

# **UCLA Student Bar Association**

## **By-Laws**

### **SECTION 1: COMMITTEES**

The Executive Board shall have the power to form or abolish any committees deemed necessary to conduct SBA business. The SBA shall strive to have the following standing committees: (1) the Social Committee, (2) the Barristers' Ball Committee, (3) the Environmental Affairs Committee, (4) the Graduation Committee, (5) the Yearbook Committee, (6) the ABA/LSD Committee, and (7) the Academic Affairs Committee.

The SBA committees shall operate under the following provisions:

- A. The 3L President shall be the Chair of the Graduation Committee, and the ABA Representative shall be the Chair of the ABA/LSD Committee.
- B. The SBA Executive Board and Second Year and Third Year Presidents shall appoint the Chairs of all other standing committees.
- C. The selection of Committee Chairs by the SBA Executive Board and Second Year and Third Year Presidents shall be in accordance with the procedures outlined in Article IX of the Constitution.
- D. The SBA Executive Board shall have the power to appoint chairs to any committees created during the school year.
- E. Any SBA Representatives volunteering for or assigned to one or more of the SBA committees shall attend meetings regularly and participate actively. Furthermore, such Representatives shall make regular reports of committee activities to the SBA Representative Council.

### **SECTION 2: REPRESENTATIVE RESPONSIBILITIES**

Any member of the Representative Council may be required to perform one of the following responsibilities. Such requirement will, to the extent possible, not overlap with assignment to be on a Committee as outlined in Section 1.

- A. **Publicity:** The Publicity Rep shall be responsible for assisting the Secretary in publicizing the activities of the SBA, its committees, and other Law School student organizations. Activities may include, but are not limited to, making and posting flyers on the SBA Bulletin Board, assisting with weekly e-mails, and making use of the SBA signage.

- B. Calendar: The Calendar Rep shall be responsible for publishing a monthly calendar of the activities of all Law School organizations. To construct the Calendar, the Calendar Rep shall work closely with the Social Committee and the Inter-Organizational Senate Rep. The Calendar Rep is responsible for posting the Calendar and presenting copies to the Secretary and Publicity Rep for publication.
- C. Committee Liaison: The Committee Liaison shall communicate with all students appointed to faculty-student committees. The Committee Liaison Rep shall make reports to the Representative Council or Executive Board when appropriate and shall invite appointed students to make reports in person when appropriate. The Committee Liaison Rep shall ensure that each student appointed to a faculty-student committee turns in a written report of committee activities, to be maintained in the SBA's permanent files, by the end of the school year.
- D. Book Sale: The Book Sale Rep shall be responsible for assisting the Treasurer in organizing and executing the fall and spring book sales (and outline sales, if any). The Book Sale Rep may conduct all book sale related business with the exception of signing checks. This includes, but is not limited, to: publicity, scheduling, counting funds, keeping accurate records, and distributing checks.
- E. Parliamentarian: The Parliamentarian shall be responsible for making sure that Robert's Rules of Order are followed in the conduct of Representative Council meetings. This responsibility includes, but is not limited to: ensuring the presence of a quorum, ensuring that motions made are properly dispensed with, ensuring that matters tabled are brought back on the agenda at a later meeting, and ensuring that all members desiring to speak on an issue get the chance to do so.

### SECTION 3: ATTENDANCE

All SBA Representatives and Officers should take their responsibilities seriously. In order to serve our constituency properly, the members of the Representative Council must attend all meetings and assigned work shifts. Such attendance will facilitate an airing of student concerns, a more representative vote on issues presented, and a fairer distribution of labor (as those who fail to attend cannot volunteer to participate in SBA tasks). Therefore, all members of the SBA Representative Council are responsible for attending meetings and assigned work shifts and actively participating. Unless special circumstances exist, Representatives and Officers should arrive on time and stay for the entire meeting or assigned work shift.

- A. In order to be eligible for an excused absence, tardy, or early exit, the individual must notify the SBA President of the planned absence, tardy, or early exit before the meeting or assigned work shift begins. Exceptions to this by-law will obviously be made for emergencies and situations beyond the individual's control.
- B. An absence will be considered excused if due to serious illness (e.g., did not attend school that day) or family emergency (e.g., death – not a family party)
- C. All Representative Council members are allowed two unexcused absences per semester.
- D. Upon the third unexcused absence, the Representative or Officer will be considered preliminarily disqualified from his or her office. Within two weeks of the third absence, he or she may apply in writing to the Executive Board for reinstatement. The Executive Board has sole discretion in reinstatement decisions. Any disqualified Representative or Officer who fails to apply within the time specified or who fails to be reinstated by the Executive Board shall be considered permanently dismissed, and the Executive Board shall appoint an individual to fill the vacant position until the next election.
- E. A tardy or early exit will be considered excused if a substantial reason for it exists. Substantial reasons include class attendance or childcare issues. Substantial reasons do not include scheduling conflicts with social events, personal errands, or the like.
- F. A tardy shall be recorded if the individual is not present at the meeting by the time first agenda item begins or by the time the assigned work shift begins. An early exit shall be recorded if the individual leaves before the meeting has been adjourned or before the assigned work shift has ended.
- G. For each unexcused tardy or early exit, the Representative or Officer shall be responsible for bringing a snack to the next Representative Council meeting. The Secretary shall be responsible for reminding the Representative or Officer, at least 24 hours in advance, that the snack is due.
- H. If the Representative or Officer misses more than one-half of the meeting or assigned work shift due to a tardy or early exit, it shall be considered an absence. The Secretary's minutes shall be used to determine the length of the meeting. If such a tardy/early exit was considered excused, the resulting absence shall be considered excused. If the tardy/early exit was not considered excused, the resulting absence shall not be considered excused.
- I. All absences clear at the conclusion of each semester. Unexcused tardies for which snacks have not been supplied shall carry over into the spring semester.
- J. Excused and unexcused absences, tardies, and early exits are to be determined by decision of the Executive Board. If the Executive Board cannot reach a decision, the status of the absence or tardy shall be determined by a vote of the Executive Board and the three class Presidents. Any Officer must recuse him or herself from a decision that involves his or her own absence, tardy, or early exit.

#### SECTION 4: FINANCE

- A. To be reimbursed for any expenditures made on behalf of the SBA, the recipient must present a valid receipt. The Treasurer is responsible for maintaining accurate records of such receipts and reimbursements.
- B. All checks should be signed by two Executive Officers.
- C. For the purposes of SBA projects, the President may authorize expenditures of less than \$100 (example: courtyard keg or office supplies). Executive Board approval is necessary for expenditures of more than \$100, but less than \$400 (example: 1L Luncheon Project). Representative Council approval is necessary for expenditures in excess of \$400 (example: Barristers' Ball). All authorized expenditures should be reported to the Executive Board or the Representative Council to become part of the public record of the SBA.
- D. For purposes of donating funds to other student projects or groups, Representative Council approval is required.
- E. A portion of the funds received annually from the GSA Disbursement shall be distributed to student organizations that have officially registered with the Law School. The Vice President shall present the Inter-Organizational Senate's preferences regarding disbursement of funds to the Executive Board prior to its deliberation. The disbursement amounts shall be determined by the Executive Board, which shall submit the proposed disbursement amounts to the Representative Council. If any such disbursements are not approved, the Executive Council shall resubmit its proposed distribution, after taking the Representative Council's objections under advisement.
- F. Organizations must fill out an application and submit it on time in order to receive a disbursement of GSA funds. Organizations are ineligible to receive GSA disbursements if any of the following apply:
  - 1. The organization is a publication that has another UCLA funding source (e.g., Law Review);
  - 2. The organization is a branch of a national organization that provides funding (e.g., Phi Delta Phi);
  - 3. The organization promotes a particular religious belief (e.g., Jewish Law Students Association);
  - 4. The organization is not open to all law students;
  - 5. The organization receives a grant or other substantial funding which would make funding by the SBA superfluous and detract from the funds SBA has available for organizations more in need.

- G. In making a determination of funding pursuant to Sections E and F, the Executive Board must consider Inter-Organizational Senate attendance as a factor in allocating the funding.
1. Funds should first be determined for organizations that have attended at least two meetings per semester during the qualifying period. The “qualifying period” means the semester in which funding is determined (typically fall) and the previous semester (typically spring).
  2. After funding has been determined for organizations that have attended at least two Inter-Organizational Senate meetings per semester in the qualifying period, funding should be determined for all other organizations. Note: non-attendance does not disqualify a student organization from receiving funding.
  3. Organizations that come into existence during the semester in which funding is determined will not be subject to this requirement.
  4. Student organizations (even those ineligible under Section F) and special events may apply to the SBA Representative Council for special purpose funding at any time. Such funding is not guaranteed and is usually limited to \$100.

## SECTION 5: ELECTIONS

The SBA Vice President is responsible for overseeing all SBA-related elections.

A. Regular elections shall include:

1. *Spring Elections.* The following offices and issues shall be part of the annual spring elections:
  - SBA President
  - SBA Vice President
  - SBA Secretary
  - SBA Treasurer
  - 3L Class President
  - 3L Class Representatives (4)
  - 2L Class President
  - 2L Class Representatives (4)
  - ABA/LSD Representative
  - SBA Parliamentarian
  - Any issues or Constitutional Amendments to be submitted in accordance with Articles VII and XI of the SBA Constitution.
2. *Fall Elections.* The following offices and issues shall be part of the annual fall elections:
  - 1L Class President
  - 1L Class Representatives (4)
  - Transfer/LLM Representative
  - Any issues or Constitutional Amendments to be submitted in accordance with Articles VII and XI of the SBA Constitution

3. *Inter-Organizational Senate Representative Elections.* The Vice President shall oversee this election at an Inter-Organizational Senate Meeting as early as possible during the fall semester. The Inter-Organization Senate may determine its mode of selection (e.g., interview process, petition process, self-nomination). The Vice President need only confirm that the Inter-Organizational Senate Representative is elected by a majority of those present and voting at an Inter-Organizational Senate Meeting at which a quorum attends.
  - a. The Vice President may designate any SBA officer as the temporary Inter-Organizational Senate Representative until such time as the Inter-Organizational Senate elects a representative. If no SBA officer is designated as the temporary Inter-Organizational Senate Representative, the Vice President shall serve as the temporary Inter-Organizational Senate Representative. The temporary Inter-Organizational Senate Representative will be responsible for attending GSA meetings per Article V of the SBA Constitution.

#### B. *Campaign Policies.*

1. *General.* Nominations are due at the Mandatory Election Meeting. A candidate may run for only one office per election. Only one candidate may serve in each office.
  - a. The Vice President shall establish a process for accommodating candidates who are unable to attend the Mandatory Election Meeting due to an excused absence as defined in Section 3.
2. *Election Rules.*
  - a. At the determination of the Vice President, voting will take place in the Law School front foyer and/or on-line. When the polls are open in the foyer, candidates may not be present in the foyer except to vote.
  - b. *50% Threshold.* For all positions except 2L and 3L Representatives, a candidate must win over 50% of the votes cast to be elected to office. In the event that no one candidate receives over 50% of the votes cast for an office, there will be a run-off between the top two vote-getters for that office.
    - i. If a candidate is disqualified *before any votes are cast*, but the candidate's name remains on the ballot after the disqualification, any votes cast for the disqualified candidate will not be included in calculating the *50% threshold*. It will be the responsibility of the Vice President to notify all students of the disqualification prior to the first day of voting.
    - ii. If three or more candidates are running for an SBA office, other than 2L or 3L Representative, and one or more candidates are disqualified *after all votes have been cast*, then, all votes cast, even those votes cast for the disqualified candidate(s), shall be included in calculating the *50% threshold*. If the disqualification(s) result in only one remaining candidate, that candidate is elected to office as if the candidate had run unopposed.
  - c. For the 2L and 3L Representative positions (elected at large from the 2L and 3L classes), the top four vote-getters will be elected to office.
  - d. Provisions for write-in candidates may not appear on any SBA ballot.
  - e. Third Year students are not permitted to cast a vote for any SBA officer who will serve in office after the graduation of the then current Third Year class. Except,

students with Third Year standing not intending to graduate with the then current Third Year class (joint degree students, students having taken a leave of absence, etc.) may vote in the spring elections as members of the then current Second Year class. It will be the responsibility of any student covered under this provision to request a ballot from the SBA Vice President if that student is not otherwise included under the spring election balloting procedures. Such a request must be made prior to the last day of voting in the spring elections.

3. *Campaigns.* All campaigning should be in good taste. A candidate may address an opponent's ideas and position, but may not personally attack an opponent. Candidates may begin campaigning after the Mandatory Election Meeting.
  - a. The SBA shall distribute to the student body via e-mail one statement of up to 200 words per candidate. Per Law School policy, individual candidates may not use the "announcements@law" system to distribute any additional campaign e-mails.
  - b. The use, by any student, of e-mail messages addressed to more than one individual, for campaign purposes, is strictly prohibited. This provision shall apply only to messages *from or to* e-mail accounts housed on a University of California server.
  - c. Each candidate may post up to 8 flyers (not to exceed 8 1/2" x 11") on bulletin boards in the student lounge, the stairwells leading up to the locker rooms, and the main hallway.
  - d. Each candidate may distribute one flyer to each student mailbox. The mailbox flyer may not exceed 1/4 of a standard 8 1/2" x 11" sheet. In the event of a run-off, each run-off candidate may distribute one additional flyer to each student mailbox.
  - e. All flyers except for those belonging to run-off candidates must be removed by 6:00 p.m. on the last day of the election. Run-off candidates must remove their flyers by 6:00 p.m. on the last day of the run-off election.
  - f. No one may take down, post-over, deface, destroy, etc. another candidate's flyers.
  - g. The Executive Board will remove offensive or inflammatory campaign material that violates these rules, and the candidate may be disqualified pursuant to Section C (below).
  - h. Candidates may make a short announcement in their own classes with their instructor's approval.
  - i. Candidates may campaign by writing small messages on the upper right or left hand corners of classrooms chalkboards, but they may not erase other candidate's messages.
  - j. Candidates may not provide or distribute food, gifts, or anything of value for campaign purposes during the campaign period.
  - k. Candidates must sign a copy of the Campaign Policies. The form must contain the following language above the signature line: "I understand that the SBA, according to its By-Laws, has the authority to penalize me (up to and including my disqualification) for any violation of these policies. I have read the above terms and agree to abide by these campaign policies." Only candidates who have signed a copy of the Campaign Policies may run for office.

4. *Violation of Campaign Policies.* If a candidate is found to be in violation of any campaign policy, he or she may be subject to any of the penalties specified in this Section. The Executive Board, upon recommendation of the Vice President, will determine the existence of a violation. If a violation is upheld, the Executive Board will determine which penalty is appropriate. If the Executive Board cannot reach a decision, a final decision will be made by the Executive Board in consultation with the members of the student-faculty Standards Committee and the Dean of Students. Any Executive Officer is automatically disqualified from a decision concerning a position for which that officer is campaigning.

At the discretion of the Executive Board, sanctions for violations of campaign policies or election procedures may include:

- a. Warning and immediate removal of violating campaign materials;
- b. Warning, immediate removal of violating campaign materials, and notice to the SBA membership (prior to the election) that the candidate has violated official campaign policies; or
- c. Disqualification of the candidate from the election.

#### SECTION 6: RESUME VERIFICATION POLICY

- A. Oral Indication of Participation: A student may orally indicate that s/he holds an SBA office or position immediately upon election or appointment to an SBA office or committee. Such office holder may continue to orally indicate the work s/he performed and the time s/he participated even if such person fails to complete the specified term of office.
- B. Resume Indication of Participation:
  1. A student may indicate on his or her resume that s/he holds an SBA office or position immediately upon election or appointment to that SBA office or committee. Such indication must include the term during which the office or position was or will be held (e.g., SBA 2L President, 2001-2002, or SBA Barristers' Ball Chair, 2000-2001).
  2. Such resume indication of participation must be omitted upon any officeholder's removal or resignation from office that results in the failure to complete his or her term of service to the SBA. Thus, the person holding the office at the completion of the term will be the only person to so indicate on his or her resume.
  3. The Executive Board shall have the responsibility of notifying any SBA office holder or appointee of this by-law upon such person's resignation or removal from office.

## SECTION 7: TRANSITION

- A. *Transition Meeting*: Following the spring elections, it will be the responsibility of the President to hold a transition meeting attended by all members of the incoming and outgoing Executive Boards. The purpose of the meeting will be to ensure there is an effective transition of responsibilities and institutional knowledge between the members of the outgoing Executive Board and the members of the Executive Board elected in the spring elections. The transition meeting should take place before the first day of spring exams.
  
- B. It will be the responsibility of the outgoing Treasurer to provide the incoming Treasurer with a full accounting of SBA's financial position as of the conclusion of the spring semester.

8-4-03 Revisions Adopted

1-8-04 Revisions Adopted

3-14-05 Revisions Adopted