

**CONSTITUTION OF THE
BROOKLYN LAW SCHOOL
STUDENT BAR ASSOCIATION**

ARTICLE I

NAME

The [Brooklyn Law School Student Bar Association](#) (hereinafter “SBA”) is and shall continue to be an organization for the student body of Brooklyn Law School (hereinafter “BLS”).

ARTICLE II

PURPOSE AND FUNCTIONS

1. The SBA shall:
 - a. Act as a liaison between the BLS faculty, administration, staff, community at large and the student body;
 - b. Efficiently allocate the student activity funds to approved student organizations and other events agreed upon by the Executive Board;
 - c. Foster and coordinate cooperation between and among student organizations and all segments of the student body;
 - d. Serve as the voice of the student body; and
 - e. Engage in all other activities which the Executive Board or House of Delegates deems appropriate to fulfill the functions and purposes enumerated in this Constitution.

ARTICLE III

ORGANIZATION

1. The SBA shall consist of an Executive Board and the House of Delegates.
2. The Executive Board shall consist of a President, Day Vice President, Evening Vice President, Treasurer, Technology Secretary and Secretary.
3. The House of Delegates shall consist of:
 - a. One Delegate from each first-year day seminar section, and three Delegates from the first-year evening section;
 - b. Ten Delegates from the upper-class (second, third and fourth year students) with evening students given the right of first refusal for three upper-class Delegate positions; and
 - c. One New York State Bar Association Representative and one American Bar Association Representative, who shall serve as liaisons between their respective Associations, the SBA and the student body.

ARTICLE IV

EXECUTIVE BOARD

1. President
 - a. The President shall:

- i. Ensure that the policies of the SBA, as formulated and duly approved by the Executive Board and the House of Delegates, are implemented;
 - ii. Exercise general supervision of the activities of the SBA;
 - iii. Preside at all meetings of the Executive Board;
 - iv. Appoint all SBA committee members and student members of faculty committees;
 - v. Take any necessary actions consistent with this constitution to accomplish legitimate SBA business;
 - vi. Work with the Treasurer to create budgets for student organizations; and
 - vii. Oversee the activities of the Executive Board.
 - b. The President shall have the authority to:
 - i. Remove any committee chairperson or member from his/her position;
 - ii. Veto legislation passed by the House of Delegates;
 - iii. Delegate executive authority to any member of the Executive Board or committee member; and
 - iv. Appoint up to two Executive Board members per year to previously unfilled positions.
 1. Full voting power shall be granted to such appointed members only upon a majority vote of the House of Delegates; and
 2. Additional appointments of Executive Board members may be made upon recommendation by the President with the unanimous approval of the Executive Board. Full voting power shall be granted to the appointed member only upon the approval of a supermajority of the House of Delegates.
2. Day Vice President
 - a. The Day Vice President shall:
 - i. Serve as senior member at all SBA meetings, subject to the authority of the President;
 - ii. Preside over all meetings of the House of Delegates and cast a tie-breaking vote if necessary;
 - iii. Preside over Executive Board meetings in the absence of the President; and
 - iv. Coordinate the activities of the SBA with respect to day students.
3. Evening Vice President
 - a. The Evening Vice President shall:
 - i. Serve as senior member at all SBA meetings, subject to the authority of the President and the Day Vice President;
 - ii. Preside over all meetings of the House of Delegates, and cast a tie-breaking vote if necessary and the Day Vice President is absent;
 - iii. Preside over Executive Board meetings if the President and Day Vice President are absent; and
 - iv. Coordinate the activities of the SBA with respect to evening students.
4. Treasurer

- a. The Treasurer shall:
 - i. Hold a mandatory meeting during the Fall semester for all SBA-funded student organizations, in order to educate them on the budget process;
 - ii. Chair the SBA Budget Committee;
 - iii. Allocate money to any SBA-approved student organization upon receiving a budget from that organization, once such budget is approved by the Executive Board; and
 - iv. Conduct audits of SBA-funded student organizations at the Executive Board's discretion.
5. Secretary
 - a. The Secretary shall:
 - i. Keep the minutes of all SBA Executive Board and Delegate meetings; and
 - ii. Take care that the SBA office is not missing any essentials which are important to its productivity.
6. Technology Secretary
 - a. The Technology Secretary shall:
 - i. Serve as liaison between students and the Office of Information and Technology;
 - ii. Create and/or maintain the SBA Web site; and
 - iii. Serve on the faculty Technology Committee.
7. American Bar Association Representative
 - a. The American Bar Association Representative shall:
 - i. Provide the BLS community with programming through the American Bar Association; and
 - ii. Represent the SBA at American Bar Association functions.
8. New York State Bar Association Representative
 - a. The New York State Bar Association Representative shall:
 - i. Provide the BLS community with programming through the New York State Bar Association; and
 - ii. Represent the SBA at New York State Bar Association functions.

ARTICLE V **DELEGATES**

1. SBA Delegates
 - a. There shall be ten Upper-Class Delegates;
 - b. There shall be one Delegate elected from each first-year day section and three Delegates elected from the first-year evening section, totaling twelve First-Year Delegates; and
 - c. In the event of a vacancy, the Executive Board shall appoint individuals to fill such vacancies with all due speed. Such appointments shall be subject to the approval of the Delegates at their next meeting.
2. Upper-Class Delegates
 - a. The Upper-Class Delegates shall elect, from amongst themselves, a Speaker of

the Delegates. This election shall take place at the first meeting of the Fall semester.

- b. The First-Year Delegates shall elect, from amongst themselves, two Junior Speakers of the Delegates. One Speaker shall be elected from the day division, and one Speaker from the evening division. This election shall take place at the second meeting after the Fall First-Year Delegate elections.
3. Powers & Duties of Delegates
- a. Administrative Duties
 - i. At each meeting of the Delegates, one Delegate, or the Secretary, shall keep a detailed record of the proceedings. The minutes shall be kept on file at the SBA office.
 - b. Legislative Powers
 - i. The Delegates shall vote whether to empower Executive Board appointees with voting power, as specified in Article IV, Section 1(b)(4).
 - ii. The Delegates shall have the authority to approve new student organizations.
 - iii. The Delegates shall have the power to hold impeachment hearings for Executive Board members.
 - c. Representative Duties
 - i. First-Year Delegates shall serve as student representatives for their class sections.
 - ii. First-Year Delegates shall make periodic announcements to their respective sections regarding SBA meetings, events, and other pertinent information.
 - iii. Delegates shall assist the Executive Board in management, staffing, and planning of events, elections and meetings.
 - iv. Delegates shall log student complaints concerning facilities, administration, and quality of life issues from students in their sections.
 1. Such complaints shall be submitted in writing to the Secretary.
 - d. Delegates shall serve as committee members on standing SBA Committees.

ARTICLE VI **MEETINGS**

1. SBA Meetings
 - a. A mandatory Spring transition meeting of all newly elected Executive Board members and Upper-Class Delegates shall be held within two weeks after the Spring Elections. The outgoing Executive Board members are required to attend this meeting.
 - b. All Upper-Class Delegates and the Executive Board members shall meet within the first two weeks of the academic school year.
 - c. Within one month after the First-Year Delegate Election, the Executive Board and House of Delegates shall hold a joint All SBA Meeting.

2. Executive Board Meetings
 - a. The Executive Board shall meet once a week during the academic year. The President shall have the discretion to call additional meetings or cancel regularly scheduled meetings of the Executive Board as needed.
 - b. The head of each Delegate committee must attend an Executive Board meeting and give a progress report on their committee's activities as requested.
 - c. Executive Board meetings shall be open to the entire BLS community and should be advertised as such, unless stipulated by the Executive Board as important business for which a closed meeting is to be held.
 - d. All minutes from Executive Board meetings shall be available upon request made to the Secretary.
3. Committee Meetings
 - a. Each committee shall meet at least once a month at the discretion of the committee chair. The committee chair may call additional meetings of the committee as needed.
4. Approval and Voting
 - a. Any decision of the Executive Board or the House of Delegates must be duly approved, with a quorum of its membership present, in order for it to take effect.
 - b. The approval of a simple majority shall be sufficient for any decision for which this Constitution does not require another standard of approval.
 - c. A simple majority shall constitute a quorum if unanimous consent is achieved and the standard of approval requires only a simple majority. In all other instances, a supermajority shall constitute a quorum unless otherwise specified.
 - i. A supermajority is defined as 2/3rds of the membership of the Executive Board or House of Delegates, as applicable.
 - d. Unanimous consent may be implied if all members are in agreement. However, a vote shall be held upon the request of any member. The vote may be conducted using any fair and accurate method, at the discretion of the supervising member.

ARTICLE VII **COMMITTEES**

1. All BLS students shall be eligible to serve on SBA committees.
2. The Standing SBA Committees are:
 - a. The Administrative Affairs Committee;
 - b. the Budget Committee;
 - c. the Election Committee;
 - d. the Social Committee; and
 - e. the Student Affairs Committee.
3. Discretionary Committees
 - a. The Executive Board shall be responsible for creating and staffing such discretionary committees as are necessary to carry out the SBA's duties and

business. The chairs of these committees shall be appointed by the President with the advice and consent of the Executive Board.

- b. The Speaker of the House of Delegates shall also have the power to create and staff discretionary committees, subject to the post hoc approval of the Executive Board.
 - c. SBA Delegates must serve on at least one committee. The standing committees shall be staffed by Delegates according to Delegate preference, subject to modification by the Executive Board.
 - d. Chairpersons of standing committees shall be Upper-Class Delegates or Executive Board members and shall be nominated by an Executive Board member. In the event that more than one individual is nominated for any chair position, there shall be an election amongst the committee members (or among the Delegates if the committee is not yet formed), following a brief statement of interest by each nominee. This selection process must be completed prior to or during the All SBA Meeting called for in Article VI, Section 1(c).
4. Faculty Committees
- a. Upon request of the BLS administration, the President shall appoint students to fill positions on joint faculty/student committees.
 - b. The Executive Board shall also establish and maintain a pool of qualified students willing to serve on a disciplinary committee pursuant to Section II – F of the academic code of responsibility.

ARTICLE VIII

BUDGET

1. Yearly Budgets
 - a. The Treasurer shall specify to SBA-funded student organizations how their budgets are to be prepared.
 - b. Budgets submitted by SBA-funded student organizations shall be reviewed by the Treasurer and the SBA Budget Committee.
 - c. The Budget Committee shall send their recommendation in regards to specific budgets to the Executive Board through the Treasurer.
 - d. The Executive Board shall review and vote on the approval of budgets.
2. Special Needs
 - a. Requests by student organizations for additional money shall be made directly to the Treasurer.
 - b. The Treasurer shall bring a recommendation with regards to each additional budget request to the Executive Board, which shall vote on its approval.
3. Review
 - a. Allocations are subject to review and modification depending upon adherence to the planned budget, use of funds, and the discretion of the Executive Board.
4. Refusal
 - a. The SBA maintains authority to refuse to fund any event not within the objectives of this Constitution. This includes, but is not limited to, using SBA

- funds as donations to charities.
- b. The SBA shall not allocate nor pay funding for any event at which full participation is not open to the entire student body, with the exceptions of:
 - i. The yearly All SBA Meeting; and
 - ii. Sports teams with limited numbers of members; provided that:
 1. All team members shall be selected based on an open tryout held at least once per school year, with such members selected in good faith and a fair opportunity given to all students.

ARTICLE IX **ELECTIONS**

1. Elections
 - a. Elections for Executive Board positions and Upper-Class Delegate positions shall be held during the second Tuesday and Wednesday of April
 - b. No student who is scheduled to graduate immediately after the semester of the election is eligible to run for any position within the SBA.
 - c. Only students enrolled in the day division are eligible to run for Day Vice President, and only students enrolled in the evening division are eligible to run for Evening Vice President.
 - d. No person shall be a candidate for more than one position.
 - e. Elections shall be conducted by the Election Committee. The Election Committee shall be responsible for formulating campaign rules and procedure.
 - i. No member of the Election Committee may, while assisting in the conduction of elections, be a candidate or work on the campaign of any candidate.
 - f. All elections shall be conducted by secret ballot. The Election Committee shall count the ballots and announce the results of the elections. These results shall be available for review by any candidate upon submitting a written request to the Chair of the Election Committee no later than 48 hours after the results are announced.
 - g. Elections for all SBA positions shall be won by a simple majority of the valid votes cast. In the event of a tie for any position, the Election Committee shall hold a run-off election between the tied candidates no later than one week after the votes are tallied. If one candidate in the run-off election withdraws from the election, the other shall be declared the winner.
 - h. In the Spring election, all students shall be eligible to vote in all elections, except that only day division students may vote for the Day Vice President and only evening division students may vote for the Evening Vice President. Students may cast one vote for each of the Executive Board positions. Students may cast as many Delegate votes as there are Delegate positions to be filled.
 - i. The Election Committee shall designate an area of the ballot for the Professor of the Year. Only third-year students may vote for Professor of the Year.

ARTICLE X
REMOVAL

1. Factors Supporting Removal
 - a. A member of the SBA may only be removed for an egregious instance of one of the following violations:
 - i. Dereliction of duty;
 - ii. Failure to attend meetings;
 - iii. Misappropriation of SBA funds; or
 - iv. Abuse of SBA resources.
 - b. Such violation may be established through a cumulative pattern of behavior or from one incident.
2. Removal of Executive Board Members
 - a. A member of the Executive Board in violation of one or more of the criteria detailed in Section 1 may be impeached upon the unanimous decision of the Executive Board, excluding the accused, at a special meeting of the Executive Board.
 - i. This special meeting may only commence upon the request of two members of the Executive Board.
 - ii. The Secretary must provide notice to the subject of the proceedings about the date and time of the meeting and of the specific accusations levied.
 - iii. The subject of the proceedings shall have the right to confront the accuser(s) at this meeting and rebut any and all charges levied.
 - iv. Failure to appear before the Executive Board shall amount to a forfeiture of the aforementioned rights.
 - v. The impeachment proceeding shall remain closed to the general BLS community.
 - b. If an impeachment occurs, the House of Delegates shall hold a special hearing at which evidence shall be presented by the Executive Board and by the subject of the proceedings.
 - i. This hearing shall be open to the general BLS community.
 - ii. The Secretary shall provide notice to the BLS community as to the time and place of the hearing.
 - iii. The Executive Board shall select a member to serve as prosecutor for the hearing.
 - iv. The Speaker of the Delegates shall preside over the removal hearing and have the discretion required to maintain order.
 - v. The House of Delegates shall nominate a Delegate to keep and maintain an accurate record of the proceedings, evidence offered, and judgment.
 - vi. Removal shall occur upon the approval of a supermajority of the Delegates.
 1. In the event that such approval is reached, the subject of the proceedings shall have the right to poll the voting members of

the House of Delegates.

3. Removal of Delegates

- a. A member of the House of Delegates in violation of one or more of the criteria detailed in Section 1 may be impeached upon the decision of a supermajority of the House of Delegates, excluding the accused, at a special meeting of the House of Delegates.
 - i. This special meeting may only commence upon the request of five Delegates.
 - ii. A Delegate shall be chosen to provide notice to the subject of the proceedings about the date and time of the meeting and of the specific accusations levied.
 - iii. The subject of the proceedings shall have the right to confront the accuser(s) at this meeting and rebut any and all charges levied.
 - iv. Failure to appear before the House of Delegates shall amount to a forfeiture of the aforementioned rights.
 - v. The impeachment proceeding shall remain closed to the general BLS community.
- b. If an impeachment occurs, the Executive Board shall hold a special hearing at which evidence shall be presented by the House of Delegates and the subject of the proceedings.
 - i. This hearing shall be open to the general BLS community.
 - ii. The Secretary shall provide notice to the BLS community as to the time and place of the hearing.
 - iii. The House of Delegates shall select a Delegate to serve as prosecutor for the hearing.
 - iv. The SBA President shall preside over the removal hearing and have the discretion required to maintain order.
 - v. The Secretary shall keep and maintain an accurate record of the proceedings, evidence offered, and judgment.
 - vi. Removal shall occur upon the approval of a supermajority of the Executive Board.
 1. In the event that such approval is reached, the subject of the proceedings shall have the right to poll the voting members of the Executive Board.

4. Removal from Other Positions

- a. Individuals in a position of privilege – such as a Committee Chair, Committee Member, Executive Board Appointment, and Speaker of the Delegates – can be removed by a supermajority of the governmental body that created the position.

5. Alternative Modes of Discipline

- a. If a member of the Executive Board or House of Delegates is found to be shirking duties and/or responsibilities, but the actions do not amount to a level warranting removal as detailed under Section 1, the President or the Speaker of the Delegates may use their discretion to impose a disciplinary method with

the approval of the Executive Board or House of Delegates, including without limitation:

- i. Private censure/reprimand;
 - ii. Removal from the committees;
 - iii. Loss of SBA privileges such as access to the SBA office and computers; and/or
 - iv. Suspension.
- b. It is highly recommended that the least severe disciplinary method possible be employed for a first offense, unless the action committed by the accused is of a highly offensive nature.
 - c. The need for multiple implementations of discipline upon an individual may warrant removal under Section 1.

ARTICLE XI

SBA SPONSORED STUDENT ORGANIZATIONS

1. SBA Approval
 - a. Any student organization seeking SBA approval must submit a Constitution which states the number of officers, the purpose of the organization and officer election rules.
 - b. A student organization shall not be approved unless it is open to all students.
 - c. Upon request of the SBA Executive Board, the founders of a new organization shall be required to come to an SBA meeting to answer questions in order to determine the organization's approval status.
2. Post-Approval
 - a. A newly approved student organization shall not receive more than \$250 for their first active semester.
 - b. A budget must be turned in to the SBA Treasurer in accordance with the Budget Committee rules.
 - c. Any additional budgetary requests or appeals shall be addressed to the SBA Treasurer.

ARTICLE XII

AMENDMENT

The SBA has the authority to amend this constitution. In order to amend the Constitution there must be a majority vote of the Executive Board approving the changes. If a majority of the Executive Board has approved the changes to the constitution, then a supermajority vote of the Delegates must be reached. No member of the Executive Board may vote during the Delegate voting. If the changes are accepted by a supermajority of the Delegates, the changes have passed. The new constitution must be made available to the general student body upon request.