

**CONSTITUTION OF THE STUDENT BAR ASSOCIATION
DUQUESNE UNIVERSITY SCHOOL OF LAW**
(As amended Spring Semester 2000)

**ARTICLE I
NAME, PURPOSE, AND PROCEDURE**

Section 1. Name

This organization shall be known as the Student Bar Association of the Duquesne University School of Law, referred to as the Student Bar Association (SBA).

Section 2. Purpose

The purpose of this Student Bar Association shall be as follows:

- a.) to provide its members with a voice in the policies and operations of the Duquesne University School of Law.
- b.) to coordinate student projects and student organizations
- c.) to promote professionalism among its members
- d.) to initiate and to promote the above-mentioned activities to the end that best serves the interests of the School of Law, the law students, the legal profession, and the public.

Section 3. Procedure

The Student Bar Association adopts Robert's Rules of Order as the procedural guidelines to conduct business in a meeting. These rules can be waived by a quorum of the Executive Board.

**ARTICLE II
MEMBERSHIP**

Section 1. Membership

All persons pursuing a course of study leading to a degree from the Duquesne University School of Law shall be a member of the Student Bar Association.

ARTICLE III EXECUTIVE BOARD

Section 1. Membership

The officers of the Student Bar Association shall be comprised of the Executive Board.
The officers shall be:

- a. *President*: To best fulfill the duties of the office of President, at least one year of elected experience with the Student Bar Association shall be required. Such person shall preside over the meetings of the Executive Board and the Representative Board. Such person shall appoint at least one member of the Representative Board to sit on each committee. Such person shall serve as the primary liaison between the Student Bar Association and the Administration of the Duquesne University School of Law. Such person shall also perform such duties as are usually associated with this office.
- b. *Day Division Vice-President*: The Day Division Vice-President shall be a student (full-time or part-time) of the Day Division and will be elected solely by the entire Day Division (full-time or part-time). Such person shall preside over meetings of the Executive Board and the Representative Board in the absence of the President, on an alternate basis with the Evening Division Vice-President. Such person shall work with the Evening Division Vice-President to coordinate committees of the Student Bar Association. Such person shall also perform all other functions as are specified by this Constitution or the President. Nothing in this subsection shall be construed to give authority to the Day Division Vice-President over the Evening Division Vice-President.
- c. *Evening Division Vice-President*: The Evening Division Vice-President shall be a student (full-time or part-time) of the Evening Division and will be elected solely by the entire Evening Division (full-time or part-time). Such person shall preside over meetings of the Executive Board and the Representative Board in the absence of the President, on an alternate basis with the Day Division Vice-President. Such person shall work with the Day Division Vice-President to coordinate the committees of the Student Bar Association. Such person shall also perform all other functions as are specified by this Constitution or the President. Nothing in this subsection shall be construed to give authority to the Evening Division Vice-President over the Day Division Vice-President.
- d. *Secretary*: The secretary shall maintain a true record of the proceedings of all meetings of the Executive Board and the Representative Board. Such person shall be the official custodian of all books, papers, and documents of the Student Bar Association, and shall have the further duty to turn all books, papers, and documents over to his/her successor. Such person shall provide notice to the members of the Representative Board regarding upcoming

meetings and functions, not less than two days prior to each meeting or function. Such person shall work to increase communications within the Student Bar Association by means such as calendars, newsletters, and other communications as deemed necessary. Such person shall compile minutes and distribute them on a regular basis. Such person shall also perform all other functions as are specified by this Constitution or the President.

- e. *Treasurer*: The Treasurer shall maintain a true record of the fiscal affairs of the Student Bar Association, which record shall be the property of the Student Bar Association and shall be turned over in proper form to his/her successor. Such person shall process all vouchers for payment and shall oversee and approve all requisitions and expenditures of the Student Bar. Such person shall organize the annual budget for presentation to the Dean of the Duquesne University School of Law, which shall be due in mid-April. Prior to being resented to the Dean, the budget must be approved by a quorum vote of the Executive Board. Once the budget is released by the Dean in summer, the Treasurer will allocate funds to each anticipated event of the upcoming school year. These allocations will be presented to the Executive Board and must be approved by a quorum vote prior to the first meeting of the school year. Such person shall publish and report to the Student Bar Association a financial summary of the past semester at the last Representative Board meeting of the semester. Such person shall also perform all other functions as are specified by this Constitution or by the President.
- f. *American Law Association-Law Student Division Representative*: One member of the Student Bar Association, who is a member of the ABA, shall be elected to serve as the American Bar Association-Law Student Division Representative. Such person shall represent the Duquesne University School of Law to the American Bar Association-Law Student Division by acting as liaison between the organizations. Such person shall also perform all other functions as are specified by this Constitution or by the President, and will carry one vote on the Executive.
- g. *Student Government Association Senators*: Up to three (3) members of the Student Bar Association shall be elected to serve as Student Government Association Senators. Student Government Association Senators are elected annually in February or March of each year. Student Bar Association Students interested in running for a Senator position must go to room 305 in the Student Union Building during the first week in February to sign up for elections, and pick up the rules for the election. Student Bar Association students interested must abide by the Student Government Association to the fullest extent possible. Such person shall also perform all other functions as are specified by this Constitution, or by the President. Each individual Senator will carry one vote on the Executive Board.

- h. Sergeant-at-arms: Such person shall be appointed by the President from the Representative Board of the Student Bar Association. Such person shall attend the Executive Board meetings only when asked by a member of the Executive Board and is not a voting member of the Executive Board. Such person will be responsible for calling the Representative Board to order and maintaining order during the meeting.
- i. *Immediate Past President*: If continuing as a member of the Student Bar Association, the Immediate Past President of the Student Bar Association shall be an ex officio member of the Executive Board. Such person shall serve as an advisor to the Executive Board and assist with the operation of the Student Bar Association as necessary. Such person shall also perform all other functions that are specified by this Constitution or by the President.

Section 2. Powers

The Executive Board shall have the power to supervise and administer the affairs of the Student Bar Association, subject to this Constitution and the regulations promulgated by the administration of the Duquesne University School of Law.

Section 3. Voting

Each member of the Executive Board shall have one vote in all Executive Board decisions, except for the Immediate Past President who shall be a non-voting member. All decisions of the Executive Board must be approved by an affirmative vote of a quorum of Executive Board members. Upon their absence from a meeting an Executive Board member may, in advance, assign another Executive Board member to serve as proxy.

Section 4. Meetings

The Executive Board shall meet prior to each meeting of the Representative Board during the school year. Other meetings of the Executive Board shall be called as deemed necessary.

Section 5. Attendance

All members of the Executive Board are required to attend all regularly scheduled meetings. Elected members of the Student Bar Association shall serve on at least two committees as specified in this Constitution or as otherwise specified by the President. If more than two regularly scheduled meetings of the Executive Board and/or Representative Board are missed (without appropriate explanation or notification) in one semester, the member shall be removed from the Executive Board by the recommendation of the President and approval of two-thirds of the Representative Board. Upon removal, a new Executive Board member may be appointed by the President and then must be approved by 2/3 of the Executive Board and Representative Board.

Section 6. Vacancy

Upon the vacancy of the office of President, a vote of the Representative Board, excluding Day and Evening Vice-Presidents, shall elect between the Day and Evening Vice-President to fill the position. Upon the vacancy of any other position on the Executive Board, the position shall be filled by appointment by the President and approval of the remaining members of the Executive Board.

ARTICLE IV REPRESENTATIVE BOARD

Section 1. Membership

The Representative Board shall consist of each member of the Executive Board and the elected Class Representatives:

- a. *Executive Board Members*: The members of the Executive Board specified by this Constitution shall serve as members of the Representative Board.
- b. *Class Representatives*: Each class in the Duquesne University School of Law Day and Evening Division shall have representation as such: the Day Division shall elect two members of the class to serve upon the Representative Board, where the class is divided into sections there will be one Class Representative from each section; third year students in the Day Division who are not divided into sections shall have two Class Representatives from the class as a whole; there shall be two Class Representatives from each Evening Division class level; and there shall be one Class Representative from each Part-time Day Division class. Such persons shall present the concerns, comments, and questions of their respective class to the Representative Board. Such persons shall report on the activities of the Student Bar Association to their respective class. Such persons shall also perform all other functions as are specified by this Constitution or the President.

Section 2. Powers

The Representative Board shall have the power to supervise and administer the affairs of the Student Bar Association, subject to this Constitution and the regulations promulgated by the administration of the Duquesne University School of Law.

Section 3. Voting

Each member of the Representative Board shall have one vote on all proposals and resolutions brought before the Student Bar Association, except for the Immediate Past President, who shall be a non-voting member. All decisions of the Representative Board must be approved by an affirmative vote of at least one half of the members that are present at any given meeting, unless otherwise specified by this Constitution.

Section 4. Meetings

Meetings of the Representative Board are to be held as determined by the Executive Board during the school year, and such meetings are to be announced to the entire membership of the Representative Board by the Secretary in advance. The meeting time is to be decided by the Executive Board at the beginning of the school year subject to change at its discretion. All meetings of the Representative Board shall be open for attendance by all members of the Student Bar Association.

Section 5. Attendance

All members of the Representative Board are expected to attend regularly scheduled meetings and every elected member of the Student Bar Association shall serve on at least two committees as specified in this Constitution or as otherwise specified by the President. If more than two regularly scheduled meetings are missed in one semester without the appropriate explanation or notification, then the member shall be removed from the Representative Board.

Section 6. Vacancy

Upon a vacancy in the position of Class Representative, the President shall appoint the student with the next greatest number of votes received from the election for that particular position (the results of the elections shall be retained by the President). In the event that there is no student in a position to fill the vacancy an election will be held.

ARTICLE V COMMITTEES

Section 1. Standing Committees

Each member of the Student Bar Association shall serve on at least two committees. Any money spent on the event or committee anticipated over 100.00 must be approved by the Executive Board. The standing committees shall be chaired by at least one member of the Representative Board. The chairs of the standing committees shall be subject to the approval of the Executive Board. The committee chairs shall be required to hold monthly committee meetings and to report to the Executive Board and Representative Board on the affairs and activities of their committees. The President shall oversee all committees. The following shall be standing committees of the Student Bar Association:

- a. *Student-Library Committee*: This committee shall be the primary liaison between the members of the Student Bar Association and the administration and staff of the Duquesne University School of Law Library.
- b. *Orientation/Picnic Committee*: This committee shall be responsible for all planning and organization of an orientation picnic held prior to the start of the Fall semester for incoming first year students. This committee shall also be

responsible for securing volunteers for the Fall Open House and the Big Brother/Big Sister program.

- c. *Social Committee*: This committee shall be responsible for the planning and organization of four or *five social gatherings throughout the year*.
- d. *Elections Committee*: The Election Committee shall govern, coordinate, and oversee the elections of the Student Bar Association. Such committee shall be chaired by the President and consist of one member of from each Day and Evening class as appointed by the President. The members of this committee shall not be candidates for any positions on the Representative Board other than the position of Class Representative. The power of interpretation of its authority and its provisions shall be delegated to the Elections Committee, subject to review by the Executive Board.
- e. *Race Ipsa Loquitur Committee*: This committee shall be responsible for the planning and organization of the annual charity race to be held early in the Fall semester. Each year the Representative Board will select and approve a charity to receive the proceeds of the race.
- f. *Barrister's Ball Committee*: This committee shall be responsible for all planning and organization of the Duquesne University School of Law's annual semi-formal Barrister's Ball.
- g. *Softball Committee*: This committee shall be responsible for the planning and organization of the annual softball picnic held late in the Spring semester.
- h. *Academic Advising Committee*: This committee shall be responsible for the planning and organization of study sessions and/or advising sessions toward the end of the Spring semester, once class schedules are made available by the Registrars' Office.
- i. *Senior Dinner/Graduation Committee*: This committee shall be responsible for planning and organization of the Duquesne University School of Law's annual Senior Dinner and for all planning and organization of the Duquesne University School of Law's annual Graduation Ceremony. This committee shall be comprised of any graduating students on the Executive Board or the Representative Board from the Third Year Day and Fourth Year Evening classes and members of the Duquesne University School of Law administration.

The files and documents of all committees shall be the property of the Student Bar Association and shall be turned over to the Secretary at the end of the Spring Semester.

Section 2. Other Committees.

The Executive Board shall convene any additional committees which it deems necessary. The duties of these committees shall be prescribed by the President and approved by the Executive Board.

ARTICLE VI ELECTIONS

Section 1. Election Procedures

These are the election procedures for the Executive and Representative Boards excluding the first year student positions for Class Representative which will be governed by Section 2 of ARTICLE VI, and excluding Senators whose elections will be governed by the Student Government Association of Duquesne University Rules of Elections. Any deviance from these procedures will result in disqualification. Any candidate who is elected to run for office may only run for one position. However, should a candidate not win an Executive Board position, that candidate may have their name placed on the Class Representative ballot only after notification to the Election Committee.

I. APRIL – WEEK ONE

(a) AT the beginning of this week, petitions for all positions on the Representative Board (except those previously excluded,) shall be made available in designated areas by the Representative Board. The petitions shall have appropriate space for listing the candidate's name, current law school division, and the position sought by the candidate. A description of the duties of each position shall be included with each petition, along with a copy of election procedures. The Elections Committee shall begin publicizing the elections and making appropriate announcements to inform all members of the Student Bar Association of the schedule for elections. Petitions will be due one week from pick-up as specified by the Representative Board.

(1) To be a valid petition for a position on the Executive Board, the petition must contain at least fifty (50) signatures from members of the Student Bar Association. The signatures may be from students in any division or class, except for the petitions for the position of Day Vice President or Evening Vice President which may only be from students in Day Division for Day Vice President, or the Evening Division for Evening Vice President.

(2) To be a valid petition for a position as Class Representative for full time students, the petition must contain at least thirty-five (35) signatures from members of the Student Bar Association. The signatures may only be from students in the particular class to be represented by the candidate.

(3) To be a valid petition for Part-time Day Students petitions must have at least ten (10) signatures from members of the any Part-time Day Class.

(4) A member of the Student Bar Association shall not be limited in the number of petition for a particular office that he or she may sign.

(b) Upon a designated date after the submission of petitions, they shall be validated by the Elections Committee. All the candidates who have submitted valid petitions shall be so notified by the Elections Committee. All the candidates who have submitted invalid petitions shall be informed by the Elections Committee as the discrepancies of their petitions. Candidates who have submitted invalid petitions will be given an appropriate opportunity to correct the discrepancies, as determined by the Elections Committee.

II. APRIL – WEEK TWO

(a) During this week the Elections Committee shall choose dates and times for the candidates to campaign for their prospective positions. The Elections Committee shall schedule opportunities for all candidates to speak to relevant members of the Student Bar Association as a group, so that all candidates have equal time to address the members. To maintain fairness, no candidate shall be permitted to address the members of the Student Bar Association without the presence of the opposing candidate or candidates.

III. APRIL – WEEK THREE

(a) On dates designated by the Elections Committee, elections will be held for positions on the Executive and Representative Board. At the conclusion of the voting, the candidate with the greatest number of votes cast shall be declared the winner.

(1) In the event of a tie, a run-off election will be scheduled by the Elections Committee.

(2) In the event that an Executive Board position is unfilled after elections due to a lack of qualified candidates the new Executive Board will appoint a member of the Representative Board to that position.

Section 2: Elections for Class Representative for First Year Day, First Year Part-Time Day, and First Year Evening Classes.

Elections for the Class Representatives for the First Year Day and First Year Evening Classes shall be conducted according to the following schedule:

I. SEPTEMBER – WEEK ONE

(a) During the first week of the Fall semester members of the Executive Board shall inform first year students of the purpose and function of the Student Bar Association, and that elections for Class Representatives shall be forthcoming.

II. SEPTEMBER – WEEK TWO

(a) First year students interested in acquiring a Representative Board position will make a brief introduction of themselves in front of their class, and upon the completion of the introductory speeches ballots will be distributed and a vote taken. Winners will be notified the day after the election. In the event of a tie, a run-off election will be held.

ARTICLE VII IMPEACHMENT PROCEEDINGS

Members of the Executive and Representative Boards shall follow and are subject to the following impeachment proceedings. If a member of the Executive or Representative Board has more than two unexcused absences from Board meetings, and/or fails to participate on at least two committees as specified within this Constitution or by the President, a motion to start impeachment proceedings may be initiated by a member of the Executive Board. The Executive Board shall notify the member concerning his/her possible impeachment and the member shall be given a chance to address the Executive Board regarding the situation. The Executive Board shall then vote on whether impeachment proceedings are appropriate. Impeachment is implemented only after a quorum vote of the Executive Board. Notification of impeachment shall be by the President in front of a special meeting of the Executive Board.

ARTICLE VIII AMENDMENT PROCEDURE

Section 1. Amendments

Amendments to the Constitution may be proposed to the Representative Board in any of the following manners:

- (a) By the submission of a petition containing signatures of one-fourth (1/4) of the entire membership of the Student Bar Association.
- (b) Upon motion by a duly elected member of the Representative Board.

Section 2. Procedures

This Constitution may be amended by a two-thirds (2/3) affirmative vote of the votes casts, provided that the following procedure is followed:

- (a) Such proposed amendment shall first be submitted to the Representative Board.

(b) The Representative Board shall vote to determine whether the proposed amendment shall be submitted to the entire membership of the Student Bar Association. Upon a two-thirds (2/3) affirmative vote, the amendment shall be submitted to the entire membership of the Student Bar Association at least two weeks prior to a vote on the amendment.

(C) One week after the submission of the amendment to the entire membership of the Student Bar Association a special meeting will be held to discuss the amendment during which time any member of the Student Bar Association may address concerns that he or she has with the proposed amendment.

(d) The amendment shall be submitted to the entire membership for a vote one week after the special meeting.

ARTICLE IX INTERPRETATION

Section 1. Interpretation

Any question involving interpretation of this Constitution will be decided by a quorum vote of the Executive Board following presentation of contesting viewpoints by interested parties at a regularly scheduled Student Bar Association meeting.

This section is subject of the provision allowing the Elections Committee to interpret its own provisions, subject to Executive Board approval as stated earlier in this Constitution.

ARTICLE X AMENDMENTS

AMENDMENT 1

Upon the passing of Dean Sciullo in the year 2000, it was decided and passed by the Executive Board of 1999-2000 that \$500.00 would be taken out of the Student Bar Association Budget and placed into Dean Sciullo's Scholarship Fund as a contribution in memory of him. It has further been decided and passed that each additional year hereinafter that \$250.00 will come out of the Student Bar Association's budget and be placed into Dean Sciullo's Scholarship Fund as a continuing contribution for the future Executive Board members of the Student Bar Association to uphold. In the event that the money allocated to the Student Bar Association should dramatically decrease by such a significant amount that activities for the students will be affected if the contribution is made, then it will be the discretion of the Executive Board to make a determination on whether the \$250.00 can be contributed.