
BY-LAWS OF THE STUDENT BAR ASSOCIATION

First Ratified, 1989

Revised, April 2010

Article I. Name, Membership, Meetings.

- A. *Name.* The name of this organization is the "Lewis & Clark Law, Student Bar Association" ("SBA").
- B. *Membership.* The following representatives, members or non-voting members ("member") are individual members of SBA:
- 1) Executive officers as, defined in Article III of these by-laws;
 - 2) Two student representatives to each of the following faculty committees: Academic Enhancement Committee, Admissions Committee, Budget Committee, Curriculum Committee, Faculty Committee, Faculty Appointments Committee, Natural Resources Committee, and Diversity Committee;
 - 3) One student representative to each of the following faculty committees: Technology Committee;
 - 4) Two student representatives to the Alumni Association Board of Directors;
 - 5) One student representative to each of the following boards: Board of Trustees, Board of Visitors, and Honor Board;
 - 6) One representative from each first-year pod;
 - 7) One transfer-student representative;
 - 8) The Letter of the Law editor (LOTL);
 - 9) An American Bar Association Law Student Division (ABA/LSD) representative; and
 - 10) Library representative
- C. *Meetings.* The first meeting of the year will be held at the call of the President. At that meeting, the members shall determine the time and location of regular meetings for the remainder of the academic year. The President should provide at least two weeks notice of meeting date. Extraordinary meetings may be called by any three executive officers.

D. *Attendance.* Members are allowed two absences (excused or unexcused). If a member misses an additional meeting then, the President shall motion the SBA to vote to retain or expel the member on grounds of failing to meet the attendance requirements contained in the by-laws. The vote may take place electronically or at the subsequent full SBA meeting.

- 1) The member has the right to explain the relevant absences and submit a request to remain a member of SBA. Notwithstanding Article I, Section F of these by-laws, a simple majority vote of the present SBA members is required in order to retain the member; and
- 2) If the member is retained, each additional absence requires the procedure contained in this section will be repeated.

E. *Internal Committees.* Each representative, except executive officers, shall serve on at least two internal committees:

- 1) Internal committee chairs are responsible for scheduling committee meetings; and
- 2) Internal committee chairs must report committee member attendance issues to the President before the next SBA meeting, and the name(s) of the relevant members will be reported.

F. *Removal from office.* A representative member may be removed for failure to fulfill the required duties of their position upon motion of any SBA member.

- 1) Required duties include, but are not limited to:
 - a) Internal committee attendance and participation;
 - b) Meeting attendance; or
 - c) Duties of the elected position.
- 2) The Internal Vice President must give the member notice of the motion and an opportunity to be heard before SBA. If the Internal Vice President is the subject of a motion to remove, such notice shall be given by the President.
- 3) Removal requires a three-fourths majority vote by the members in attendance at the meeting following delivery of the notice to the member.

Article II. Election Procedure and Process, Appointments, Vacancies, Initiative, Ballot Measures.

- A. *Election Administration.* The Elections Committee shall conduct all SBA elections. The Rules Committee shall adjudicate all election disputes. Pre-election dispute adjudication procedures shall be determined by the chair of the Rules Committee. A minimum of five members, including the chair of the Rules Committee, shall adjudicate post-election disputes.
- B. *Fall Elections.* Fall Elections are elections of first-year and transfer-student representatives. Fall elections will take place by the fourth week of fall semester. Each first-year pod and transfer-students are to elect one student representative to serve on SBA for the academic year. Each first-year shall elect a representative from its Pod. The elections shall include any vacated spring elected positions.
- C. *Spring Elections.* Spring elections are the general SBA elections for: executive officers, faculty committee representatives, board representatives, LOTL editor, and ABA/LSD representative. Spring elections will take place during the week preceeding Spring break, and the law-student-body shall elect eligible law students to the above positions, not including first year and transfer representatives. Only students attending Lewis and Clark Law School for the following fall and spring terms shall be eligible for election. See appendix B for positions available in the spring elections.
- 1) All eligible law students may vote once per position. Cumulative voting is prohibited.
 - 2) A law student may not run for more than one position.
- D. *Election Method and Requirements.* A plurality of law student-body votes is sufficient to elect; however, no person shall be elected who receives fewer than five votes. The election method is left to the discretion of the Internal Vice President and the Elections Committee.

E. *Appointments and Vacancies.*

- 1) The SBA term of office expires on the last day of spring semester classes.
- 2) If a vacancy arises during the summer and is a non-executive officer position, the vacancy will be filled during fall elections. If a vacancy arises and is an executive officer position, the President shall appoint a replacement, or delegate the appointment responsibilities to the Elections Committee. The replacement shall serve in an interim capacity until confirmed at the next SBA meeting by a simple majority.
- 3) If a vacancy arises after the fall elections, the President shall nominate a replacement. A simple majority is needed for confirmation.
- 4) If a non-executive officer position is not filled during spring elections, then the President-elect shall nominate a replacement to be confirmed at the next meeting by the SBA-elect members. A simple majority is needed for confirmation.
- 5) The President shall appoint students to any temporary faculty committees.
- 6) The President, with the approval of the External Vice President, shall create and appoint temporary positions.
- 7) If it is later found that an appointment violates any of these by-laws, then that appointment shall be void and have no effect.

G. *Suggested Timetable.* The following timetable, sections B(2)(a-d) of this article, contains guidelines that the Elections Committee may take into consideration in conducting when conducting fall elections. The Internal Vice President and the Elections Committee have discretion to reasonably amend these guidelines to accommodate circumstances.

- 1) The Elections Committee should make self-nomination forms generally available to all first-year students, and the Internal Vice President should place a binder in the library with information on the duties and responsibilities of first-year representatives, and a transfer student liaison along with a copy of the most recent SBA by-laws. The binder should be divided by first-year sections, and candidates should insert self-nomination forms in the appropriate section.

- 2) Self-nominations and the ballot will be closed on the second Monday of Fall semester, and the names of candidates will be posted publicly. The Elections Committee should conduct the vote throughout the second Thursday and Friday of the fall semester, ensuring both day and evening voting hours on each day.
- 3) All first-year students and transfer students may vote for one candidate from their own pod or transfer-student population.
- 4) On the following Monday, the results of the elections will be announced by the Elections Committee.
- 5) A plurality of votes is sufficient to elect; however, no person may be elected with fewer than five votes. If no candidate receives five or more votes, the race shall be considered a tie. If there is a tie within a section, a run-off election shall be held within seven days.

H. *Spring Elections.* Spring elections for executive officers, faculty committee representatives, board representatives, LOTL editor, and ABA/LSD representative will proceed as follows:

- 1) Not later than spring break, the student-body shall elect executive officers, faculty committee representatives, board representatives, the LOTL editor, and the ABA/LSD representative to SBA all SBA members.
- 2) Only students who will be attending Lewis and Clark Law School for the following fall and spring semesters are eligible for election.
- 3) The following positions shall be made available for election in the spring:
 - a) Executive officers, with one position each: President, Internal Vice President, External Vice President, Secretary, and Treasurer,
 - b) Faculty committee representatives with two positions each: Academic Enhancement Committee, Admissions Committee, Budget Committee, Curriculum Committee, Faculty Committee, Faculty Appointments Committee, Natural Resources Committee, Diversity Committee,
 - c) Faculty committee representatives with one position each: Technology Committee,

- d) Board representatives with two positions: Alumni Association Board of Directors,
 - e) Board representatives with one position for each: Board of Trustees, Board of Visitors, Honor Board,
 - f) One LOTL editor. and
 - g) One ABA/LSD representative.
- 4) By the Friday three weeks before spring break, the Internal Vice President shall start the election process by, making self-nomination forms generally available to the student body. The Internal Vice President may accomplish this process by placing a binder, divided by position, in the library with:
- a) Information on the duties and responsibilities of all available positions,
 - b) Any referendum questions in accordance with Section F of this Article, and
 - c) A copy of the current SBA By-laws,
 - d) Candidates should insert self-nomination forms in the appropriate section.
- 5) By the Friday two weeks before Spring Break, nominations will be closed. Voting should begin within two days of the closing of nominations. The Elections Committee should conduct voting on two consecutive days when classes are scheduled and provide both day and evening voting hours on each day.
- 6) Not later than the Friday before Spring Break, the spring elections will be announced by the Elections Committee.
- I. *Runoff Procedures.* In the event of a tie, the Elections Committee will conduct a runoff election. The Elections Committee has the discretion to determine the runoff procedures. With the exceptions that:
- 1) Runoffs shall be conducted within the first school week following the elections, and
 - 2) The runoff election shall be open for at least twenty-four hours.

- J. *Election Campaigns.* Law students may post election campaign material on the law campus. The law campus is limited to the Legal Research Center , McCarthy Classroom Complex, Gantenbein Student Lounge, Boley Law Library, or Wood Hall. All campaign material shall be fair and conform to acceptable practices as determined by the Rules Committee, and:
- 1) All posters, signs and other posted campaign material must conform to school policy regarding "Notices and Postings," as published in the current "What's What" available on the webpage of the L&C Law Registrar.
 - 2) Each candidate is responsible for removing campaign postings, signs and other posted materials. This shall be done within twenty-four hours of the announcement of election results.
 - 3) Candidates are not permitted to send unsolicited emails for the purpose of campaigning. Such activity will be investigated by the Rules Committee
 - 4) Candidates may use websites to promote their campaign, including assigned Lewis & Clark web space. Content must conform to school and campaign regulations.
 - 5) No candidate or affiliated campaign personnel may staff any voting booth.
 - 6) If an online election is held, then the candidates are prohibited from campaigning within the computer labs during such times that votes are accepted.
 - 7) Any student group, at its will, may choose to offer an endorsement to any candidate and the candidate is free to accept or reject the endorsement offer. Candidates are prohibited from making a request or petitioning for a student group endorsement.
 - 8) The Rules Committee has the power to interpret. Failure to conform to these By-laws the election provisions contained herein shall be considered an election violation.
 - 9) The Rules Committee will determine the appropriate sanction. Any Rules Committee member who has a personal interest in the election of that position shall be recused from the sanctions meeting.
 - 10) Violation of a Rules Committee sanction is an independent election violation. The Rules Committee will determine the appropriate sanction. Sanctions may include reprimand, required corrective action(s), deduction of votes (particularly for email violations), and disqualification.

- 11) The Rules Committee must notify all candidates and interested parties of its procedures for handling election violations.
- 12) A candidate may request that the Rules Committee approve a proposed specific campaign action. The Rules Committee shall return an answer within twenty-four hours.

F. *Initiatives and Ballot Measures.*

- 1) Initiatives are proposed additions or amendments to the By-laws of SBA, which are placed on the spring election ballot, for students to enact or reject independently of SBA.
 - a) Initiatives must be proposed by a petition signed by at least ten percent of the currently registered student body. Each signer of the petition must both print and sign their name in order for their signature to be valid.
 - b) A complete initiative petition shall be filed with the Internal Vice President or SBA President not less than three weeks before the Spring elections for inclusion in the spring elections.
 - c) A complete initiative petition must include the full text of the proposed resolution or, if it proposes an amendment to the By-laws, the full text of the original By-laws provision and the proposed amendment.
- 2) Ballot measures are non-binding proposals, including opinion polls, or recommendations to the Faculty or Administration.
 - a) Ballot measures may be created by faculty request, or by a petition signed by a number of currently registered Lewis and Clark law students equal to ten percent of the student body, or by resolution of SBA. Each signer of the petition shall both print and sign their name for their signature to be valid.
 - b) A complete ballot measure shall be filed with the Internal Vice President or SBA President not less than three weeks before the Spring elections for inclusion in the spring elections.

- c) A complete ballot measure shall include the full text of the proposal, poll, or recommendation. The Internal Vice President shall publicize to the student body and faculty a call for initiatives, referendum petitions, and ballot measures no later than the end of the first week of February.
 - d) No later than three weeks before elections, SBA shall publicize to the student body via e-mail and postings all petitions received that meet the requirements for inclusion in the election.
- 3) The Internal Vice President shall place a copy of all proposed initiatives and ballot measures in a separate binder three weeks before spring elections. Any law student may place in the binder a pro or con statement that is signed by law students presenting the statement. The binder shall feature a prominent disclaimer noting that SBA does not generate or endorse any pro or con statements. The Internal Vice President should monitor the binder and his/her discretion in removing inappropriate materials.
- 4) Each initiative or ballot measure:
 - a) Shall explain whether it is an initiative or ballot measure;
 - b) Shall include the text of the initiative or ballot measure at issue;
 - c) Shall state, in the case of initiatives, that the vote on the measure will be binding, and in the case of ballot measures that it is merely an opinion poll;
 - d) Shall contain a statement, written by the Rules Committee collectively, of the effects of approval and rejection of the measure; and
 - e) Shall include a disclaimer noting that SBA does not advocate approval or rejection of the measure.
- 5) The SBA maintains a policy of neutrality toward any item on the ballot in its official communications and in the formulation of ballots.

- 6) An initiative or ballot measure shall become effective immediately after it is approved by a majority of the votes cast thereon, unless it effects a change in the by-laws, in which case it shall become effective after it is approved by two-thirds of the votes cast thereon. The President shall report the results of initiatives to the law student body.
- 7) Approved ballot measures that rescind parts of resolutions or acts of SBA shall not rescind or impair other parts of those resolutions or acts from becoming effective.
- 8) The Honor Code shall apply to any petition signatures, signature gatherers, or pro or con statements.

Article III. Executive Offices, LOTL Editor, and ABA/LSD Representative.

A. *Executive Officers.* The executive officers of the SBA consist of the President, Internal Vice President, External Vice President, Secretary, and Treasurer.

B. *Office of the President.* The President is the official representative of the law student-body in its collective relations with the law faculty, administration, other law schools, and members of L&C Board of Trustess; as well as the administration, and student-governments of Lewis & Clark undergraduate and graduate schools.

- 1) The President shall preside over, set, and propose the agenda for SBA meetings.
- 2) The President shall schedule the first SBA meeting of the year and shall ensure that SBA votes on all subsequent meeting times and places.
- 3) The President shall also be responsible for distributing via email the meeting agendas to all representatives no later than five days prior to each meeting.
- 4) The President shall retain the discretion to make revisions to the agenda during the five-day period preceding the meeting when necessity requires.

C. *Office of the Internal Vice President.*

- 1) The Internal Vice President shall preside over meetings when the President is absent or otherwise designates. In the event that the President vacates the office, the Internal Vice President will assume the duties of the President.
- 2) The Internal Vice President shall chair the Elections Committee.
- 3) The Internal Vice President shall also sit as a member of the Internal Budget Committee.
- 4) The Internal Vice President is responsible for conducting any SBA elections.
- 5) The Internal Vice President shall oversee all internal committees of the SBA.
- 6) The Internal Vice President will maintain contact with all SBA faculty committee representatives and facilitate needed communication between the various committee members.

- 7) By the third Tuesday of fall term, the Internal Vice President will meet with all newly elected first-year representatives and any transfer-student representative to explain the details and these by-laws.

D. Office of External Vice President.

- 1) The External Vice President shall chair the Space Allocation Committee and the Student Life Committee. The External Vice President shall have the option of enlisting aid from other SBA members in fulfilling these tasks.
- 2) The External Vice President shall sit as a member of the Elections Committee.
- 3) The External Vice President shall also be the liaison to the faculty committee and board committees.
- 4) The External Vice President shall be responsible for maintaining the SBA web page.
- 5) The External Vice President is responsible for professor evaluations at the end of each semester. These evaluations are coordinated with the Registrar's office. The External Vice President must contact the Registrar's office to make arrangements for coordinating the evaluations.

E. *Office of the Secretary.*

- 1) The Secretary shall record the minutes of the meetings and post copies, within seven days, on any SBA bulletin board or web-site.
- 2) The Secretary shall be responsible for creating and maintaining an email list that contains all current SBA representatives.
- 3) The Secretary will chair the Rules Committee.

F. *Office of the Treasurer.*

- 1) The Treasurer shall keep the financial records of SBA and shall chair the Internal Budget Committee.
- 2) The Treasurer shall be the student liaison to the Business Office.

G. *The Letter of the Law (LOTL) Editor.*

- 1) The LOTL Editor will establish and publish editorial policies and production schedules; and
- 2) The LOTL Editor will ensure the LOTL is published at least once a semester.

H. *The American Bar Association Law Student Division Representative. (ABA/LSD)*

- 1) The ABA/LSD representative is responsible for:
 - a) Serving as the Chief Executive Officer of the Lewis & Clark chapter of the ABA/LSD;
 - b) Coordinating and distributing ABA/LSD literature and materials;
 - c) Increasing Lewis & Clark membership in the Law Student Division;
 - d) Implementing ABA/LSD programs and competitions at the local level;
 - e) Representing Lewis & Clark at Twelfth Circuit regional meetings and at the ABA/LSD annual convention;
- 2) If a Lewis & Clark law student serves as Twelfth Circuit Governor for the ABA/LSD, that student shall serve as an ex officio representative of SBA, unless that student is already a representative of SBA.
- 3) If a Lewis & Clark law student serves as Chairperson, Vice-Chairperson, Vice-Chairperson, or Secretary-Treasurer of the ABA/LSD, that student shall serve as an ex officio representative of SBA, unless that student is already a representative of SBA.

Article IV. Internal Committees.

A. *Internal committees.* Members may create or disband additional internal committees that are not included in the list below. Internal committees include the following:

- 1) Internal Budget Committee;
- 2) Elections Committee;
- 3) Letter of the Law Committee;
- 4) Rules Committee;
- 5) Space Allocation Committee; and
- 6) Student Life Committee.

B. *Committee Descriptions.*

- 1) The Budget Committee shall consist of no fewer than five and no more than twelve representatives including the Treasurer, the Internal Vice President, and no fewer than two first-year representatives. Attendance at budget committee meetings is mandatory. The Treasurer shall chair the Budget Committee. The Budget Committee shall follow the procedures set out in Article VI of these by-laws.
- 2) The Elections Committee shall consist of no fewer than five SBA members, including the Internal Vice President and the External Vice President. The Elections Committee is responsible for conducting fall and spring elections. The Committee may solicit students who are not representatives and not running in the elections to assist the Committee in conducting the elections. If a Committee member who is running for office, that member shall be excused from administering the election. If the Internal Vice President believes that s/he cannot remain neutral due to a conflict of interest, the External Vice President shall chair the committee. However, if the External Vice President should also be unable to remain neutral due to a conflict of interest, the President shall select a new chair, with the majority approval of SBA.
- 3) The Letter of the Law Committee shall be responsible for assembling, publishing, and distributing each edition of the LOTL, which must be published at least once each fall and spring semester. The LOTL Committee shall consist of no fewer than four

students, either from SBA or the general student-body, including the Letter of the Law (LOTL) Editor.

- 4) The Rules Committee shall consist of no fewer than five SBA members and shall be chaired by the Secretary. The Rules Committee shall be an advisory committee to all other internal committees. The Rules Committee shall receive, review, and publicize proposed resolutions and proposed amendments to the by-laws prior to presentation at the next SBA meeting. All changes to the by-laws must be approved by a simple majority of SBA members. The Rules Committee shall adjudicate any elections disputes. The Rules Committee must review these by-laws and correct inaccuracies, internal inconsistencies, and typographical errors, and the review must take place during the first half of each fall semester. Any revisions or updates must be approved by SBA in order to become effective. The Rules Committee must conduct a regular review of the by-laws and propose any amendments pursuant to the provisions of Article VII of these by-laws.
- 5) The Student Life Committee shall consist of no fewer than five SBA members and shall be responsible for organizing and publicizing any SBA-sponsored guest speaker appearances, open forums, and social events.
- 6) The Communications Committee will review the techniques used by students, organizations, faculty, and administration to inform, advertise and schedule activities. They will make recommendations to the SBA once each semester on how to better facilitate campus interaction.

Article V. Budget.

- A. *SBA Funding.* Any SBA recognized student group requesting funds from SBA are responsible for complying with the requirements of the SBA Budget Process as set out in Paragraph D of this Article.
- B. *Student Groups.* Law student-related organizations, clubs, social or recreational groups shall be considered "student groups" for purposes of this article. Any student group seeking funds from SBA shall meet the following criteria:
- 1) The student group is recognized by the SBA, as set out in Article VI, Section E of these by-laws;
 - 2) Student group membership is open to all law students, and to non-law students who contribute to the achievement of the group's stated goals and objectives;
 - 3) The student group's leaders are to be selected by the law student or other voting members of the individual student group;
 - 4) Any law student member of the student group may run for office. Non-law students, such as attorneys or other appropriate professionals, may be members of the board of directors or other executive body of the organization for a student group with legal concerns or goals for whom participation in the legal process is essential to the achievement of the student group's goals;
 - 5) The student group's policies are formulated and implemented by the student group's members or a board of directors elected by the student group;
 - 6) The disbursement of funds received by the group from SBA is determined by the group's student members or a board of directors elected by the student group;
 - 7) The student group uses no funds for personal gain by any students or for reimbursement of salary except as a supervised position consistent with the group's stated goals and objectives;
 - 8) The student group fully complies with the nondiscriminatory policies of the school.

C. *Student Group Funding.* The SBA may allocate funds to student groups, and any student group that fails to comply with the criteria in above Paragraph B of this Article will be frozen until the student group satisfies the requirements contained in Paragraph B. The Internal Budget Committee has the power to determine if the student group is in compliance with the by-laws or rules.

D. *Budget and Funding Procedures.*

- 1) The Treasurer must direct the budget process as follows:
 - a) Create a posting containing general notices regarding student group funding and a calendar of events for the budget process as it is set out in this provision, and it must be posted no later than the second school day of fall semester; and
 - b) Solicit each student group individually for the contact information for its president and treasurer.
- 2) By the end of the second week of classes, the Treasurer shall hold at least one day and one evening mandatory training meeting with the treasurers of each student group seeking funds.
 - a) At these meetings, the Treasurer shall inform the student groups' treasurers of the budget process, including the required content of student group budget requests, the Internal Budget Committee's funding criteria, student group's bookkeeping and auditing requirements, and information regarding penalties for noncompliance with budget requirements.
 - b) The Treasurer shall request that the Budget Manager of the law school be present at this meeting for the purpose of introduction to all student group treasurers.
 - c) If the student group treasurer fails to attend one of these mandatory meetings, then the student group will no longer be qualified for SBA funds for the remainder of the current academic semester.

- 3) No later than the third Tuesday of fall semester, any student group seeking SBA funding shall submit its budget request to the Treasurer.
- 4) No later than the third Friday of fall semester, the Internal Budget Committee shall conduct open hearings at which a representative of each student group may present the group's budget request. The purpose of these hearings shall be for the Internal Budget Committee to clarify any issues regarding budget proposals and for student group representatives to explain their budget requests in further detail. Receipt of funds shall not be contingent upon attending an open hearing.
- 5) No later than the fourth Monday of fall semester, the internal Budget Committee shall meet in a closed-door session. This Committee shall formulate a draft budget considering the factors set out in Paragraph E of this Article. Immediately thereafter, the Treasurer shall post the draft budget and distribute copies to the student body. A student group may not seek reimbursement for expenditures made in reliance upon this proposed budget.
 - a) In formulating the budget, the Committee shall endeavor to operate by consensus.
 - b) To encourage impartiality and an open budgetary discussion, when the Committee considers the budget of any group in which a Committee member is substantially involved, that member shall recuse him or herself from the discussion and shall not be present for the closed-door discussion of the budget's merits.
- 6) No later than the fourth Wednesday of fall semester, the Treasurer shall present the proposed budget to the full SBA, along with the recommendations of the internal Budget Committee. After discussion, the SBA shall vote on the recommendations, and all decisions will be final.

- E. *Allocations.* An allocation proposed by the Internal Budget Committee which has, as compared to the immediately preceding year, the effect of:
- 1) Increasing a student group's funding by one hundred percent or more; or
 - 2) Decreasing a student group's funding by fifty percent or more, unless the student group has requested a decrease of fifty percent or more, must be approved by the SBA by a two-thirds majority prior to and independently of the budget as a whole. The budget as a whole must be approved by a simple majority and may be amended on the floor to reflect any surplus or deficit resulting from the disapproval of an allocation as described in (i) or (ii).
 - 3) The Internal Budget Committee will take the following into consideration when allocating funds among the various student groups:
 - a) The student group's fiscal responsibility, as evidenced by the presentation of a reasonable budget, spending in compliance with previous budgets (in both amount and manner), compliance with bookkeeping and auditing requirements, and other relevant factors;
 - b) The history of the student group's activities and contributions to the student body. The Committee shall focus its attention on the merits of the proposed activities and budget rather than on historic funding levels;
 - c) The student group's purpose, objectives, and specific plans for the current school year. The Committee shall favor events that benefit the entire student body;
 - d) The student group's current balances in all non-SBA accounts, and projected outside funding for the current year; and
 - e) The student group's stated funding priorities.
 - f) When allocating funds among student groups, the internal Budget Committee may consider:
 - a. The number of active members;
 - b. The willingness and/or ability of the group to contribute to the group's financing through fund-raising or the collection of dues;

- c. The group's funding levels in previous years; and
- d. Other relevant factors (e.g., travel, speakers, and food) if done so consistently.

F. *SBA Operating Fund.*

- 1) The SBA shall withhold seven-and-one-half percent of the total available SBA funds as a Reserve Fund. Monies from the Reserve Fund may be released with the Treasurer's approval.
- 2) The SBA shall withhold no more than two-and-one-half percent of the total available SBA funds as a President's Discretionary Fund, to be used for SBA administrative expenses and other immediate needs, as determined by the President. Except in cases of financial emergency, any expense of more than seventy-five dollars (\$75.00) from the President's discretionary fund account shall be voted on by SBA.
- 3) Any funds allocated to student groups and unused at the end of the school year will be reallocated to the Reserve Fund.

G. *Fund Reallocation.* Each student group must submit a balance sheet to the Treasurer by January 31st. The treasurer will audit each student group according to the submitted balance sheet, and the Treasurer must share the information from the audit with the Internal Budget Committee. Then the Committee must determine if funds must be reallocated between the various student groups, if so, the committee must achieve a supermajority vote to proceed with reallocation. A meeting should be held in the event of a reallocation, and it should take place no later than one week after all law student groups have submitted balance sheets. Any reallocations must be disseminated to the student body no later than one day after the reallocation meeting.

- 1) Any reallocation of funds must be reached by consensus of the internal budget committee.
- 2) Reallocation meetings must be held behind closed doors.

- 3) When reallocating funds between student groups, the internal Budget Committee shall consider:
 - a) The group fiscal responsibility, as evidenced by spending in accordance with the proposed budget;
 - b) Surplus or deficits in student group accounts compared to proposed budget;
 - c) Additional events and activities conducted in the fall semester, or planned for spring semester that were not included in the group's original budget proposal; or
 - d) The criteria in Article V, section E, subsection 1.
- 4) When reallocating funds between student groups, the internal Budget Committee may consider:
 - a) any increase or decrease in membership;
 - b) successful fundraising; or
 - c) The criteria contained in Article V, section E subsection 2.

H. *Bookkeeping and Student Group Audits.*

- 1) The treasurer of each student group shall keep copies of receipts and maintain balance sheets detailing the dates, amounts, and nature of each expenditure.
- 2) The SBA Treasurer shall sign or initial all receipts before they are presented to the Budget Manager for reimbursement. The SBA Treasurer shall maintain a set time during the week for student group treasurers to present their receipts.
- 3) Spreadsheets for each student group itemizing that group's phone, mail, and copying expenditures will be available by request to student group treasurers in the Budget Manager's office after the twentieth day of every month. Student group treasurers will be responsible for obtaining this information if the group desires it.

- 4) Each year, the treasurer of each student group must submit to the SBA Treasurer a copy of the group's balance sheets by January 31 and again by the last day of spring semester classes.
- 5) Upon request by the Internal Budget Committee, the treasurer of a student group shall produce its current balance sheets and supporting receipts.
- 6) Failure to comply with the bookkeeping and auditing requirements of this subsection shall result in freezing the SBA funds held by the delinquent student group. The Internal Budget Committee shall release the funds when the student group demonstrates subsequent compliance.

Article VI. SBA Procedures.

- A. *Quorum.* A quorum shall consist of at least fifty percent of the elected representatives of the SBA. A quorum is a majority of all SBA members.
- B. *Proxy Votes.* Members may vote by proxy is only under the following conditions:
- 1) An absent member has authorized another member to vote on behalf of the absent member; and
 - 2) Prior to the meeting in question, the absent member must acquire consent from a fellow member to act as a proxy and obtain a written authorization for the member that contains the absent member's vote for each issue before the SBA. The proxy must notify the President and Secretary of the proxy vote prior to or upon arrival to the meeting, or the absent member has been in attendance at the meeting and must leave the meeting or must temporarily leave the room.
 - 3) Proxy does not count towards attendance.
- C. *Motions.* Unless otherwise specified, passage of any motion requires a majority of all representatives voting (in person and by proxy).
- D. *Meeting Access.* All meetings of the SBA are open to all students. An SBA meeting may be closed to non-SBA members upon:
- 1) A motion approve by a majority of all members voting, provided that notice of this closed meeting was given to all members, at least forty-eight hours prior to the meeting, or to a majority of all members.
- E. *Obtaining SBA Recognition of a Student Group.* A student group that wishes to be recognized must notify the SBA President of its desire to be recognized and as the President to add the student group as an agenda item for the next SBA meeting. At that meeting, the student group shall present its stated goals and objectives. At the close of the

presentation, the SBA shall discuss and vote on whether to grant or deny recognition of the student group.

- 1) Any member may make a motion to remove the SBA recognition of any student group. The student group must be given notice of the motion and an opportunity to be heard by the SBA. Following the notice, removal requires a three-fourths majority vote by all members in attendance.

Article VII. By-Law Amendments.

A. *Proposed Amendments.* Amendments to these by-laws may be proposed by the following:

- 1) Any member;
- 2) The Rules Committee; or
- 3) An initiative petition

B. *Consideration of proposed amendments.* Any amendment proposed by either a member or the Rules Committee must be considered by the members of the SBA within forty-eight hours of receiving notice of the proposed amendment(s) to the by-laws. Any amendment proposed by initiative petition is governed by the provisions contained in Article III of these by-laws.