Constitution of the
Washington & Lee School of Law
Student Bar Association
Enacted 03/12/12

ARTICLE I: Office

Section 1.01 Location
The office of the Student Bar Association of the Washington and Lee School of Law (hereafter the “SBA”) shall be located at: Washington and Lee University School of Law, Sydney Lewis Hall, SBA Office, Lexington, Virginia 24450.

ARTICLE II: Membership & Purpose

Section 2.01 Membership
All persons registered for a regular full-time course of study at Washington and Lee University School of Law shall be members of the association.

Section 2.02 Objectives
(A) To ensure a governing council responsive to the will of the law school student body.
(B) To provide a forum for the expression of ideas concerning the social, ethical, and intellectual aspects of student life.
(C) To encourage the initiation of programs in order to achieve and maintain a high standard of education at the School of Law.
(D) To provide for association among students, faculty, and administration to promote a close affiliation between students and members of the legal profession.
(E) To provide for association among students and the Lexington community.
(F) To pursue the high standard of professionalism necessary to excel in the legal community.
(G) To ensure compliance with all University policies including those of the Executive Committee of Washington and Lee University.

ARTICLE 3: Officers

Section 3.01 Makeup of the SBA Board
The SBA shall consist of a representative’s council and a board of governors.

Section 3.02 Duties of the Board of Governors Officers
The at-large officers of the Student Bar Association shall consist of the SBA President, the SBA Vice President, the SBA Secretary and the SBA Treasurer.

(A) The President of the Student Bar Association
(1) Represent the Student Bar Association
(2) Schedule and call regular meetings of the SBA, and call special meetings, as the president deems necessary. Adequate notice of all special meetings must be given to the SBA board.
(3) Preside at all meetings of the SBA.
(4) Have the power to submit proposals and programs of action to the SBA for their consideration at any special meeting.

(5) Coordinate the SBA officers for the purpose of executing the daily responsibilities of the Student Bar Association.

(6) Confer with the dean(s) of the law school in the name of the SBA on all matters of student interest.

(7) Delegate such duties to the vice president as may be necessary to the proper administration of the responsibilities of the office of the president. Such duties includes but are not limited to: community outreach, event planning and overall administration of the SBA.

(8) Perform such other duties as may be necessary and proper to the exercise of the foregoing powers.

(B) The Vice President of the Student Bar Association Shall:

1. Perform tasks delegated by President in Art. 3, Sect. 01 (A)(7)

2. In the absence or inability of the president to perform their duties as such, the same shall be performed by the vice president, who shall have all powers and be subject to all responsibilities imposed upon the president.

3. In the event of a vacancy in the office of the president, the vice president shall succeed to such office.

4. Perform such other duties as may be necessary and proper to the exercise of the foregoing powers.

(C) The Secretary of the Student Bar Association shall:

1. Serve as election commissioner unless so prohibited by Art. 4, Sect. 06(A).

2. Keep minutes of the proceedings of each meeting of the SBA. Such meetings shall be made available to any member of the SBA upon request.

3. Annually publish the constitution and bylaws.

4. Receive and certify that all petitions under Art. 6, Sect. 01 are valid and in compliance with this constitution.

5. Receive and certify that all petitions under Art. 5, Sect. 04(A) are valid and in compliance with this constitution.

6. Schedule all special elections and ballot measures upon vote of fifty (50) percent of the SBA board, Art. 5, Sect. 04(B), or upon verification of any amendment or referendum petition. Such election shall take place no later than two (2) weeks after said vote or receipt of said petition.

7. In general, aid the SBA in all correspondence.

8. Shall be responsible for seeing that each new member of the SBA receives a copy of the association constitution and bylaws.

9. Preserve the records of the association.

10. Perform such other duties as may be necessary and proper to the performance of the foregoing powers.

11. In an absence or inability of the SBA president and SBA vice president to perform their duties as such, the same shall be
performed by the SBA Secretary, who shall have all powers and be subject to all responsibilities imposed upon the SBA president.

**D) The Treasurer of the Student Bar Association shall:**

1. Administer the financial affairs of the SBA, receive and expend all monies of this association, and maintain an accurate set of records showing all receipts and disbursements of funds, and indicate the source of all income and the purpose of all disbursements.

2. Periodically make available for inspection to the financial records of the Student Bar Association upon the reasonable request of any officer of the SBA.

3. Periodically make routine expenditures for the smooth administration of the SBA.

4. Pay all properly authorized claims against the SBA.

5. Require a semi-annual accounting from all organizations funded by the SBA.

6. Periodically render an account of current finances to the SBA at meetings, and advise on financial matters.

7. Chair and schedule all meetings of the SBA Budget Committee.

8. Perform other such duties as may be necessary and proper to the performance of the foregoing powers.

**Section 3.05 Duties of Representatives Council Officers**

The officers of the Student Bar Association representative’s council shall consist of a 3L class president and vice president, 2L class president and vice president and 1L class president and vice president.

**A) The President of the 3L class shall:**

1. Represent the 3L class.

2. Schedule special meetings of the 3L class as the president deems necessary, or upon petition by forty (40) members of the 3L class. Adequate notice of all such meetings must be given to the 3L class.

3. Preside at all meetings of the 3L class.

4. Appoint members and chairpersons of all standing and special committees of the 3L class subject to consent of the 3L class.

5. Appoint members and chairperson of all standing and special committees of the 3L class subject to the consent of the 3L class vice president.

6. Delegate such duties to the 3L vice president as may be necessary to the administration of the responsibilities of the office of the 3L president. Such duties include, but are not limited to graduation and any class sponsored social events.

7. Perform such other duties as may be necessary and proper to the exercise of the foregoing powers.

8. In the event of a vacancy in the office of the SBA vice president the 3L president shall succeed to the office of SBA vice president.

9. In the event of a vacancy in the office of the SBA president and SBA vice president the 3L president shall succeed to the office of SBA president.
(B) The Vice President of the 3L class shall:

1. In the event of an absence or inability of the 3L president to perform their duties as such, the same shall be performed by the 3L vice president, who shall have all powers and be subject to all responsibilities imposed upon the president.

2. In the event of a vacancy in the office of the 3L president, the 3L vice president shall succeed to such office.

3. Perform such other duties as may be necessary and proper to the exercise of the foregoing powers.

(C) The President of the 2L class shall:

1. Represent the 2L class.

2. Schedule special meeting of the 2L class as the president deems necessary, or upon petition by fourth (40) members of the 2L class. Adequate notice of all such meetings must be given to the 2L class.

3. Preside at all meetings of the 2L class.

4. Appoint members and chairpersons of all standing and special committees of the 2L class subject to consent of the 2L vice president.

5. Perform such other duties as may be necessary and proper to the exercise of the foregoing powers.

(D) The Vice President of the 2L class shall:

1. In the event of an absence or inability of the 2L president to perform their duties as such, the same shall be performed by the 2L vice president, who shall have all powers and be subject to all responsibilities imposed upon the president.

2. In the event of a vacancy in the office of the 2L president, the 2L vice president shall succeed to such office.

3. Perform such other duties as may be necessary and proper to the exercise of the foregoing powers.

(E) The President of the 1L Class shall:

1. Represent the 1L class.

2. Schedule special meeting of the 1L class as the president deems necessary, or upon petition by fourth (40) members of the 1L class. Adequate notice of all such meetings must be given to the 1L class.

3. Preside at all meetings of the 1L class.

4. Appoint members and chairpersons of all standing and special committees of the 1L class subject to consent of the 1L vice president.

5. Delegate such duties to the 1L vice president as may be necessary to the administration of the responsibilities of the office of the 1L president.

6. Perform such other duties as may be necessary and proper to the exercise of the foregoing powers.

(F) The Vice President of the 1L class shall:

1. In the event of an absence or inability of the 1L president to perform their duties as such, the same shall be performed by the 1L vice
president, who shall have all powers and be subject to all responsibilities imposed upon the president.

(2) In the event of a vacancy in the office of the 1L president, the 1L vice president shall succeed to such office.

(3) Perform such other duties as may be necessary and proper to the exercise of the foregoing powers.

ARTICLE 4: Elections

Section 4.01 Eligibility & Tenure
The officers of the SBA shall be elected for a term of one (1) year. A candidate for any office of the association must be a duly registered student in the school of law and must plan to be enrolled in the school of law for the entire term they are to serve. A candidate for any office of the SBA representative’s council must be a student in the class they see to represent. No student shall be a candidate for more than one (1) office in any election. No student shall hold more than one elected Student Bar Association office at any one time.

Section 4.02 Voting Procedures
All SBA elections shall be conducted by secret ballot and shall be in accordance with the SBA bylaws governing election procedures.

(A) There shall be one (1) election held annually to fill the offices of SBA president, SBA vice president, SBA secretary, SBA treasurer and all class officer positions except for the class officers of the entering first year class.

(B) The SBA president, SBA vice president, SBA secretary and SBA treasurer shall be elected by the entire membership of the student body. The minimum number of votes necessary for election to each of these offices shall be one more than half of the votes cast for the office.

(C) The four (4) officers to the SBA from the rising second and third year classes shall be elected in the spring semester by their respective class. The two (2) officers to the SBA from the first year class shall be elected in the fall semester by the entering first year class. The number of votes necessary for election to any of these offices shall be one more than half of the votes cast for that office.

Section 4.03 Schedule of Elections
The election in the spring semester shall be held within three (3) weeks of the resumption of classes after spring break. The elected Student Bar Association officers shall take office the day of law school commencement.

Section 4.04 Incoming 1L Elections
The election of the first year class representatives shall be held in the fall semester no later than seven (7) weeks after the first day of classes. The first year class representatives shall take office immediately following certification of the election.

Section 4.05 Special Elections
Referendum elections shall be schedule no more than two (2) weeks after certification of a petition or three (3) days after resumption of classes where an election is impracticable due to an extended break.

Section 4.06 Election Committee
(A) The Student Bar Association shall appoint an odd number of SBA board members to serve as the election committee. In no case shall any SBA board member serving on the election committee be a candidate for any office while a member of that committee, nor shall any relative of any candidate serve in any capacity on or for the election committee. One (1) election committee member shall be appointed to serve as election commissioner, pursuant to Art. 4, Sect. 07(A) with the advice and consent of the SBA board.

(B) The Election Committee shall:

1. Set the date of elections and the last date and time for filing petitions for candidacy.
2. Post notices of the date of elections and the last date and time for filing petitions for candidacy.
3. Accept and verify petitions for candidacy.
4. Ensure that all candidates possess the qualifications for their respective offices.
5. Conduct any other elections or referendums as may be required by this constitution.
6. Prepare the ballot(s) to be used in the election.
7. Supervise the polling place, tally the votes and certify the results of the election.
8. Facilitate the election of the Student Judicial Council (SJC) and Executive Committee (EC) representatives when appropriate.
9. The term of office of the election committee shall expire immediately following the certification of election results in the election for which they were appointed.
10. Have the power to take action not inconsistent with the SBA constitution or bylaws.

Section 4.07 Election Commissioner

(A) The SBA secretary shall serve as election commissioner unless so prohibited by Art. 4, Sect. 06(A). In the event that the SBA secretary is so prohibited then the SBA vice president shall serve as election commissioner unless also prohibited. In that event then the SBA treasurer shall serve as election commissioner.

(B) The election commissioner shall chair all meetings of the election committee.

(C) The election commissioner shall hold an election information meeting open to all members to resolve any questions or concerns regarding the upcoming election. Petitions for candidacy shall first be made available at said meeting.

(D) The election commissioner shall publicize all elections and referendums. The notices shall include: the date, time, purpose of voting, polling location and notice any election information meeting.

(E) The election commissioner shall:

1. Ensure that all election ballots are properly counted and accounted for.
(2) Be accountable for the actions of any persons who assist in the ballot counting process, as well as any inconsistencies, which develop during said process. Therefore, the election commissioner should ensure that all aspects of the ballot counting procedure are strictly supervised by them until certification of the results is possible.

(3) Report and certify the election results at the next regular meeting of the SBA.

(4) Destroy all ballots immediately upon a proper and accurate accounting being made.

(5) The term of the office of the election commissioner shall expire immediately following the certification of the ballots in the election for which they are appointed.

Section 4.08 Rules for Candidacy

(A) All candidates for any office provided by this constitution shall specify their name for candidacy to the election committee no later than nine (9) o’clock on the fourth (4th) day prior to the date of the election.

(B) Failure to submit their name for candidacy within the time set by the election committee shall render a candidate ineligible to run for office.

(C) It shall be the duty of the election committee to certify that all candidacy requirements have been met as set forth in this constitution.

Section 4.09 Campaign Policy

All candidates for any office provided for by this constitution shall comply with all applicable constitutional requirements and bylaws.

Section 4.10 Polls

(A) Elections shall be held at the SBA office.

(B) The election committee shall possess full authority to maintain order at the polls and to enforce obedience to its lawful commands during an election and the canvass of votes.

(C) No person may solicit votes within thirty (30) feet of the polling place.

(D) The term “solicit” shall include, but not be limited to, soliciting or attempting to solicit any vote or opinion for any purpose, or distributing or attempting to distribute any campaign material.

Section 4.11 Vacancies

Vacancies of all SBA officers shall be filled by consent of the SBA officers unless otherwise provided for in this constitution. Any members selected to fill a vacant office shall have been eligible to run for said office in the previous election. The appointed officer(s) shall hold office until the SBA can hold a special election.

ARTICLE 5: SBA Operating Procedure

Section 5.01 Meeting Procedures

(A) The SBA shall meet regularly; at least two (2) times a month when class is in session, and from time to time for such special meetings as may be necessary. For the purpose of conducting business, a quorum shall consist of fifty (5) percent plus one (1) of the total number of officers on
the SBA. Vacant positions shall not be counted for the purpose of determining presence of a quorum.

(B) All officers of the SBA present at a general meeting are entitled to vote unless otherwise prohibited by this constitution or the bylaws. An affirmative vote of a majority of the officers present at any duly called meeting shall be necessary to grant consent or take action, unless otherwise specified in this constitution.

(C) All voting officers shall have the power to propose motions to the SBA at any regularly scheduled meeting.

(D) The SBA shall loosely adopt Robert’s Rule of Order to govern the procedure of all meetings.

(E) The SBA shall have the power to pass resolutions and adopt bylaws in order to facilitate the execution of its duties.

(F) The SBA shall, at each meeting, keep a written record, which shall include all details of the proceedings, the presence or absence, and vote on any issue of each member. The SBA minutes, which shall be prepared by the secretary shall thereafter be permanently archived in the SBA office.

Section 5.02 SBA Meetings

(A) The SBA reserves the right to have closed and open meetings.

(B) All individuals or organizations seeking to address the SBA during an open meeting period shall make request of the SBA secretary to be placed on the agenda no less than two (2) hours prior to the scheduled time of that meeting.

(C) Any individual who disrupts a meeting or impedes the efficient completion of such meeting may be ruled out of order at the discretion of the Chair or on motion by majority vote.

Section 5.03 Duties & Powers

The SBA board shall:

(A) Serve as a forum for the initiation of ideas and programs for the law school student body; make recommendations to the administration; consider student grievances presented to the SBA board; and pass resolutions deemed by the SBA board to be in the best interest of the law school and its students.

(B) Create, oversee, and dissolve special committees.

(C) Review and approve the budge of the SBA as submitted by the Budget Committee.

(D) Require from the treasurer a regular accounting of all funds of association.

(E) At each regular meeting, receive reports from the officers of the SBA board and all committee chairpersons present as to the status of the association programs and activities.

(F) Receive reports from the law school representatives to the SJC and EC on all matters pertinent to the law school and receive reports from the American Bar Association/Law Student Division representative relative to that organization.

(G) Provide for the conducting of social affairs in the name of the association.
(H) Have the power to present honors and wards in the name of the association.

(I) Have the power to enact bylaws, not inconsistent with this constitution, deemed necessary to achieve the objectives of the association.

(J) Have the power to recognize student organizations as provided in the SBA bylaws.

(K) Have the power under the supervision of the treasurer, to engage in legitimate enterprise for the purpose of obtaining revenue.

(L) Have the power to ensure compliance with all university budgetary policies including the bylaws of the EC.

(M) By a majority vote, take such action as is necessary and proper to carry out the provisions of this constitution, including recommendations to the administration concerning matters which are not in the power of the SBA board, but which affect the law student body.

(N) Have the power to establish and collect the Student Bar Fees from each SBA member in an amount determined by the SBA board.

(O) Otherwise provide for the general welfare of the SBA members.

Section 5.04 Referendum

(A) The members shall have the ability through referendum to reverse any decision of the SBA board. A referendum shall be called when the SBA secretary is presented with a petition comprising of no less than thirty (30) percent of the total student body with at least twenty (20) percent of each class year represented. Such petition shall contain the exact wording of the proposal, as it is to appear on the referendum ballot.

(B) The SBA board shall have the ability to submit any issue to the members by a fifty (50) percent vote of the SBA board.

(C) Except as otherwise required by this constitution the number of votes necessary for the passage of a referendum shall be one (1) more than half of the total number of members eligible to vote for that same referendum.

(D) Where the SBA board, in accordance with Art. 5, Sect. 04(B), has submitted an issue to the members, the total number of votes necessary for the passage of a referendum shall be one (1) more than fifty (50) percent the total number votes cast in the same referendum.

Article 6: Amendments

Section 6.01
Amendments to this constitution shall be proposed by vote of one third (1/3) of the officers of the SBA board, or by petition of at least twenty (20) percent of the members, and said petition shall be filled with the secretary of the SBA. The SBA secretary shall certify said petition pursuant to Art. 3, Sect. 4(C)(6).

Section 6.02
The amendment as proposed shall be posted in a public place two (2) weeks before the vote is to be take.

Section 6.03
Amendments shall be ratified by ballot of the officers of the Student Bar Association. The vote necessary for ratification shall be two-thirds (2/3) of
the SBA board. The amendment shall take effect immediately upon approval, unless otherwise specified by the amendment.

Section 6.04
Where amendments are submitted to referendum of the members pursuant to Article 5, Sect. 04(A), a seventy-five (75) percent affirmative vote of all voting members is necessary for ratification.

Section 6.05
Any amendments to this constitution shall be written as an addition to this constitution and shall be valid, for all intents and purposes, as part of this constitution.

ARTICLE 7: Ratification
Section 7.01
This constitution shall be ratified and given immediate effect upon majority vote of the SBA members and unanimous consent of the SBA board with the affixation of their signatures thereon.

_________________________   ___________________________
Negin Farahmand 12L          Marcena Winterscheidt 12L
SBA President 2011-2012       SBA Vice President 2011-2012

_________________________   ___________________________
Amy Conant 13L                Robert Caison 13L
SBA Secretary 2011-2012       SBA Treasurer 2011-2012

_________________________   ___________________________
Christen Ansuini 12L          Daniel Isaacs-Smith 12L
3L President 2011-2012        3L Vice President 2011-2012

_________________________   ___________________________
James Bailey 13L              Mary Nerino 13L
2L President 2011-2012        2L Vice President 2011-2012

_________________________   ___________________________
George Robertson 14L          Douglas Pittman 14L
1L President 2011-2012        1L Vice President 2011-2012