

THE CONSTITUTION OF THE STUDENT BAR ASSOCIATION,
CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW

PREAMBLE. We, the Students of the Case Western Reserve University School of Law, in order to secure and promote the free exchange of ideas, inclusiveness, due process, and professional responsibility, and to ensure each and every student's opportunity to participate, do hereby establish this Constitution for the Student Bar Association.

ARTICLES OF THE ORGANIZATION

ARTICLE I: Name. The name of this association is the Student Bar Association of Case Western Reserve University School of Law (the "SBA").

ARTICLE II: Affiliation. The SBA shall remain affiliated with the American Bar Association Law Student Division.

ARTICLE III: Membership. All students who contribute to the Law Student Activity Fund are "SBA Members," and all SBA Members are eligible to hold elected office and vote in regular and special elections.

ARTICLE IV: The Senate.

Section 1. Composition. The Senate shall be composed of the following elected representatives of various constituencies at Case Western Reserve University School of Law:

- i. four (4) representatives for third year ("3L") J.D. students;
- ii. four (4) representatives for second year ("2L") J.D. students;
- iii. four (4) representatives for first year ("1L") J.D. students;
- iv. two (2) representatives for L.L.M. program students;
- v. one (1) representative for S.J.D. program students;
- vi. one (1) representative for Dual-Degree Students;
- vii. one (1) representative for Transfer Students; and
- viii. one (1) representative for Spring Start Students.

Section 2. Duties. Each Senator shall act in good faith to support and uphold this Constitution, while faithfully representing their constituents.

Section 3. Term. Each Senator shall serve for a term of approximately one (1) academic year. Senators are not limited to the number of terms they may serve.

ARTICLE V: The Executive Board.

Section 1. Composition. SBA Members shall elect six (6) Executive Board Members.

Section 2. Duties. The Executive Board members serve at large for all SBA Members as non-voting Executives of the SBA Senate. Each Executive Board Member's respective duties and official title are detailed in the Bylaws.

Section 3. Term. Each Executive Board Member shall serve for a term of approximately one (1) academic year. Executive Board Members are not limited to the number of terms they may serve.

ARTICLE VI: Meetings.

Section 1. The Senate shall hold at least three (3) meetings per semester ("General Meetings").

Section 2. A simple majority of the Senators who have been duly elected shall constitute a quorum to properly conduct Senate business at a General Meeting.

Section 3. A proxy vote sent to an Executive Board Member counts toward the total number of Senators needed for a quorum.

Section 4. General Meetings and votes of the Senate shall be held in open session and minutes shall be made public. General Meetings shall be open to all SBA Members and all SBA Members shall be permitted to speak to any issue before the Senate.

Section 5. At General Meetings, attendance shall be taken and publicly recorded in the minutes. Attendance at General Meetings is mandatory for all members of the Senate and Executive Board, unless a reasonable excuse for non-attendance is provided.

Section 6. The Executive Board shall meet as often as necessary to carry out the purposes of the Executive Board.

Section 7. Special Meetings may be called at any time by any Executive Board Member, or at least one-fourth (1/4) of the Senate. A Special Meeting is any Senate meeting that has not been previously scheduled. Notification of a Special Meeting must be sent to all SBA Members at least 48 hours prior to the Special Meeting. Quorum requirements apply to Special Meetings.

ARTICLE VII: Elections.

Section 1. The Executive Board Member responsible for elections shall hold elections for:

- i. Executive Board Seats;
- ii. Senate Seats; and
- iii. amendments to this Constitution.

Section 2. Timing.

- i. Executive Board Members shall be elected no later than the last week of March in the academic year preceding the tenure of their offices.

- ii. Senators shall be elected no later than the second week of April in the academic year preceding the tenure of their offices.
- iii. The 1L Senators, L.L.M. Senators, Dual-Degree Senator, and the S.J.D. Senator shall be elected no later than the final week of September in the academic year concurrent with the tenure of their offices.
- iv. The Spring-Start Senator shall be nominated or elected by the incoming cohort of Spring-Start students in January and must be approved by the current President of SBA and a majority of the Senate.

Section 3. Election Procedures. The SBA Bylaws and Standing Rules govern all election procedures.

Section 4. Impartial Elections. The Executive Board Member responsible for overseeing elections is prohibited from running for any office in any SBA election, but is not prohibited from serving on a Committee or being appointed to a vacant Seat.

ARTICLE VIII: Vacancies & Removal.

Section 1. Senate Vacancies. All vacancies in the Senate after elections have occurred may be filled by the President's appointment of a candidate and the Senate's majority approval.

Section 2. Executive Board Vacancies. If after regular elections there exists a vacancy in the Executive Board, then an additional special election for the vacant Seat will take place. After the special election, if there is still a vacancy in the Executive Board, then the SBA President shall appoint a candidate to fill the vacancy with the Senate's majority approval.

Section 3. Removal. Any Executive Board Member, Senator, or Committee Chair shall be removed from office for:

- i. purposely, knowingly, or recklessly violating this Constitution; or,
- ii. violating the ABA Model Code of Professional Responsibility, the University Code of Conduct, or the Law School Code of Conduct, but only if substantiated by the receipt of disciplinary sanctions.

Section 4. Removal Process. Any Executive Board Member, Senator, or Committee Chair may be removed by a two-thirds (2/3) majority vote of the Senate. Any SBA Member may submit to the Executive Board or the President may unilaterally create, a removal notice that states at least:

- i. The name of the individual subject to removal; and
- ii. The reasons that justify removing the individual from their position.

If the Executive Board believes that the removal request has merit, then the Executive Board shall notify the individual subject to removal in writing that they are subject to the removal process of this Section. The individual subject to removal may address the Senate before the Senate votes on removal; however, the individual subject to removal shall not cast a vote. If the President is subject

to this removal process, then the Executive Board Member responsible for elections shall preside over the meeting and vote determining if the President is removed.

Section 5. Presidential Vacancy. If the President of the SBA is removed, resigns, or a vacancy is otherwise caused, then the Senate will elect an Executive Board Member to immediately assume the President's responsibilities. Then the Senate shall appoint and approve a replacement Executive Board Member by a majority vote. The longest serving 3L Senator will oversee the appointment and approval of a new President.

ARTICLE IX: Amendment and Ratification.

Section 1. Any SBA member may submit a petition to modify this Constitution to the Senate at a General Meeting. That petition shall be considered a proposal upon a finding by the Senate that it possesses the signatures of twenty (20) percent of all SBA Members. A Senator may also submit a petition to modify this Constitution to the Senate at a General Meeting so long as the petition possesses the signatures of twenty (20) percent of all Senators.

Section 2. The proposed amendment shall then be subject to a three-fourths (3/4) majority vote of the full Senate before it is presented to all SBA Members for approval.

Section 3. Upon approval by the Senate, a vote shall be held within thirty (30) calendar days after the Senate has approved and promulgated the proposed amendment or revision. At least one-fourth (1/4) of the entire SBA Membership shall vote. The amendment or revision shall be approved if it receives a two-thirds (2/3) majority of the votes cast.

Section 4. The Senate shall have the power to enact Bylaws and Standing Rules to affect the provisions of this Constitution. The Bylaws will act as supplements to and further clarification of provisions of this Constitution. The Bylaws and Standing Rules will govern all budgetary matters, Committees, interpretation issues, election procedures, and any other matters the currently elected Senate deems necessary.

ARTICLE X: Non-Discrimination.

At our Case Western Reserve University School of Law, all SBA Members are valued as unique individuals, and SBA welcomes the variety of experiences SBA Members bring to our Law School. As such, SBA has a strict non-discrimination policy. SBA believes everyone should be treated equally regardless of race, sex, gender identification, sexual orientation, national origin, native language, religion, age, disability, marital status, citizenship, genetic information, pregnancy, or any other characteristic protected by law.