, including the Chairperson. The Committee will consist of disinterested representatives selected from the student body 2L class, 3L class and the Evening Section. SBA members are not eligible for these positions. Upper class SBA Representative elections shall take place during the Winter semester. The Election Committee shall have final approval over the eligibility of all candidates for election.

(3) The Election Committee shall be empowered to disqualify any candidate from the election whom they adjudge to be guilty of any infraction of the established rules and regulations.

(4) The Election Committee shall supervise the voting process to ensure honesty, integrity, and compliance with the established rules, regulations, and procedures.

(5) The Election results shall be posted within twenty-four hours of the completion of voting. The number of votes each candidate receives shall be available in the Student Bar Association office and available to individual members of the student body upon request. Posting may be delayed by the Election Board for the purpose of investigating any voting irregularities.

Section IV

Election Regulations

(1) Elections shall be by secret ballot.

(2) No Representative shall hold, at one time, more than one Student Bar Association executive office.

(3) Any ballot that contains more than one vote per candidate, more votes than allotted or a write-in vote shall be considered void.

(4) The election for Council Representatives from the First Year Class shall be held no later than the first month of the commencement of the school year.

(5) Elections for all other offices shall be held in April to elect Representatives and Academic Disciplinary Panel Representatives to serve for the next calendar year.

(6) If any member of the Student Bar Association should feel that an election was conducted in a prejudicial or unethical manner, he/she may submit his appeal in writing to the Student Bar Association President, who shall direct the matter to the Representative Council. The majority vote of the Representative Council shall be binding upon the outcome of any election.

(8) The records and ballots of any election must be kept for a period of thirty days unless an appeal has been filed in which case the records and ballots must be kept until the appeal is resolved.

(9) To be eligible for an elected position, candidates shall submit a written statement not to exceed two hundred and fifty (250) words to the Election Committee by a reasonably announced deadline established by the Election prior to the election. All statements shall be published by the Election to the members of the student body.

(10) Optional speeches by the candidates shall be heard by a reasonably announced deadline established by the Election prior to the date of the election.

(11) The Election Committee shall give notice of upcoming elections by a reasonably announced deadline established by the Election Committee prior to the election. The Election Committee shall communicate the election rules, regulations, and procedures prior to the

(12) The methods of campaigning shall be regulated by the Election Committee however, candidates shall not be permitted to post signs in the NSU Law Center. Campaigning regulations may be altered by a majority vote of the Election Committee.

ARTICLE EIGHT
Section 1

TERM OF OFFICE

Installation, Term, and Resignation

(1) Installation: The officers elected in April shall be installed at the subsequent meeting of the Representative Council or by the end of the first week of May, whichever comes first. The officers elected in September shall be installed at the subsequent meeting of the Representative Council.

(2) Term: The term of office shall be from the date of formal installation until the formal installation of successor officers as determined by paragraph 1 of this section.

(3) Resignation: Any Representative who cannot fulfill his duties may resign. Any Representative who loses his membership in the Student Bar Association due to graduation, transfer, leave of absence, or other reason is deemed to have resigned office.

Section VI

Vacancies

(1) Any vacancies on SBA, ADP, or Election Committee occurring after the Fall election shall be filled with a special election to be held no later than one month following the effective date of the vacancy. If the vacancy occurs within one month prior to the scheduled Winter elections, the President, subject to the advice and consent of the Representative Council, shall appoint a member of the Student Bar Association in good standing to fill such vacancy until the scheduled election takes place.

(2) Any vacancies occurring after the Winter election shall be filled in a special election, to be held concurrently with the Fall election.

(3) Any vacancy on the Executive Board shall be filled with a duly noticed election, except if

(a) only one Representative desires the vacant position, and/or

(b) the vacancy arises when a duly noticed election will be unreasonable.

(4) In the event the exceptions to subsection (3) apply, the President, or acting President, shall make a recommendation to the Council and the Council shall approve or deny the recommendation

ARTICLE NINE:

OATH OF OFFICE

All officers of the Student Bar Association shall take the following Oath of office, to be administered by the outgoing President, upon inauguration: "I do solemnly affirm that I will, to the best of my ability, preserve, defend, and enforce the provisions of the Constitution and Laws. In doing so, I will exercise the utmost care to uphold the good name of our school by diligently, faithfully, and conscientiously performing all my duties as an officer of the Student Bar Association of Nova Southeastern University Shepard Law Center."