LSU Student Bar Association

Meeting Agenda

September 20, 2021 at 7:00 pm

Room 110



1. Call to Order 7:01 pm
2. Roll Call
   1. Alex Domingue - Executive President
   2. Dylan Scully - Executive Vice President
   3. Katie Gonsoulin - Executive Secretary
   4. Andrew Hughes - Executive Treasurer
   5. Shawn Waldron - Executive Director of Programming
   6. Austin Pottorff - 3L Class President
   7. Meghan Falcon - 3L Class Vice President
   8. Heidi Bieber- 3L Class Secretary
   9. Madeleine Murphy - 3L Class Representative
   10. Sarah Tadros - 3L Class Representative
   11. Neyah Johnson - 2L Class President
   12. Damian Olvera - 2L Class Vice President
   13. Chrissie Davidson - 2L Class Secretary
   14. Autumn White - 2L Class Representative – Excused.
   15. Ryan York - 2L Class Representative
   16. Alaysia Johnson - 1L Class President
   17. Mekkah Husmadeen - 1L Class Vice President
   18. Rayni Amato - § 1-1L Class Representative
   19. Ansley Sumner - § 2-1L Class Representative
   20. Diamond McCray- § 3-1L Class Representative
3. Public Input
4. Funding Requests
5. Reading, Correction, and Adoption of the September 13, 2021 Minutes
   1. **Motion** to adopt the minutes by Chrissie.
   2. Second by Neyah.
   3. Motion passes unanimously, minutes are adopted.
6. Committee Reports
   1. ABA Student Representative – Chair: Hunter Devillier
   2. Academics Committee – Chair: Amberlee Nix
   3. Athletics Committee – Chair: Connor O’Brien
   4. Community and Media Committee – Chair: Olivia Nuss
   5. Diversity and Professionalism Committee – Chair: Akuda Esin
   6. Elections Committee – Commissioner: Andre Bellefontaine
   7. Ethics Committee –Chair: Chloe Keller (Interim)
   8. Safety, Sensitivity & Sustainability Committee – Chair: Meredith Smith
7. Executive Officer Reports
   1. President
      1. Parking
         1. Student’s that have an LSU Law parking permit can park in the Union Parking Garage for the remainder of the Fall 2021 semester.
         2. Requests for refunds if you bought a garage parking pass need to be made to parking and transit.
         3. People that received tickets and would like to contest them need to appeal to the parking and transit.
         4. A temp service has been hired to enforce parking in the LSU Law parking lot.
         5. For students that bought parking garage passes 🡪 they are still able to park on gated floors not accessible to the public and these passes also work for game day.
      2. SBA autonomy & PS-78
         1. SBA Resolution draft has been sent to everyone. This is a DRAFT and if it is not passed, it will not be sent.
         2. LSU has decided to enforce a 2005 policy that has never been enforced before.
         3. Our argument: We are not a student organization – we are a non-profit organization separate from LSU and PMH. LSU SBA never voted to reaffiliate.
         4. Motion to send resolution to formally recognize the autonomy of the LSU Law Student Bar Association as a separate entity from Louisiana State University Paul M. Hebert Law Center and Louisiana State University main campus by Damian
         5. Second by Madeleine.
         6. Motion passes unanimously by present officers.
   2. Vice President
      1. Organization Rosters
      2. ELS Funding Request
   3. Secretary
   4. Treasurer
      1. Inside Account: $37,424.34
      2. Outside Account: $38,301.89
      3. Motion to reimburse Drew for agency payment and Louisiana Annual Report for $164 from the outside account by Dylan.
      4. Motion seconded by Ryan.
      5. Motion passes unanimously by present officers.
   5. Programming Director
      1. GIF
         1. With the vet school this Friday at Bengal Tap Room. The theme is alphabet soup.
      2. Oasis Event
         1. October 8th- trying to roll the Oasis family day into a GIF that night.
8. Class Officer Reports
   1. 3L Class
      1. Hats & Canes
         1. We have the hats & canes - we need 1L and 2L volunteers to set up the hats & canes.
         2. Please email Austin if you or anyone you know is interested in helping set up – we need about 4 or 5 people to help put everything together during the week and 2 or 3 people to help the morning of the event (October 16th).
         3. Motion to expend up to $1500 from the inside account for Hats & Canes.
         4. Motion seconded by Meghan.
         5. Motion passes unanimously by present officers.
      2. Assault & Flattery
      3. Yearbook
   2. 2L Class
      1. Merchandise
         1. The shirts are approved.
      2. Family Day
         1. There was a meeting with the 4th floor – they said we cannot use the inside account for this event.
         2. We will still like to move forward with this event – we are in the process of coming up with a fundraiser to replenish the account from this event.
         3. Motion to amend the previous motion to expend up to $2500 from the inside account to a motion to expend up to $2500 from the outside account.
            1. Try to stay within only spending money on the deposit in case of pushback.
         4. Motion seconded by Dylan.
         5. Motion passes unanimously by the present officers.
   3. 1L Class
      1. Feedback from class
         1. Parking
         2. COVID
            1. 1L class would like to find ways to incentivize correct mask wearing.
      2. Halloween Party
         1. Suggested names for party: scary decisis
         2. Possible idea: if you buy a Halloween shirt you get in for free.
      3. Resources for 1Ls
         1. Grievance google form
            1. Suggestion from the class: grievance google form to submit grievances to SBA.
            2. Grievances from 1Ls should be addressed by 1L officers.
            3. Reason for the form – people that don’t feel comfortable coming to SBA officers could utilize this resource in order for their voices to be heard.
            4. Send Alex the grievance form to put out in the blast email.
         2. Recordings
            1. 1L class would like more access to class recordings.
            2. Academic chair has already requested this and it was denied. Maybe talk to individual professors to see what kind of options there are.
         3. Section calendars
            1. Section representatives have worked very hard on calendars.
         4. Planning something for midterms
   4. LLM
      1. LLM’s are interested in parties:
         1. Wondering if we will have Barrister’s Ball – Yes, March 12, 2022.
         2. Hats & Canes does include LLM students that are graduating.
         3. Alex will send information about Hats & Canes to LLM rep to send out to LLM students.
9. Old Business
   1. E-Vote on compensation of $150 from the outside account for Victoria Wiktor for organization pictures.
      1. Pictures will be sent out soon.
   2. E-Vote on expending $180 from the inside account to pay for security for hats and canes.
   3. E-Vote on expending $3200 from the inside account to pay for the food for hats & canes from City Pork.
   4. E-Vote on expending $125 from the inside account to purchase the wristbands for Hats & Canes event.
10. New Business
11. Adjournment
    1. Motion to adjourn by Neyah.
    2. Second by Austin.
    3. Adjourn at 8:03pm!

**Email to Dean Lockridge from SBA Executive President Alex Domingue**

**(9/20/2021)**

Good evening Dean Lockridge,

Since our meeting will not be until next week, I have decided to share our concerns with you via email to (hopefully) resolve these issues in a timely manner. I apologize for this lengthy email, but it is all very necessary considering the rapidly changing circumstances pertaining to the autonomy of the LSU Law Student Bar Association. I have attached a resolution adopted by the Student Bar Association at our meeting this evening which expresses our intent to remain in our current posture. Namely, as an independent corporate entity, entirely separate from the Louisiana State University Law Center and Louisiana State University's main campus (please see attached document "SBA Autonomy Resolution").

After learning of the anticipated enforcement of PS-78, I became increasingly concerned about the lack of autonomy that the Student Bar Association is going to maintain if we allow the Association to become listed as a "student organization" in its relation to main campus and if we are forced to abide by the main campus's policies. I am sending you this email to (1) explain why the Student Bar Association is not an "student organization" as it relates to main campus, (2) explain why we should not be held to the same policies that student organizations of main campus must adhere to, and (3) in the alternative that we are  forced to abide by the main campus's policies, explain why we should not have to abide specifically by PS-78.

SBA is a non-profit corporation incorporated under laws of the State of Louisiana (SBA Const. Art. II, Sec. 1 (A)). The Executive Officers serve as the Board of Directors for the nonprofit organization and are updated annually through reports filed with the Louisiana Secretary of State Office. The SBA also maintains its own agent for service of process and pays the annual dues owed to that agency. The SBA has its own constitution, election code, and other governing documents. The SBA has its own judicial branch, known as the SBA Ethics Committee, that not only interprets the SBA Constitution, but also settles disputes between students and renders disciplinary rulings that are enforced by the Law Center and reported to the Louisiana Bar Association (SBA Const. Art. VII, Sec. 2 (A)). The SBA orchestrates its own elections through an appointed Commissioner of Elections who is tasked with enforcing the SBA Election Code (SBA Const. Art. VII, Sec. 2 (B)). The SBA has numerous subsidiary organizations and committees (SBA Const. Arts. VII, X). The SBA collects annual revenues from student fees paid to the Law Center and curates a substantial fund (SBA Const. Art. III, Sec. 4). All of this to say that the SBA is, in and of itself, a complete and independent government possessing a legislative, executive, and judicial branch, multiple subsidiary organizations, the ability to generate annual revenue, and the historical support of the faculty and administration of the LSU Law Center. The SBA was designed to govern a college wholly separate and distinct from the main campus of LSU and it should continue in that manner. The idea that we can be forced to adhere to the policies that student organizations on main campus adhere to complete undermines the independent and (for a lack of a better term) mature nature of the Student Bar Association. In fact, there are contrasts between the LSU Law Student Bar Association's regulations and those adhered to by student organizations on the main campus. The following are two contrasts that highlight the difference between the Student Bar Association's regulations and those of a student organization on main campus, and are examples of how we are not a student organization: (1) A student organization is listed on the LSU Campus Life website and in University publications and newsletters and (2) a student organization can apply for and expend organizational funding from Student Government or University departments (Pg. 9 of Registered Student Organizations Handbook). These two contrasts are important because neither are applicable to the LSU Law Student Bar Association in its current posture. Next, student organizations on the main campus have their own application process for recognition with their campus that they must adhere to(Pg. 9 of Registered Student Organizations Handbook), whereas the LSU Law Student Bar Association not only does not apply for recognition as a student organization on the main campus, but actually has the duty to handle the application process for organizations at the LSU Law Center (SBA Const. Art. X). Finally, student organizations of the main campus have their own election procedures and qualifications that are significantly different from the election procedures and qualifications of and for the LSU Student Bar Association (Pg. 13 of Registered Student Organizations Handbook). These are just a few of the many contrasts that highlight the differences between the LSU Law Student Bar Association and a student organization of the main campus.

I would also like to note that the notion of the LSU Law Student Bar Association maintaining its autonomy from the policies that student organizations on the main campus must abide by is not new precedent to the Law Center. In fact, the Law Center remains autonomous in a variety of ways. For example, the Law Center begins classes on a different date than the main campus, the Law Center maintained a different testing schedule than the main campus during COVID times, the Law Center handles make-up classes following unplanned closures different than main campus. These are just a few of the many examples of such autonomy that the Law Center maintains. The question needs to be asked, why does the Law Center pick and choose to maintain its autonomy on certain things, but gives it up on others? Where does the line get drawn?

I would next like to reference an amicus brief written by Jordan Landry, a previous LSU Graduate School Senator, that specifically discusses why and how the Student Bar Association is not and should not be considered part of the main campus.

In 1977, the Law Center became a separate campus within the LSU System. Following the separation, the SBA formally voted to separate themselves from the then-SGA as well, and the SGA amended its governing documents to strip various references to law students. PMH “realigned” with the main campus of LSU effective April 1, 2015. Ipso facto, Student Government’s full-campus mission extended to PMH after that date. PMH students have paid both SBA and SGA fees since then, and this would have been the perfect opportunity to restore the formal link (or at the very least resolve the conflict of laws between what had been two top-level student governments). However, no such action took place. 

If the Student Bar Association is now going to be forced to adhere by the policies that student organizations related to main campus must adhere to, then this would mean the LSU Law Student Bar Association in reality has no authority. In other words, if the SBA understood the importance of formally separating themselves from the main campus after the separation in 1977, and they clearly did not have the desire to realign with the main campus in 2015, then this should make clear that the Student Bar Association is in fact not part of the main campus. Rather, the LSU Law Student Bar Association is a non-profit corporation that exists to serve the students of PMH, not PMH itself, and which has historically had the faculty and staff of PMH's support. The Law Center as an entity realigned with the main campus in 2015, the Student Bar Association as an entity did not. In conclusion of this item, to force the Student Bar Association to abide by the policies of main campus would be completely undermining our authority as a separate entity from the Law Center and main campus.

In the Fall of 2020, the Executive President of the LSU Law Student Bar Association, Patrick Riley, argued extensively on the autonomy of the Student Bar Association before the University Court. I would like to specifically point out Roman Numeral II of Mr. Riley's argument that discusses the unique nature of the Student Bar Association (please see attached document "UI02-2020 & UI03-2020"). Although the core issues of what was argued are different than what we are arguing currently, the argument still makes clear that the LSU Law Student Bar Association is a unique entity that is entirely separate from the Louisiana State University's main campus. The two issues are interconnected.

Finally, I would like to discuss why the Student Bar Association should not be required to abide by PS-78. First, the policy's purpose clearly states that this policy's procedures specifically apply to the serving, possessing, and consuming of alcoholic beverages on *University property and within University facilities by students, University personnel, and their guests*(Article I, PS-78). I understand that this was the original purpose of the policy, and it has been amended since then to include a broader range of authority. However, from reading the revisions to the policy, the Student Bar Association, as a separate entity from the Law Center and the main campus, was not the intended target of these revisions. For example, I would like to point to Article VI, Section A of PS-78 which states "The student organization must provide notification to the *Office of Greek Life of the Office of the Dean of Students*. . ." As students of the Law Center, we have never been directed toward the Office of Greek Life of the Office of Dean of Students, nor would it be appropriate considering we have our own Deans at the Law Center who handle matters such as this. Further on this point, this policy was clearly designed, at least in part, to protect the university and curtail underage drinking. That is not as much of a concern at the law center since all but perhaps a few 3+3 students are 21 or older.

Next, I would like to discuss Article III of PS-78 which outlines the definitions related to this policy. First, an authorized vendor/server is defined as a caterer who has been licensed by the University through the Office of Procurement to engage in the sale and service of alcoholic beverages on the LSU Campus under applicable law. Second, an event for purposes of this policy is described as follows: ". . . an event is an assembly of individuals *on campus*for a gathering where alcohol is involved." Third, as noted under the "Permitted Alcohol" definition "Any exception to Permitted Alcohol *at an Event* requires the approval of the President or the President's designee." As we discussed, nowhere in these definitions does it contemplate off campus events. In fact, this policy was originally intended for on-campus events and the drafters of this policy clearly pieced together language from other areas of this policy that does not adhere to the original purpose. Finally, in regard to the issue of what is defined as an event, it is my understanding that if this policy is forced upon the LSU Law Student Bar Association would be required to go to the President with our requests per the requirements of PS-78.

There are two provisions within PS-78 that have been brought to my attention as a matter of concern. The first of which is Article IV, Section I. This section provides "Persons representing LSU off-campus or who reasonably could be construed as doing so (e.g., at *conferences, seminars, competitions, performers, other activities/events)* must behave legally and responsibly regarding the use of alcohol, abiding by the laws and policies of the *states and/or institutions where they are visiting*." This language is clearly written in regard to students who attend events at either other institutions in Louisiana or out-of-state. To attempt to apply this section to the Student Bar Association's events on a Friday evening or otherwise is a complete over-reach of this section's intention. The second provision that has been brought to my attention is Article V, Section A which provides "Only permitted Alcohol may be served and only by an Authorized Vender/Server. Any alcohol other than Permitted Alcohol is specifically prohibited. This rule also applies to student organization events located off campus." There are several issues with the application of this article to the Student Bar Association. First, this section is applicable to student organizations of the main campus, not the Student Bar Association as an autonomous entity. Second, as I noted above in the definitions section, an authorized vendor/server is only applicable to on campus events. The language of the definition for authorized vender/server does not even contemplate off campus vendor/servers. Thus, following this section, it would mean that no student organization could go off campus for an event because there would be no "authorized vendor/server" off campus.

In conclusion, PS-78 was written for on campus events and was to be applied to student organizations of the main campus. This policy has been revised to broaden its authority, however, the authority should not be encompassing of the Student Bar Association and the events we have (but even the broadest interpretation of this policy should not be understood as applying to the Student Bar Association or the events it organizes on or off campus). Further, there are numerous examples of Greek organizations on LSU Campus having off campus events with non-approved vendors/servers. To force the Student Bar Association (which for the reasons above should not be considered a main campus student organization) to abide by this policy, while actual (main campus) student organizations are not even following it (in compliance), would be absurd.

Considering our meeting is scheduled for a week from tomorrow, I am hoping we can have further conversations with you about these issues in a timely manner prior to that meeting.

Sincerely,

Alex Domingue  
Executive President, Student Bar Association

**Response from Dean Lockridge to SBA Executive President Alex Domingue**

**(9/20/2021)**

Dear Alex,  
  
I will forward your concerns to the General Counsel’s office. I do not object to your desire to work out an accommodation of your concerns related to autonomy and governance.    
  
As to on-campus events, all of us must abide by PS-78.  I am well of age, double the age of many of our students.  Nevertheless, while I am not in a student organization, the rest of PS-78 applies to me.  
  
Dean Lockridge



**AGENDA OF THE LOUISIANA STATE UNIVERSITY COURT**

[September 8, 2020]

**UI02-2020: *In re LSU Law SBA College Council***

Call to Order

Procedural Statements from Chief Justice Foster Introduction of Present Parties

University Court Justices Petitioner

Interested Parties

SAA Advisor to the University Court Establishment of Quorum

Statement from Petitioner (15 Minutes)

Statement from Interested Parties (10 Minutes Each) Conclusion

**UI03-2020: *In re Speaker of the Student Senate Salary***

Call to Order

Procedural Statements from Chief Justice Foster Introduction of Present Parties

University Court Justices Petitioner

Interested Parties

SAA Advisor to the University Court Establishment of Quorum

Statement from Petitioner (15 Minutes)

Statement from Interested Parties (10 Minutes Each) Conclusion

**Deliberation**

**Riley Brief:** pp. 3-10

**Landry Brief:** pp. 11-16

**UI02-2020 CASE BRIEFS**

**Landry Brief:** pp. 17-20

**UI03-2020 CASE BRIEFS**

**APPENDIX**

**Riley Email Attachments:** pp. 21-22

**SBA Constitution 2020:** pp. 23-55

**UNIVERSITY COURT U102-2020**

**In re: LSU Law Student Bar Association**

**BRIEF ACCOMPANYING REQUEST FOR RULING FILED ON BEHALF OF**

**THE LSU LAW STUDENT BAR ASSOCIATI ON**

BY: G. PATRICK RILEY EXECUTIVE PRESIDENT

LSU LAW STUDENT BAR ASSOCIATION 1 E. CAMPUS DR.

BATON ROUGE, LOUISIANA 70803

[SBAPRESIDENT@LSU.EDU](mailto:SBAPRESIDENT@LSU.EDU)

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## REQUESTED RELIEF

The LSU Law Student Bar Association ("SBA") requests to be designated as a "college council" for the sole purpose of appointing representatives to main campus in the form of Senators. The SBA further requests that a clear distinction be made in this ruling so that no confusion is created now or in the future with respect to (1) the independent and distinct nature of the SBA and its limited relationship with the LSU Student Government Association ("SGA"), (2) the rights, duties, and responsibilities of the SBA and its officers, and (3) which set of governing documents control the SBA.

## RELEVANT FACTUAL BACKGROUND

The current administration of the SBA took office at the end of March of 2020. Shortly after the end of the semester, a law student contacted SBA Executive President Riley ("Riley") and informed him that two individuals, Luke Dupre and Evan Zizzi, were serving as the Law Center's Senators within SGA. This student raised concerns about the method of election for these positions and the fact that the Law Center's student body had not received notice of the election or even of the availability of these positions. In an effort to address the concerns raised and to build a bridge between the SBA and main campus SGA, Riley contacted SGA President Stone Cox, who directed him to Speaker of the Senate Justin Martin. The Speaker and Riley had several productive conversations by e-mail and telephone regarding bolstering the relationship between the SBA and main campus and the potential removal of these Senators. The Speaker expressed to Riley that there was no mechanism short of voluntary resignation or involuntary recall that could be used to remove the Senators from office.

Although Riley disagreed then and continues to maintain that the Senators were never

properly elected, he conveyed the Speaker's recommendation to the other officers of the SBA at a

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specially convened meeting in June. At that meeting, the officers of the SBA unanimously passed a motion to direct Riley to inform main campus SGA that SBA could not accept Dupre and Zizzi as representatives of the Law Center as their electorate was not given proper notice of this election and thus did not have an opportunity to participate in said election - a consequence of the lack of communication between the SBA and main campus in previous years. Further conversations ensued on the topic of recalling these Senators and ultimately the SBA officers, in early August, unanimously passed a motion directing Riley to inform Dupre, Zizzi, and the Speaker of SBA's intent to initiate a formal recall. Riley sent an email informing those parties as directed. At that point, Dupre reached out to Riley and, in a productive and cordial conversation, offered to resign to avoid a recall. Dupre expressed reservations about resigning, however, due to the fact that the SBA is not a "college council" under SGA's governing documents and thus would not be able to appoint a replacement upon his resignation. Therefore, as a courtesy to Dupre and out of an abundance of caution, a desire to resolve this issue, and respect for SGA's internal procedures, Riley agreed to request this University Court opinion in accordance with the suggestion of Dupre.

In writing this brief, Riley encountered language in SGA's Governing Documents pertaining to "college councils" that was particularly concerning. The Law Center existed as an entirely separate college until 2016 and for the entirety of the Law Center's history, the SBA has been the sole source of government, operating with complete autonomy from main campus SGA. It has never been the intention of the SBA to relinquish any of that autonomy to SGA or to subject itself to the rules and regulations of SGA. This request was made as part of a good faith effort to increase communication between the two separate bodies and to resolve a very narrow, particular issue with Dupre and Zizzi. Riley made SBA's need to remain autonomous clear to Speaker Martin via both e-mail and telephone and was assured that it would not be an issue because a similar

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designation had been made for the graduate school's college council. Riley continues to trust in what the Speaker explained to him and understands that this may not be an issue at the present time because of the understanding between the two administrations. However, a plain reading of the language in SGA's Governing Documents gives cause for concern regarding labeling the SBA as a "college council" without a carefully constructed written opinion to accompany this designation. Therefore, clarity is essential for the benefit of both organizations and their future administrations.

## ARGUMENT

### If any entity is permitted to send representation to main campus SGA on behalf of the Paul M. Hebert Law Center, it is the LSU Law Student Bar Association.

The SGA has allotted the Law Center three seats in the SGA Senate. While not done at the request of the SBA, the SBA certainly appreciates the invitation for the Law Center to participate in main campus governance. The Paul M. Hebert Law Center is recognized as a "college" in SGA's Governing Documents (a prerequisite for having Senators), but there has never existed a "college council" under the definition provided in these Documents at the Law Center. This is likely due to the fact that the Law Center was an entirely separate entity until 2016 when it was incorporated into main campus. Since the founding of the Law Center, the SBA has existed as the governing body of this entirely separate college. As a result, there was never a need for SGA to create a "college council" at the Law Center because the SBA was already fulfilling that role. However, the lack of a designated "college council" has left the SBA unable to properly procedurally interact with main campus SGA in this one respect - the ability to appoint and remove Senators. Although the SBA is not the same as any other "college council" for regulatory and structural purposes, it is the only entity at the Law Center able to fill the role of "college council."

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* 1. The SBA Constitution clearly states the purpose of the organization, which is to be

the "definitive student governing organization at the Law Center."

Article II of the SBA Constitution sets out the object of the association. That object includes, among other things, that the association "serve as the definitive student governing organization at the Law Center, [p]erform the executive, legislative, and judicial functions of the student body, [r]epresent the issues and interests of the student body to the Law Center administration and faculty and to the community at large," and "[p]rovide for the general welfare of its Members." This language clearly defines the SBA as a self-sufficient, multifaceted governing body designed to serve the students of the Paul M. Hebert Law Center and further clarifies that the SBA is the only such organization authorized to perform these functions for the Law Center and its students.

* 1. The LSU Law Student Bar Association serves the purpose of a "college council"

as outlined in the College Council Constitution.

Article II of the College Council Constitution housed in SGA's Governing Documents (revised May 2018) sets out the two-fold purpose for the College Councils: unifying students within a college and serving as liaisons between those students and the college's faculty. This is entirely consistent with the SBA's stated object of "[f]oster[ing] and encourage[ing] the professional competence and the academic achievement of its members," "[p]rovid[ing] for the general welfare of its members," and "[r]epresent[ing] the issues and interests of the student body to the Law Center administration and faculty and to the community at large." (SBA Constitution Article 2, Section 2 (C),(D),(F))

* 1. There are no other organizations at the Law Center that could reasonably fill the

role of "college council" for the Law Center.

While there is a myriad of other organizations at the Law Center, all are created under the authority of the SBA. No organization may be created and officially recognized until it follows the

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process outlined in SBA Constitution Article X, Section 1(A). The SBA provides funding for these organizations, assists them in the organization and execution of events, and ensures that they remain in compliance with the SBA Constitution. Further, the organizations are absolutely bound by legislation, policies, or rules adopted by the SBA or decisions rendered by the SBA's judicial branch known as the SBA Ethics Committee (SBA Const. Art. X, Sec. 3 (B)(2)). Therefore, none of these other organizations could fill the role of "college council" without express approval from the SBA.

### The LSU Law Student Bar Association should not be classified as a "college council" for any purpose other than sending representation to SGA.

* 1. A full "college council" designation is problematic for the LSU Law Student Bar Association, as the LSU Law Student Bar Association is an independent organization, entirely distinct in form and function from every other college council.

SBA is a non-profit corporation incorporated under laws of the State of Louisiana (SBA Const. Art. II, Sec. 1 (A)). The Executive Officers serve as the Board of Directors for the non- profit organization and are updated annually through reports filed with the Louisiana Secretary of State's Office. The SBA has its own constitution, election code, and other governing documents. The SBA has its own judicial branch, known as the SBA Ethics Committee, that not only interprets the SBA Constitution, but also settles disputes between students and renders disciplinary rulings that are enforced by the Law Center and reported to the Louisiana Bar Association (SBA Const. Art. VII, Sec. 2 (A)). The SBA orchestrates its own elections through and appointed Commissioner of Elections who is tasked with enforcing the SBA Election Code (SBA Const. Art. VII, Sec. 2 (B)). The SBA has numerous subsidiary organizations and committees (SBA Const. Arts. VII, X). The SBA collects annual revenues from student fees paid to the Law Center and curates a substantial fund (SBA Const. Art. III, Sec. 4). All of this to say that the SBA is, in and of itself, a complete and independent government possessing a legislative, executive, and judicial branch,

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multiple subsidiary organizations, the ability to generate annual revenue, and the support of the faculty and administration of the Law Center. The SBA was designed to govern a college wholly separate and distinct from the main campus of LSU and it should continue in that manner.

* 1. The LSU Law Student Bar Association requested this ruling to address a narrow issue and therefore does not desire a broad ruling.

Although it is unlikely that this Court would render such a problematic ruling, and even though such a ruling would be entirely unenforceable, it is out of an abundance of caution and a desire for clarity that the SBA requests such a narrowly tailored holding. A broad ruling in this opinion could be disastrous for long-term relations between the SBA and SGA. If the designation of "college council" is applied to the SBA without distinguishing this case from all other "college councils," under SGA's Governing Documents, the SBA would no longer be allowed to conduct its own elections, all 20 officers would be required to attend all SGA meetings and events or be subject to removal, and were the SBA to abide by these rules, it would be seriously hindered in its purpose and in its overall ability to serve the population of the Law Center. If such a broad decision were rendered, the SBA would have no choice but to relinquish the Senate seats and sever the link with SGA in order to preserve the autonomy and integrity of the organization. This is not the result that anyone at the Law Center hopes for as it is the genuine intention of the SBA to aid in facilitating better communication between the two bodies and to forge a strong bond between the SBA and SGA for many years to come. Even if this clerical issue would not create a problem presently due to the understanding between the current administrations of SBA and SGA, a narrowly construed written opinion is necessary to ensure that the good relationships forged between the SBA and SGA today remain in place when none of us are here to remember these events.

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## CONCLUSION

The case now before the Court arose from a renewed interest in improving communication and cooperation between the student governments designed by and for their respective electorates. A ruling by this Court that recognizes the LSU Law SBA as the college council of LSU's Paul M. Hebert Law Center for the sole purpose of designating Senators within the LSU Student Government Association would greatly improve the ability of the SGA and SBA to further cooperate. It is for the aforementioned reasons that the LSU Law Student Bar Association respectfully requests that this Court rule as such.

**/s/ G. Patrick Riley**

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No. UI02-2020

IN THE UNIVERSITY COURT

JUDICIAL INTERPRETATION

In re LSU Law SBA College Council

*ON PETITION FOR A WRIT OF CERTIORARI TO THE LSU STUDENT GOVERNMENT*

# AMICUS CURIAE BRIEF

JORDAN LANDRY

GRADUATE SCHOOL SENATOR STUDENT SENATE

LSU STUDENT GOVERNMENT BATON ROUGE, LOUISIANA (337) 258-8620

**QUESTION PRESENTED**

Is the LSU Law Student Bar Association the official College Council of the Paul M. Hebert Law Center for LSU Student Government?

**STATUTORY PROVISIONS INVOLVED**

Student Government Constitution (I.2, II.8, others) Student Government Bylaws (Article V, others)

Student Government College Council Constitution (Article III and IV) Student Government Election Code (various provisions)

Student Bar Association Articles of Incorporation Student Bar Association Constitution (various provisions)

Student Bar Association Election Code (various provisions)

**STATEMENT**

Amicus, a Student Senator with a history of interaction with Student Government’s Governing Documents and its section of the University Archives, submits this brief upon the request of the University Court, especially Deputy Chief Justice Campesi. Amicus thanks the Court for the invitation and for their consideration of the following.

Amicus – himself a postgraduate representing a Graduate School with a sometimes-shaky history regarding full-campus student governance – does not begrudge the Student Bar Association’s attempts to restore a relationship with Student Government so that the Law Center’s students are properly represented in full-campus governance. (Indeed, this is an object he himself has desired for most of his Student Government tenure.) However, based on history, governance provisions, and actions taken by both SBA and SG, Amicus can only conclude that the question posed in this interpretation request must be answered in the negative.

1. *The SBA Split When PMH Did – but It Didn’t Rejoin When PMH Did*

Prior to 1977, the question posed in this case could be answered with an unquestioned yes – SBA was indeed Law’s College Council, and both *Reveille* and Student Government archival documentation are clear on

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this. However, in 1977, the Law Center became a separate campus within the LSU System. This by itself probably would have “orphaned” the SBA from what was then the Student Government Association; however, upon information and belief (and supported by Amicus’ previous research in the Student Government section of the University Archives) 1 , SBA formally voted to separate themselves from the then-SGA as well, and the SGA amended its governing documents to strip various references to law students.2

PMH “realigned” with the main campus of LSU effective April 1, 2015.3 Ipso facto, Student Government’s full-campus mission extended to PMH after that date, PMH students have paid both SBA and SG fees since then, and this would have been the perfect opportunity to restore the formal link (or at the very least resolve the conflict of laws between what had been two top-level student governments). However, no such action took place. Amicus does not have first-hand knowledge of the reasons why (he did not enter Student Government until October 2016), but previous (if sparse) conversations with SG officials suggest that concerns with American Bar Association accreditation and/or conflicts of interest regarding student fees may have played a role. As such, SG has conducted elections to a separate Law College Council since then; while candidate entry has been sparse, Catherine Zeringue was elected as a Member at Large in the Spring 2016 SG election.4

1. *SBA’s Current Structure and Activity Is Inconsistent with College Council Status*

Student Government’s current Governing Documents were written in 1993 – long after the PMH split – and have been amended many times since then. As they are currently written, a College Council is, by

1 Amicus apologizes to the University Court in advance for some of the lack of specificity related to certain portions of the University Archives he has previously accessed in the performance of his official duties. However, Hill Memorial Library currently has limited hours and access, preventing easy access to the original files at this time.

Amicus suggests, should his word not suffice and such access be necessary for the disposal of the case, that the Court move a continuance on its own initiative so that the Justices and interested parties may consult the files directly.

2 Ironically, the SGA President at the time of the split was a law student, future Lieutenant Governor Jay Dardenne. 3 “Paul M. Hebert Law Center Realignment within LSU Approved for April 1,” Mar. 20, 2015. Online: https://[www.law.lsu.edu/news/2015/03/20/paul-m-hebert-law-center-realignment-within-lsu-approved-for-april-1/](http://www.law.lsu.edu/news/2015/03/20/paul-m-hebert-law-center-realignment-within-lsu-approved-for-april-1/) 4 Two Law Senators (Joshua Critselous and Caitlin Mullaney) have also been elected in the time frame between the PMH realignment and the Spring 2020 SG election that prompted the current case.

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definition, a part of the executive branch of Student Government. It therefore follows that an entity that is not part of Student Government is not a College Council and may not exercise its powers. Various provisions of the SBA’s governing documents and actions taken by that organization, among others, demonstrate that such a separation exists:

* + The SBA has filed Articles of Incorporation as a nonprofit corporation with the Louisiana Secretary of State – an unlikely course for a subsidiary of Student Government and (upon information and belief) unprecedented for a College Council.*5*
  + Both SG and SBA constitutions make claims to supremacy. SG Constitution Article I, Section 2 states that “any and all students, as defined by the regulations of Louisiana State University… are entitled to representation through the Student Government,” while SBA Constitution Article II, Section 2 *6* says that SBA is “the definitive student governing organization at the Law Center” with “executive, legislative, and judicial functions.”
  + The SG Constitution (Article II, Section 8) and College Council Constitution (Articles III and IV) define the voting membership as a President, Vice President, three members-at-large, and the Student Senators for that Academic Area. However, the voting officers of the SBA are the Executive President, Executive Vice President, Executive Secretary, Executive Treasurer, Executive Director of Programming, and various class officers.
  + SG Bylaws Article V require College Councils to send their Presidents (or a proxy) to meetings of the College Council Presidents Council and submit Semester Plans, ultimately on pain of loss of SG funding and removal of the entire Council from office. Upon information and belief, the SBA has not fulfilled these requirements since the return of PMH to the main campus.
  + SBA elections are conducted under its own Election Code by its own Commissioner of Elections, not under the SG Election Code as enforced by the SG Commissioner of Elections and Election Board as College Council elections would be. SG and SBA elections are also not synchronized.

5 Online: https://sba.law.lsu.edu/files/2017/10/Certified-Copy-of-Articles.pdf

6 Online: https://sba.law.lsu.edu/files/2020/09/SBA-Constitution-2020.pdf

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* + Impeachment and recall requirements differ between SBA and College Councils.
  + Judicial concerns regarding SBA actions are handled by the SBA Ethics Committee, not the University Court.
  + SBA has jurisdiction over official recognition of PMH student organizations in a way no entity in Student Government has.
  + SBA has financial powers over PMH student fees more akin to the Student Senate than to College Councils over SG fees.

Given the above – not to mention other differences that Amicus has almost certainly missed – and the fact that nothing in the Student Government Constitution authorizes such substantial deviations, there are only two possibilities for the current situation. SBA is not following the SG Governing Documents regarding College Councils because it is either (a) not a College Council or (b) a College Council that has acted so irregularly for the last half-decade (hopefully out of ignorance instead of malice) that it demands a double take, if not administration intervention. On the balance of probabilities, option (a) is more likely.

**CONCLUSION**

Amicus concurs with the Student Bar Association that giving the SBA the powers of the Law Center College Council would help alleviate some of the problems of coordination, and he hopes that SG and SBA can come to an agreement on this that gives SG the ability to effectively represent the entire campus while giving the SBA the autonomy it needs for its own mission. However, as the law students in the SBA would probably also agree, procedure matters, and the University Court may not join together what history and the Governing Documents have put asunder. Until the political branches (and, if necessary, the student electorates) of SG and SBA vote otherwise, SBA is not the Law Center College Council – and no amount of wishful thinking, however tempting it may be for the University Court, can change that.

Amicus notes that the prompt for the current case comes from the SBA’s dissatisfaction regarding the current Student Senators for the Law Center and how they were elected. He would also note to the SBA that, even if the question of this case is answered in the affirmative,

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College Council status would not necessarily help this particular issue. True, College Council status allows for a say on vacant Senate seats, but a College Council can neither elect nor depose a Senator unilaterally; they must either convince enough Senators to begin the impeachment/expulsion process or submit a recall petition under the rules set out in the SG Governing Documents. Furthermore, as the current rules are written, College Councils must give Senators voting rights – as mentioned before, not currently the case for SBA.

It is also worth mentioning, if the University Court rules that SBA is not the Law Center College Council, that the College Council is entirely vacant. As discussed in *Landry v. Spicker*, which Amicus argued before the University Court last year, a special election would need to be called to fill these council seats no later than the 2020 SG Fall Elections, but there is nothing outside of logistics preventing the University Court from holding the special election sooner under its powers. Furthermore, upon information and belief, there is nothing that would prevent the five executive officers of the SBA for running for the five College Council positions, provided they follow all the rules set by the SG Election Board and the University Court; however, if someone else also filed for these offices, the matter of who would fill these positions would have to be left to the Law Center student electorate.

Respectfully submitted:

SEPTEMBER 2020

JORDAN K. LANDRY

Graduate School Senator

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No. UI03-2020

IN THE UNIVERSITY COURT

JUDICIAL INTERPRETATION

In re Speaker of the Student Senate Salary

*ON PETITION FOR A WRIT OF CERTIORARI TO THE LSU STUDENT GOVERNMENT*

# AMICUS CURIAE BRIEF

JORDAN LANDRY

GRADUATE SCHOOL SENATOR STUDENT SENATE

LSU STUDENT GOVERNMENT BATON ROUGE, LOUISIANA (337) 258-8620

**QUESTION PRESENTED**

May the Speaker of the Student Senate receive a salary in the Student Government budget?

**STATUTORY PROVISIONS INVOLVED**

Student Government Constitution (VI.3(E), VII.4)

**STATEMENT**

Amicus, a Student Senator with a history of interaction with Student Government’s Governing Documents and its section of the University Archives, submits this brief touching upon a question that arose in the creation of the 2020-21 SG budget. It is his opinion, based upon the wording of the Governing Documents, that the avenues for the Speaker to draw a salary from SG are limited at best.

The crux of the matter comes from two specific provisions of the SG Constitution. One is Article VII, Section 4, which reads as follows:

*Section 4.* No student fees shall be used to pay the salary of any student member of Student Government, except those expressly restricted in any way by the Student Government Constitution from holding another job.

Four things are relevant here: the prohibition on drawing salaries from student fees (which, upon information and belief, are the source of funds for the entire SG budget), the application of the prohibition specifically to “student member[s] of Student Government” (which covers the Speaker but not non-student officials like the Financial Coordinator), the need for a constitutional restriction on “holding another job” to allow for a “student member” to be paid out of student fees, and the use of the word “job” instead of something such as “office” (meaning that the restriction is on paid employment, not the holding of another SG position).

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The only provision restricting employment in the Constitution is found in Article VI, Section 3(E):

*Section 3.* The term of office of any person elected or appointed under this Constitution and Bylaws shall be terminated upon occurrence of any of the following conditions:

[...]

1. In addition, for the Student Body President or Vice President, upon acceptance of any paid employment:
   1. Outside the University during the Fall or Spring semesters; or
   2. Outside the Baton Rouge Metropolitan Area during any other time;

This exempts the President and the Vice President from the prohibition, but the Speaker of the Student Senate is nowhere to be found. As things stand one of two things must happen for the Speaker to draw a salary from SG: either the Constitution must be amended through the relevant processes, or revenue streams other than student fees must be found that are large enough to support a proposed salary.

History suggests that this interpretation is consistent with previous understandings of the relevant provisions:

* + As originally written in the current (1993) SG Constitution, Article VI, Section 3(E) only restricted the outside employment of (and allowed an SG salary for) the Student Body President. The Vice President was added to this provision following a constitutional amendment that was ratified by the students at the 2009 SG Fall Elections. *Reveille* coverage at the time stated that “[t]he referendum... prohibits the vice president from holding a job outside

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of Student Government. This restriction makes the position eligible to become a salaried employee of Student Government.”1

* + The approach of the 1993 Constitution is different than that of the previous (1973) Constitution and its associated Governing Documents, which set a cap (generally amended downwards over time) on how much of the annual budget could be devoted to student salaries and even dictated certain salary levels in the Bylaws.2 It is also worth mentioning that the tumultuous years in the then- Student Government Association that led to the writing of the 1993 Constitution included questions regarding the proper use of SGA funds, according to SG and *Reveille* archives.3

**CONCLUSION**

Given the above, Amicus believes that the question posed before the Court must be answered as follows:

* + The Speaker may receive a salary from the Student Government budget only if the funds allocated for that salary come from sources other than student funds.
  + If no such sufficient sources exist, the Speaker is barred from receiving a salary from the SG budget by the clear language of Constitution Article VII, Section 4 and Article VI, Section 3(E).

Respectfully submitted:

JORDAN K. LANDRY

Graduate School Senator

SEPTEMBER 2020

1 Xerxes A. Wilson, “Student Government: Students vote to make vice president eligible for salary,” *The Daily Reveille,* Nov. 5, 2009. Online: https://[www.lsureveille.com/news/student-government-students-vote-to-make-vice-](http://www.lsureveille.com/news/student-government-students-vote-to-make-vice-) president-eligible-for-salary/article\_be8d63d5-203d-50a7-9c51-6668aa987dac.html

2 Amicus apologizes to the Court for some of the lack of specificity related to certain portions of the University Archives. However, Hill Memorial Library currently has limited hours and access, preventing easy access to the original files at this time. Amicus suggests, should his word not suffice and such access be necessary, that the Court move a continuance on its own initiative so that the Justices and interested parties may consult the files directly.

3 In one example, a sitting President and Vice President were made to repay funds following excessive personal use of SGA phones that were – and still are – paid for in the annual budget.

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**Constitution of the Student Bar Association**

*of the Paul M. Hebert Law Center at Louisiana State University*

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6 **ARTICLE I.** NAME

8 The official name of the student governing organization at the Law Center shall be the LSU Law Student Bar Association (hereinafter "Student Bar Association," "SBA," or "the

10 Association").

12 **ARTICLE II.** OBJECT

14 **Section 1.** Non-Profit Corporation

16 A. The LSU Law Student Bar Association is duly organized as a non-profit corporation under the laws of the state of Louisiana. The Association

18 operates on a non-stock basis.

20 B. The SBA shall be operated as a Louisiana nonprofit corporation to exclusively further charitable purposes. No part of its net earnings shall

22 inure to the benefit of any private shareholder or individual, nor shall any substantial part of its activities consist of carrying on propaganda, or

24 otherwise attempt to influence legislation; nor shall it participate in, or intervene in (including the publishing or distributing of statements), any

26 political campaign on behalf of any candidate of any political office.

28 C. The Board of Directors of the LSU Law Student Bar Association shall consist of the five (5) Executive Officers elected each Spring Semester. It

30 shall be the duty of the Executive President to ensure the LSU Law Student Bar Association remains in good standing as a non-profit corporation under

32 the laws of Louisiana.

34 **Section 2.** The Object of the Association shall be to:

36 A. Serve as the definitive student governing organization at the Law Center;

38 B. Perform the executive, legislative, and judicial functions of the student body;

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C. Represent the issues and interests of the student body to the Law Center

42 administration and faculty and to the community at large;

44 D. Foster and encourage the professional competence and the academic achievement of its members;

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E. Implement and promote innovative programming and community service

48 projects through the Law Center; and

50 F. Provide for the general welfare of its Members.

52 **Section 3.** The introduction of any motion or course of action that falls outside the Object of this Association shall require a two-thirds vote of officers present

54 and voting at a duly constituted meeting of the Association

56 **Article III.** MEMBERS

58 **Section 1.** Eligibility of Membership

60 A. Any student, regardless of class classification or visiting status, that is currently enrolled in the Law Center and pays student activity fees to the

62 Student Bar Association shall be eligible for membership into the Association.

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B. Any student that is currently enrolled in the Law Center, but because of their

66 enrollment status, does not automatically pay student activity fees of the Association.

68

**Section 2.** Members

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1. Members shall consist of any eligible student that is currently enrolled in

72 the Law Center as a 1L, 2L, 3L, or in a graduate program offered by the Law Center.

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**Section 3.** Rights of Membership

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1. Members shall have the right to attend meetings of the Association,

78 participate in programs hosted by the Association, vote in any officer election or referendum sponsored by the Association, run for any officer

80 position of the Association pursuant to any governing document adopted by the officers of the Association, and carry out any other rights, duties, and

82 privileges prescribed in any governing document of the Association.

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84 B. Members of the Association shall have the right to present motions before the officers of the Association by (1) seeking an officer of the Association

86 to sponsor the motion or (2) presenting a petition signed by fifty (50) Members of the Association on the object of the motion to the SBA

88 Executive President before a meeting of the officers of the Association.

90 C. Members of the Association shall have the right to speak on any debatable motion presented at a meeting of the officers of the Association; however,

92 the presiding officer at the meeting shall be permitted to limit the amount of time of debate by its Members.

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D. Members of the Association shall have a right to request any document

96 produced by any entity of the Association. Such documents shall include the minutes to any meeting held by the Association, the financial

98 information of the Association, and contact information of officers of the Association.

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**Section 4.** Fees

102

1. Students shall pay a student activity fee to the Student Bar Association, as

104 approved by the LSU Board of Supervisors, for membership in the Association.

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1. Any increase or decrease in the student activity fee to the Student Bar

108 Association shall be handled in the form of a referendum, pursuant to Article XIII of this document.

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1. Upon a simple majority vote, the officers of the Association may assess any

112 reasonable fee on the Members of the Association for participation in any special program or event hosted by the Association in addition to the

114 requisite student activity fee.

116 **ARTICLE IV.** OFFICERS

118 **Section 1.** The officers of the Association shall consist as follows:

120 A. Executive Officers

122 1. SBA Executive President

124 2. SBA Executive Vice President

126 3. SBA Executive Secretary

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| 128 |  | 4. SBA Executive Treasurer |
| 130 |  | 5. SBA Director of Programming |
| 132 | B. | 3L Class Officers |
| 134 |  | 1. 3L Class President |
| 136 |  | 2. 3L Class Vice President |
| 138 |  | 3. 3L Class Secretary |
| 140 |  | 4. 3L Class Representative |
| 142 |  | 5. 3L Class Representative |
| 144 | C. | 2L Class Officers |
| 146 |  | 1. 2L Class President |
| 148 |  | 2. 2L Class Vice President |
| 150 |  | 3. 2L Class Secretary |
| 152 |  | 4. 2L Class Representative |
| 154 |  | 5. 2L Class Representative |
| 156 | D. | 1L Class Officers |
| 158 |  | 1. 1L Class President |
| 160 |  | 2. 1L Class Vice President |
| 162 |  | 3. 1L Class Representative of Section 1\* |
| 164 |  | 4. 1L Class Representative of Section 2\* |
| 166 |  | 5. 1L Class Representative of Section 3\* |

168 (\*) If the 1L Class has more than three sections, an additional 1L class representative position shall be added so that each section has at least one

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| 170  172 |  | class representative. If the 1L Class has less than three sections, the class representative not assigned to a section shall be elected by the entire first- year class. |
| 174 | E. | Graduate Officer |
| 176 |  | 1. L.L.M. Representative |
| 178 | **Section 2.** | Rights of Officers |
| 180  182 | A. | 3L Class, 2L Class, 1L Class Officers, and Executive Officers of the Association other than the SBA Executive President shall have voting privileges as the officers of the Association. The SBA Executive President |
| 184 | B. | shall not vote except when a vote is needed to break a tie.  The L.L.M. Representative, as prescribed in Section 1 of this Article, shall |
| 186  188  190  192 | C. | not be empowered with the right to vote in the officers of the Association until the number of L.L.M. students total at least thirty students.  All 3L Class, 2L Class, 1L Class, and Executive Officers of the Association have the authority to make motions before the Association, except for the officer contemporaneously acting as the presiding officer at a meeting of  the Association. This is generally the SBA Executive President but may be |
| 194 |  | another officer serving as presiding officer in the absence of or at the request of the SBA Executive President. |
| 196 | **Section 3.** | Term of Office |
| 198  200 | Officers shall hold office for a term of one year, starting on May 1st of a given year and terminating on April 30th of the following year, unless the officer has been removed from office in accordance with Section 8 of this Article. | |
| 202 | **Section 4.** Qualifications | |
| 204  206 | A. All officers of the Association must be Members of the Association who will be physically, or remotely when necessitated by action of the Law Center, attending the Law Center at the time of their election and throughout | |
| 208 | their tenure of office.  B. Only Members who will be classified as 3Ls by the office of the registrar | |
| 210  212 | during the Fall semester of the term of the 3L Class Officer position for which they are seeking candidacy shall be qualified to run for a 3L Class  Officer position. | |

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| 214  216 | C. | Only Members who will be classified as 2Ls by the office of the registrar  during the Fall semester of the term of the 2L Class Officer position for which they are seeking candidacy shall be qualified to run for a 2L Class |
| 218 | D. | Officer position.  Only Members who are classified as 1Ls by the office of the registrar during |
| 220  222 |  | the Fall semester of the term of the 1L Class Officer position for which they are seeking candidacy shall be qualified to run for a 1L Class Officer position. |
| 224  226 | E. | Only Members who are classified as a graduate student by the office of the registrar during the Fall semester of the term of the Graduate Class Office position for which they are seeking candidacy shall be qualified to run for a |
| 228 | F. | Graduate Class Officer position.  The Executive Officer positions may be held by any Member regardless of |
| 230 |  | class classification. |
| 232  234  236  238  240 | G.  **Section 5.**  A. | The classification of Dual Degree students shall be determined by the Law Center Registrar.  Declaration of Candidacy  A Member who meets the qualifications of an office shall declare his intention to seek elected office by submitting a Statement of Intent form to the SBA Commissioner of Elections during an election qualification period designated by the SBA Commissioner of Elections. |
| 242  244  246 | B.  C. | The election qualification period shall extend no later than one week prior to the primary election.  No one shall be allowed to run for more than one office during the same election period. |
| 248 | **Section 6.** | Elections |
| 250  252  254 | A.  B. | The election of officers of the Association shall be by a method determined and governed by the Election Code.  Votes for officers of the Association shall be by physical ballot, electronic ballot, or both a physical and electronic ballot unless there is only one candidate for office. In cases where there is only one candidate who has |
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256 declared their intent to seek office at the end of the election qualification period, the sole candidate shall be immediately elected by acclamation and

258 no voting shall be held for that position.

260 C. Voter Eligibility

262 1. Executive Officers. All Members of the Association shall be permitted to vote for candidates for the Executive Officer positions.

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2. 3L Class Officers. Only Members who will be classified as 3Ls by

266 the office of the registrar during the first Fall semester of the term of the 3L Class Officer positions up for election shall be permitted

268 to vote for candidates for the 3L Class Officer positions.

270 3. 2L Class Officers. Only Members who will be classified as 2Ls by the office of the registrar during the first Fall semester of the term

272 of the 2L Class Officer positions up for election shall be permitted to vote for candidates for the 2L Class Officer positions.

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4. 1L Class Officers. Only Members who are classified as 1Ls by the

276 office of the registrar during the first Fall semester of the term of 1L Class Officer positions up for election shall be permitted to vote for

278 candidates for the 1L Class Officer positions.

280 5. Graduate Class Officers. Only Members who are classified as graduate students by the office of the registrar during the first Fall

282 semester of the term of the Graduate Class Officer position up for election shall be permitted to vote for candidates for the Graduate

284 Class Officer position.

286 D. Time of Elections

288 1. The election of all officer positions, except 1L Class Officers and the Graduate Class Officer, shall be held during March of the Spring

290 Semester.

292 2. The election of the 1L Class Officers shall occur no later than thirty

(30) calendar days after the first day of school in the Fall Semester.

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3. No later than thirty (30) calendar days from the first day of school

296 in the Fall Semester, the SBA Commissioner of Elections shall host a meeting with the Graduate Members of the Association whereby

298 a Graduate Member shall be elected as the L.L.M. Representative,

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| 300 |  | and, unless provided otherwise by a simple majority vote of the  Association, Graduate Members interested in running for the L.L.M. |
| 302 |  | Representative position shall not be required to complete the Statement of Intent form as prescribed in Section 4 of this Article . |
| 304  306 |  | 4. The timing rules for elections deriving from a petition shall be carried out pursuant to Article XIII, Section 3(C)(4) of this document. |
| 308  310  312 |  | 1. Any other election may be called by a two-thirds (2/3) vote of the officers of the Association. 2. For the purpose of this section of the constitution, "Graduate Member" means any eligible student that is enrolled in any graduate |
| 314  316 | E. | program offered by the Law Center.  Teller's Report  1. Not more than three days after tabulating the votes for an election, |
| 318  320 |  | the SBA Commissioner of Elections shall compile a Teller's Report of the election, signed by the Commissioner, outlining the results of the election. |
| 322  324 |  | 2. The Teller's Report shall contain the number of votes cast, the number of votes necessary for election, the number of votes received by each candidate, and the number of illegal votes with a brief |
| 326 |  | statement as to the reason of the illegality.  3. The Teller's Report shall be filed in the Admissions Office, and a |
| 328  330  332  334 | **Section 7.** | copy of the Report shall be made available to any student at his or her request.  Holding More than One Office  Officers shall not be permitted to hold more than one officer position; however, in the case of a vacancy, an officer may assume the duties of |
| 336 |  | another officer position until an election to fill the vacant officer position is held or until a qualified Member is appointed to the vacant position |
| 338 | **Section 8.** | Vacancies |
| 340 | A. | Vacancy Where Position is Vacant Because No One Sought Election for the Position: |

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| 342 |  | 1. Should a class officer position become vacant for any reason not |
| 344  346 |  | listed in Section 9, the president of the class shall appoint a qualified Member to the vacant position. If the vacant position is the president  of the class, the vice president shall assume the duties of the class |
| 348 |  | president position and, subsequently, shall appoint a qualified Member to assume the duties of the class vice president position. |
| 350  352 |  | 2. Should an executive officer position become vacant for any reason  not listed in Section 9 the SBA Executive President shall appoint a qualified Member to the vacant position. If the vacant position is the |
| 354 |  | SBA Executive President position, the SBA Executive Vice  President shall assume the duties of the SBA Executive President |
| 356 |  | and, subsequently, shall appoint a qualified Member to assume the duties of the SBA Executive Vice President. |
| 358  360 |  | 3. When the SBA Executive President appoints a member to a vacant officer position, the appointment shall be subject to a vote of the majority of current officers. |
| 362 | B. | Vacancy as a Result of Removal from Office |
| 364  366 |  | 1. Should an officer position become vacant because the previous holder of the position is removed from office pursuant to Section 9 of this Article, an election shall be held to fill the vacant position if |
| 368 |  | the removal occurred more than 4 months before a scheduled  election. If the removal occurs less than 4 months before a scheduled |
| 370 |  | election, the president of the class or the SBA Executive President  shall appoint a qualified Member to the vacant class or executive |
| 372  374 | **Section 9.**  A. | position, respectively, in the interim before the scheduled election.  Removal of Officers  There shall only be three methods of removing an officer of the Association |
| 376 |  | from his/her position: automatic removal, impeachment, and recall. |
| 378 | B. | Automatic Removal |
| 380  382 |  | 1. Any officer of the Association shall be automatically removed from office by the SBA Executive President for failing to maintain any of the qualifications of the office pursuant to Section 4 of this Article |
| 384 |  | or by resigning from office. |
|  |  | 9 |

1. Impeachment

386

1. Any officer of the Association shall be removed from office by the

388 passage of a two-thirds (2/3) vote of officers present and voting at a duly constituted meeting of the Association after a trial or fact-

390 finding investigation by the Ethics Committee. The members of the Ethics Committee shall specify a procedure and time period for

392 conducting the trial or fact-finding investigation.

394 2. Grounds for impeachment shall be failing to perform the duties of the office, fraud, theft, or malfeasance in office.

396

1. Recall

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Any officer of the Association may be removed from office by a recall of

400 its electorate according to the following procedures:

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| 402 | 1. | Starting the Recall Process |
| 404  406 |  | a. In the case of class officers, a petition signed by forty percent (40%) of the respective class must be submitted to the SBA Executive President in accordance to Article XIII of this |
| 408 |  | document.  b. In the case of executive officers, a petition signed by forty |
| 410  412 |  | percent (40%) of the electorate must be submitted to the SBA Executive President in accordance to Article XIII of this document. |
| 414  416 |  | c. The officers of the Association may subject any officer to a recall vote of its electorate by the passage of a three-fourths (3/4) vote of officers present and voting at a duly constituted |
| 418 | 2. | meeting of the Association.  Recall Voting Requirements |
| 420 |  | a. The Recall vote must be approved by a two-thirds (2/3) vote |
| 422 |  | of qualified voters in an election. |
| 424  426 |  | b. A minimum of fifty percent (50%) of the total eligible qualified voters must vote in the recall election. |

10

3. If a recall vote against an officer fails, another recall vote shall not

428 be initiated against the officer until the next academic semester. This rule shall not limit the ability of the officers of the Association to

430 impeach the officer subject to the failed recall vote.

432 E. Any officer who is removed from office shall not be appointed to fill any vacancy in the Association.

434

F. In the event of an officer becoming impeached, notice and reason for the

436 impeachment shall be given to the impeached officer's electorate.

438 **ARTICLE V.** DUTIES OF OFFICERS

440 **Section 1.** General Rules

442 A. All officers shall perform any such other duties applicable to their office as prescribed in the parliamentary authority and any governing document

444 adopted by the Association.

446 B. All officers of the Association shall make reasonable attempts to assist with Association events that are not specifically designated to a particular class

448 or officer.

450 C. The class president of a given class shall:

452 1. Serve as chief administrative officer of the class;

454 2. Act as a liaison between the class and the Association; and

456 3. Oversee all projects sponsored by the respective class.

458 D. The class vice president of a given class shall:

460 1. Serve in the absence of the respective class president and automatically succeed the office of the class president in the case of

462 a vacancy in the class president position; and

464 2. Prepare financial statements and report to the SBA Executive Treasurer, class officers, and Members of the respective class.

466

E. The secretary of a given class shall:

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| 470 |  | 1. Keep record of all decisions made by officers of the class pertaining to Association events. |
| 472 |  | 2. Make meeting decisions available upon request. |
| 474  476 |  | 3. In the absence of the SBA Executive Secretary, a class secretary shall temporarily assume the duties of the SBA Executive Secretary at meetings of the Association. The Representatives for each class |
| 478  480  482 | **Section 2.**  A. | shall assist the other class officers in their duties.  SBA Executive President  The duties of the SBA Executive President shall consist as follows:  1. Serve as the liaison between the officers and the Members of the |
| 484 |  | Association; |
| 486  488  490 |  | 1. Serve as the liaison between the officers of the Association and the committees of the Association; 2. Represent the interests of the Members of the Associations to the Law Center faculty and administration; |
| 492  494  496 |  | 1. Keep the Members of the Association informed of relevant information on a regular basis; 2. Embody the spirit and principles of the Association as the chief public representative and ceremonial figurehead of the Association; |
| 498 |  | 6. Serve as the presiding officer of the Association; |
| 500  502  504 |  | 1. Set administrative procedures for the efficient operation of the Association; 2. Vote as a tie-breaker in the event of a tie in a vote of the officers of the Association; |
| 506 |  | 9. Represent the Law Center as the ABA/LSD Annual Meeting; and |
| 508 |  | 10. Serve as an ex-officio member of all committees of the Association. |
| 510 | B. | The SBA Executive President shall not have the power to veto or line-item veto any action adopted by the officers of the Association. The SBA |
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| 512  514 |  | Executive President shall, however, have the authority to note on the record an objection to any action. That objection shall be included in any communication to the Members of the Association on the action taken. |
| 516 | **Section 3.** | SBA Executive Vice President |
| 518 | A. | The duties of the SBA Executive Vice President shall consist as follows: |
| 520  522 |  | 1. Serve as SBA Executive President in the absence of the SBA  Executive President and automatically succeed to the office of the SBA Executive President in the case of a vacancy in the SBA |
| 524 |  | Executive President position;  2. Serve as liaison between the officers of the Association and all |
| 526 |  | Student Organizations. |
| 528  530  532  534 |  | 1. Serve as the presiding officer of the Council of Student Organizations; and 2. Serve as an ex-officio member of all committees of the Association; 3. Serve as the liaison between the officers of the Association and Business Office of the law school administration. |
| 536 | **Section 4.** | SBA Executive Secretary |
| 538 | A. | The duties of the SBA Executive Secretary shall consist as follows: |
| 540  542  544 |  | 1. Serve as SBA Executive Vice President in the temporary absence of the SBA Executive Vice President; 2. Serve as the recording clerk of the Association by taking minutes at all meetings of the officers of the Association and submit them for |
| 546 |  | approval to the officers;  3. Distribute or make available the minutes of meetings of the |
| 548  550  552  554 |  | Association to the officers and Members of the Association no later than seven (7) calendar days after the meeting.   1. Serve as the custodian of the records and projects of the Association; 2. Maintain an updated contact list of the officers of the Association; |
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| 556 |  | 1. Maintain the email account of the Association; 2. Have a copy of the governing documents and minutes of the |
| 558 |  | Association available at every meeting of the Association; |
| 560  562  564 |  | 1. Ensure notice is sent out to the Members and officers of the Association a notice of each meeting of the association. 2. Shall make available to the Members of the Association all governing documents and meeting minutes from his term of office |
| 566 |  | as a permanent part of the Association's official history;  10. Serve as the custodian of the collection of all documents, books, or |
| 568  570 |  | other written or printed matters of the Association, has custody of  these items, -- or at least designates a centralized location for the custody of these items - and control over the access of such items to |
| 572 |  | officers and Members of the Association;  11. Maintain and oversee the content of the website of the officers of |
| 574 |  | the Association. |
| 576 | **Section 5.** | SBA Executive Treasurer |
| 578 | A. | The duties of the SBA Executive Treasurer shall consist as follows: |
| 580 |  | 1. Serve as the chief finance officer of the Association; |
| 582  584 |  | 2. Serve as the custodian of the funds of the Association, keeping careful records of all receipts and making no disbursements without the authority of the officers of the Association; |
| 586  588  590 |  | 1. Prepare financial statements and report to the officers of the Association; 2. Prepare a semesterly financial report of spending activities of the Association and publish that report to the Members of the |
| 592  594 |  | Association;   1. Oversee the financial activities of each class; 2. Advise the officers of the Association in financial planning based on |
| 596 |  | expenditures of the Association in the past; |

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| 598  600 |  | 7. The SBA Executive Treasurer shall make disbursements no more than the total amount authorized by a vote of the majority of the officers of the Association; and |
| 602  604  606  608  610 | **Section 6.**  A. | 8. Provide a compilation of all expenditures from his term to his successor before the end of his term.  SBA Director of Programming  The duties of the SBA Director of Programming shall consist as follows:  1. Assist all programming of the Association to ensure that such programs are properly and efficiently implemented; |
| 612 |  | 2. Serve as liaison between the Association and social venues; and |
| 614 |  | 3. Regularly plan social events for members of the Association. |
| 616 | **Section 7.** | 3L Class Officers |
| 618  620 | A. | The 3L Class Officers shall be responsible for the Hats and Canes cocktail party and tailgate in the Fall semester, the production of Assault and Flattery in the Spring semester, and planning the various activities that must be |
| 622  624 | **Section 8.**  A. | completed in connection with the spring commencement ceremony. 2L Class Officers  The 2L Class Officers shall be responsible for the planning of the Barrister's |
| 626 |  | Ball in the Spring Semester. |
| 628 | **Section 9.** | 1L Class Officers |
| 630  632 | A. | The 1L Class Officers shall be responsible for the planning of the Halloween Party in the Fall Semester and Family Day in the Spring Semester; and |
| 634  636  638 | B.  **Section 10.** | The 1L Class Officers shall elect one of its officers to serve as 1L Class Secretary.  Graduate Class Officer |

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1. The L.L.M. Representative shall serve as a liaison to the Association of 640 issues facing Graduate Members (as defined in Article IV § 6(D)) at the

Law Center.

642

B. The L.L.M. Representative shall be responsible for hosting a program to 644 create a cultural exchange between the international students and non-

international students at the Law Center.

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**Section 11.** Contracts and Expenditures

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All proposed contracts and expenditures shall be approved by a majority of the 650 Officers of the Association present and voting at a meeting prior to their execution.

652 **Section 12.** Town Hall

654 The officers of the Association shall hold one town hall meeting each Fall and Spring, open to all members of the Association.

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**ARTICLE VI.** MEETINGS

658

**Section 1.** The SBA Executive President, at his own discretion or at the request of five 660 (5) officers of the Association, shall call a regular meeting of the officers of the Association, by issuing a call for the meeting to the officers of the

662 Association at least one calendar day before the intended date of the meeting. The call shall contain a tentative agenda for the meeting and the

664 proposed time, place, and location of the meeting.

666 **Section 2.** Special Meetings of the officers of the Association may be called at any time by the SBA Executive President, at his own discretion or at the request

668 of five (5) officers of the Association.

670 **Section 3.** All meetings of the officers of the Association shall be open to the public, unless the meetings are in Executive Session or in the event of a natural

672 disaster, declared state of emergency, or other circumstance resulting in the closure of the Law Center. A motion to enter Executive Session shall be

674 voted upon affirmatively by three-fourths (3/4) of Officers present and voting. The officers of the Association may adopt additional procedures for

676 facilitating meetings during emergency circumstances as needed.

678 **Section 4.** In order to conduct business, a quorum of the officers of the Association must be present. A quorum shall consist of a simple majority of the voting

680 officers of the Association.

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682 **Section 5.** All officers of the Association shall have a duty to attend all of the scheduled meetings of the officers of the Association; however, if an officer

684 is unable to attend a meeting, that officer shall inform the SBA Executive President of his inability to attend as soon as practicable. Any officer having

686 more than two absences per semester may be subject to removal from office pursuant to Art. IV Section 10(C) of this document.

688

**ARTICLE VII.** COMMITTEES

690

**Section 1.** Purpose, Composition, and Selection of Membership for All Committees

692

A. All standing and special committees serve as subsidiary groups of the larger 694 Association tasked with providing support in areas of specific and narrow focus.

696 B. Unless otherwise provided for in this constitution, standing and special committees serve at the direction of the Officers of the Association and shall

698 not act independently or in any way that is in opposition to the purposes of the

Association or exceeds the scope of the committee's duty unless directed to do

700 so by a majority vote of the officers of the Association.

702 C. Unless otherwise provided for in this constitution, no standing or special committee shall have more than seven (7) members, inclusive of the chair, co-

704 chair, and vice-chair where applicable.

706 D. Unless otherwise provided for in this constitution, the chairman of each standing or special committee shall be appointed by the SBA Executive

708 President. At the discretion of the SBA Executive President, a co-chair may be appointed for each standing or special committee.

710

E. Any appointment of the chairman of a standing or special committee by the 712 SBA Executive President may be denied by the objection of a simple majority of the Executive Officers of the Association (excluding the SBA Executive

714 President). Any such objection shall be made within twenty-four (24) hours of the moment when notice of the appointment is given. Notice of the appointment

716 shall be given, by an appropriate mechanism, to the Executive Officers of the Association by the SBA Executive President within twenty-four (24) of

718 determination of the appointment. In the event that an appointment by the SBA Executive President is denied, the SBA Executive President shall make a new

720 appointment subject to the same procedure outlined in this provision.

722 F. Unless otherwise provided for in this constitution, the chair of any standing or special committee may elect to appoint a vice-chair to assist in the duties of

724 organizing said committee.

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726 G. Unless otherwise provided for in this constitution, the membership of any standing or special committee shall be appointed by the SBA Executive

728 President working in conjunction with the chair of that committee.

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| 730 | **Section 2.** | The Standing Committees of the Association shall consist as follows: | |
| 732 | A. | Ethics Committee | |
| 734 | 1. | | The duties of the Ethics Committee shall consist as follows: |
| 736  738  740 |  | | 1. Interpret this document and any governing document adopted by the Association; 2. Declare any action of the officers of the Association unconstitutional when such actions violate the text and spirit |
| 742 |  | | of this document;  c. At the request of the Vice Chancellor of Academic Affairs, |
| 744  746  748 |  | | adjudicate all matters relating to a violation of the Student Code of Professional Responsibility;  d. Adjudicate any disputes that may arise involving officers and Members of the Association and elections administered |
| 750 |  | | by the Association;  e. Certify the voting results of elections held by the |
| 752 |  | | Association; |
| 754  756 |  | | f. May render advisory opinions on any matter within the subject matter jurisdiction of the Ethics Committee and subsequently publish that advisory opinion to the Members |
| 758 |  | | of the Association; and  g. May recommend the adoption of rules for the requesting and |
| 760 |  | | rendering of advisory opinions. |
| 762 | 2. | | Composition |
| 764  766 |  | | a. The Ethics Committee shall consist of twelve (12) members, appointed by the officers of the Association. |

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| 768 |  | b. The members of the Ethics Committee shall elect one of its members to serve as Chair of the Committee. |
| 770  772 |  | c. Members of the Ethics Committee shall not also be officers of the Association but may serve as a representative in the Council of Student Organizations. |
| 774  776 |  | d. The officers of the Association shall strive to have an Ethics Committee whose composition shall be reflective of the diversity of the Members of the Association. |
| 778 | B. | Elections Committee |
| 780  782  784 |  | 1. An Elections Committee may administer all officer elections of the Association and general voting on any referenda. 2. The Elections Committee may be chaired by the SBA Commissioner of Elections, who shall be appointed by the SBA |
| 786 |  | Executive President.  3. The Committee may recommend the adoption of special rules |
| 788  790  792 |  | concerning the administration of elections to the officers of the Association.  4. Members of the Elections Committee shall not serve on the Ethics Committee nor can they be a candidate for office for any election |
| 794  796 | C. | over which they preside.  Athletics Committee  1. The Athletics Committee shall oversee the programming of the |
| 798 |  | athletic activities of the Association. |
| 800  802  804  806 | D. | 2. The Chair of the Athletics Committee shall be appointed by the SBA Executive President.  Academics Committee  1. The Academics Committee shall recommend policies relating to registration, academic support and tutorial services, course topics, |
| 808 |  | grading and any general issue involved in academic affairs to the  Vice Chancellor for Academic Affairs and the faculty. |

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810 2. The Academics Committee shall establish and maintain a 1L Mentor Program for incoming students. The Chair of the Committee shall

812 be appointed by the SBA Executive President. The Chair may appoint a Vice-Chair at his discretion.

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E. Diversity and Professionalism Student Committee

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1. The duties of the Diversity and Professionalism Student Committee

818 shall consist as follows:

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| 820 |  | a. Strive to help minority students succeed, foster camaraderie |
|  |  | among all students, and promote better understanding of one |
| 822 |  | another's cultures and experiences by addressing the |
|  |  | recommendations promulgated in the Report and |
| 824 |  | Recommendations of the Diversity Task Force in September |
|  |  | 2015; |
| 826 |  |  |
|  |  | b. Collaborate with the Diversity and Professionalism Faculty |
| 828 |  | Committee to address diversity and professionalism issues |
|  |  | through educational programming and the development of |
| 830 |  | resources to address the needs of diverse students. |
| 832 | 2. | Composition |

834 a. The Diversity and Professionalism Student Committee shall consist of nine (9) appointed members, three (3) from each

836 class, and at large members consisting of Members of the Association.

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* + 1. The Diversity and Professionalism Student Committee shall

840 be chaired by the Diversity and Professionalism Student Committee Chair, who must be a 2nd or 3rd year student. The

842 Student Committee Chair shall be appointed by the SBA Executive President after taking applications in the spring

844 semester. The officers of the Association shall appoint the remaining eight (8) members in collaboration with the

846 Diversity and Professionalism Student Committee Chair in the fall semester.

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* + 1. In the event there are minimal applicants for the Diversity

850 committee and seats remain vacant after the initial appointments, the application period will be extended for

852 two (2) weeks to allow existing committee members the

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| 854 | opportunity to provide student recommendations to fill the  vacant seats. In making the above recommendations, priority | |
| 856 | will be made to maintain equal representation of three (3)  members per grade. I.E. three 1Ls, three 2Ls, three 3Ls. | |
| 858 | However, if any seat remains vacant after the two (2) weeks  period and if determined to be the best interest of the | |
| 860 | committee, the open positions will become available to any  student interested and qualified to fill the empty seat, | |
| 862 | regardless of student classification (1L, 2L, 3L). Selections  to fill these positions will be made using this article's default | |
| 864 | selection process.  d. The nine (9) appointed members will serve as student | |
| 866  868 | liaisons and attend meetings of the Diversity and  Professionalism Faculty Committee. The Diversity and Professionalism Student Committee will also operate | |
| 870 | independently and endeavor to engage participation from all interested Members of the Association. | |
| 872  874 | e. The officers of the Association shall strive to have a Diversity and Professionalism Student Committee whose composition shall be reflective of the diversity of the | |
|  | Members of the Association. | |
| 876 | **Section 3.** | Special Committees of the Association may be created by a simple majority |
| 878  880 |  | vote of the officers of the Association as needed to address specific concerns and issues. Special Committees of the Association may likewise be  dissolved by a majority vote of the officers of the Association for any |
| 882 |  | reason, including, but not limited to when they are no longer needed or have served their purpose. |
| 884 | **Section 4.** | Term of Office and Removal of Committee Members |
| 886  888 | A. | The term of office for any member of a Committee of the Association shall be consistent with the term of office for officers of the Association pursuant to Art. IV, Section 3 of this document. |
| 890  892 | B. | Committee Members appointed by the officers of the Association may be removed by the passage of a two-thirds (2/3) vote of officers at a duly constituted meeting of the Association. |

894 **ARTICLE VIII.** RELATIONSHIP WITH THE AMERICAN BAR ASSOCIATION/ LAW STUDENT DIVISION

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| 896  898 | **Section 1.** | The Student Bar Association of the Paul M. Hebert Law Center at Louisiana State University may commit two official voting delegates to the Assembly  of the American Bar Association-Law Student Division (hereinafter |
| 900 |  | "ABA/LSD"), consisting of the SBA Executive President and another  delegate (known as the ABA Representative) appointed by the SBA |
| 902 | **Section 2.** | Executive President.  The delegates may attend the ABA/LSD Annual meeting and any other |
| 904  906 |  | ABA/LSD functions as requested by the LSU Law Chancellor, the LSU  Law Vice Chancellor of Student Affairs, any other executive agent of the ABA/LSD, including the governor of the ABA/LSD 13th Circuit, or at the |
| 908 | **Section 3.** | request of the officers of the Association.  If the SBA Executive President or the ABA Representative cannot attend a |
| 910  912 |  | meeting or function of the ABA/LSD, the officers of the Association may designate another officer or Member to attend the meeting or function. |
| 914 | **ARTICLE IX.** ELECTRONIC COMMUNICATIONS  **Section 1.** Voting by Email or Over the Telephone. Any entity of the Association shall | |
| 916  918 | be permitted to vote by email or by conference call, unless otherwise  provided by a rule of the officers of the Association. A record shall be produced of all votes taken, and rule concerning the distribution of the | |
| 920 | record shall be in accord with the provisions on the distribution of minutes as prescribed throughout this document. | |
| 922  924 | **Section 2.** Association Website. The officers of the Association shall host and maintain a website that is easily accessible and publicized to the Members of the Association. At the minimum, the website shall contain contact | |
| 926 | information for all officers of the Association, minutes to meetings of the  officers of the Association, the governing documents of the Associations, a | |
| 928 | listing of events hosted by the Association, and the budget and any additional financial information of the Association. | |
| 930 | **ARTICLE X.** PROVISIONAL STUDENT ORGANIZATIONS AND ORGANIZATIONS | |
| 932 | **Section 1.** General Rules | |
| 934  936 | A. A group of students seeking official recognition from the officers of the Association shall first become a Provisional Student Organization, then a recognized Student Organization by following the provisions in this Article. | |

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| 938  940  942  944  946  948  950 | B.  **Section 2.**  A. | Membership in any Provisional Student Organization or Organization shall be open to all Members of the Association.  Provisional Student Organizations  To become a Provisional Student Organization, a group of students shall submit a Proposal for Provisional Charter Status to the SBA Executive Vice President stating:   1. That the group has at least eight or more members; 2. That the membership in the group is open to all members of the Association; |
| 952 |  | 3. That the group has a leader and include the name of the leader; |
| 954  956 |  | 4. That the group has undertaken creative activities that promote educational, social, or charitable endeavors that contributes to the Law Center or the community at large; |
| 958  960 |  | 5. That the group will abide by any decision of the Ethics Committee and any legislation, policy, or rule adopted by the officers of the Association and the Council of Student Organizations; |
| 962 |  | 6. The group's purpose, goal, and needs; and |
| 964 |  | 7. Any other additional requirements by the officers of the Association. |
| 966  968 | B. | The SBA Executive Vice President shall submit the group's proposal for Provisional Charter Status to the officers of the Association for approval. Upon a simple majority vote of the officers of the Association, the group of |
| 970 |  | students shall be given a Provisional Charter as a Provisional Student Organization. |
| 972 | C. | Rights, Duties, and Privileges of Provisional Student Organizations |
| 974  976 |  | After 1 year of maintaining the requirements to become a Provisional Student Organization, the officers of a Provisional Student Organization may submit a request to the officers of the Association to become an official |
| 978 |  | Student Organization. The requirements of a Provisional Student  Organization must be met in order to obtain the status of Student |
| 980 |  | Organization. |
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| 982 | **Section 3.**  A. | Student Organizations  Once a Provisional Student Organization has obtained the status of Student |
| 984 |  | Organization, the Student Organization shall have a duty to: |
| 986 |  | 1. Maintain a membership consisting of at least eight members; |
| 988  990 |  | 2. Submit a list of all information required to become a student organization upon the request of the Executive Vice President, and include contact information for all officers of the Organization; |
| 992 |  | 3. Hold at least one meeting of the Organization per semester. |
| 994 | B. | Rights, Duties, and Privileges of Student Organizations |
| 996  998 |  | 1. A Student Organization may apply to the officers of the Association for an organizational email account and webspace hosted by the Law Center; |
| 1000  1002 |  | 2. A Student Organization shall be bound to abide by any decision of the Ethics Committee and any legislation, policy, or rule adopted by the officers of the Association of the Council of Student |
| 1004 | C. | Organizations.  Organizations failing to meet any of the requirements prescribed in Letter |
| 1006  1008 |  | A of this Subsection shall be considered inactive and shall not enjoy any privilege or perk associated with being a Student Organization in the  Association. Any Student Organization having inactive status for two |
| 1010 |  | consecutive academic years shall have its Student Organization Charter  automatically revoked by the SBA Executive Vice President and must re- |
| 1012 |  | initiate the requisite procedures to become a Student Organization |
| 1014  1016  1018  1020  1022 | **Section 4.**  A.  B. | Funding Groups of Student, Provisional Student Organizations, and Student Organizations  The officers of the Association, at its own discretion, may fund any group of students, Provisional Student Organization, or Student Organization consistent with the provisions of this Section.  General Criteria for Funding |

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| 1024 | 1. | The officers of the Association shall not fund from the student activity fees: |
| 1026  1028  1030 |  | 1. Events, projects or programs that are not open to all Members of the Association; 2. Groups of students, Provisional Student Organizations, and Student Organizations that are not open to all Members of |
| 1032 |  | the Association;  c. Alcoholic beverages, for any event, project, or program |
| 1034  1036 |  | hosted by the officers of the Association or any group of students, Provisional Student Organizations, or Student Organizations; |
| 1038  1040 | 2. | In considering funding to any group of students, Provisional Student Organization or Student Organization, the officers of the Association may consider: |
| 1042  1044 |  | a. The history and track record of the activity being hosted by the groups of students, Provisional Student Organization, or Student Organization; |
| 1046  1048 |  | b. The participation of the Provisional Student Organizations or Student Organization in the Council of Student Organizations; |
| 1050  1052 |  | c. The compliance of the group of students, Provisional Student Organizations, and Student Organization to policies of the officers of the Association and the Council of Student |
| 1054 |  | Organizations; and  d. The inclusiveness of the activity being hosted by the group |
| 1056  1058 |  | of students, Provisional Student Organizations, or Student  Organization, and the opportunity for participation of the entire law school community in the activity. |

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C. The officers of the Association may develop additional funding restrictions and procedures to those listed in this Section.

**ARTICLE XI.** COUNCIL OF STUDENT ORGANIZATIONS

**Section 1.** Purpose

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The Purpose of the Council of Student Organization (hereinafter "Council") is to increase the participation and input of student organizations into the projects and policies of the Association by creating a forum where the leaders of Provisional Student Organizations and Student Organizations can discuss issues that affect them.

1072 **Section 2.** Composition

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1. The Council of Student Organizations shall be composed of one representative from each Provisional Student Organization and Student Organization at the Law Center.

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1. Each Provisional Student Organization shall have one non-voting representative on the Council, and each Student Organization shall have one voting representative on the Council.

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1. Each Provisional Student Organization and Student Organization shall determine its own rules for designating one of their members to serve as a Representative in the Council.

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1. If one person represents multiple Provisional Student Organizations and/or Student Organizations, that person shall retain all voting privileges of the Provisional Student Organizations and/or Student Organization that he represents.
2. The SBA Executive Vice President shall preside over the meetings of the Council.

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1. The Council shall elect a recording secretary, called the Clerk of the Council, who shall serve as the recording clerk of the Council.

**Section 3.** Duties

1. The Council shall be empowered to carry out the following duties:
   1. Provide input to the officers of the Association on any policy, initiative, or project considered for discussion at a meeting of the officers of the Association;
   2. Provide a recommendation to the officers of the Association on any group of students seeking a Provisional Charter or a Student Organization Charter;

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|  | 3. Share powers with the officers of the Association in adopting any |
| 1110 | policy, initiative, or project dealing with Provisional Student |
|  | Organization and Student Organizations, especially when the |
| 1112 | policy, initiative, or project pertains to fundraising by, publicizing |
|  | events of, allocating office space to, distributing email account to, |
| 1114 | and providing for the general welfare of Provisional Student |
|  | Organizations and Student Organizations. |
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1. The Council and the officers of the Association shall not be required to gain approval from the officers of the Association and the Council, respectively, when adopting a policy, initiative, or project dealing with Provisional Student Organizations and Student Organizations.
2. If there is a conflict between the Council and the officers of the Association over a policy, initiative, or project dealing with Provisional Student Organizations and Student Organizations, the policy, initiative, or project of the officers of the Association shall have preeminence.
3. Unless otherwise provided by a simple majority vote of the officers of the Association, the officers of the Association shall have the executive power to:

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| 1132 | i. Allocate funds to groups of students, Provisional |
| 1134 | Student Organizations, and Student Organizations; |
| 1136 | ii. Approve of Provisional Charters to Provisional |
| 1138 | Student Organizations and Student Organization  Charters to Student Organizations. |

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4. Host at least one project per semester that involves the collaborative effort of the student organizations.

**Section 4.** Meetings

* 1. The SBA Executive Vice President, at his own discretion, at the request of the SBA Executive President, at the request of officers of the Association after a simple majority vote, or at the request of thirty- percent (30%) of the representatives of the Council, shall call a regular meeting of the Council, at least once per semester, by issuing a call for the meeting to the ranking officers of the Provisional Student Organizations and Student Organizations at the Law Center at least one calendar week before the intended date of the

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| 1152  1154  1156  1158 | B. | meeting. The call shall contain a tentative agenda for the meeting and the proposed time, place, and location of the meeting.  Special meetings of the Council may be called at any time by the SBA Executive Vice President, at his own discretion, at the request of the SBA Executive President, at the request of officers of the Association after a simple majority vote, or at the request of thirty-percent (30%) of the |
| 1160 | C. | representatives of the Council.  All meetings of the Council shall be open to the public, unless the Council |
| 1162  1164 |  | is in Executive Session or in the event of a natural disaster, declared state of emergency, or other circumstance resulting in the closure of the Law  Center. The rules for Executive Session shall be determined by the officers |
| 1166 |  | of the Association. The officers of the Association may adopt additional  procedures for facilitating meetings during emergency circumstances as |
| 1168 | D. | needed.  Only the Representatives of the Council shall be empowered with the right |
| 1170  1172 |  | to present motions for discussion and speak in debate on any motion presented at a meeting of the Council. This provision shall be an exception to the rule prescribed in Article III, Section 3(D) of this document. |
| 1174  1176 | E. | In order to conduct business, a quorum of the representatives in the Council must be present. A quorum shall consist of representatives from one-third (33%) of the total voting representatives of the Council. |
| 1178  1180 | **Section 5.** | The Council, upon the passage of a two-thirds vote of Representatives voting at a duly constituted meeting of the Council, may adopt any special rules of procedure consistent with and complementary to the provisions of |
| 1182 |  | this document. |

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**ARTICLE XII.** SELF-ASSESSED FEES

**Section 1.** A self-assessed fee is a fee that is voted on by the students upon themselves and their successors at the Law Center. Any proposal for a self-assessment shall first be submitted to the Chancellor of the Law Center for initial approval being submitted to the Members of the Association for voting. For the purposes of the timeline prescribed in Article XV concerning petitions, the approval of the Chancellor shall be obtained when the SBA Executive President determines the feasibility of the petition.

**Section 2.** All proposals for self-assessment shall include a complete justification for the proposed assessment, a project of annual revenues generated by the fee,

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| 1196 |  | anticipated expenditures of the fee, and the term of the assessment. If the  proposal derives from a petition by the Members of the Association, the |
| 1198 |  | requisite information prescribed in this Section shall be submitted by the  petitioner when the petition is submitted to the SBA Executive President, |
| 1200 |  | and this requisite information need not be included or attached to the actual petition when the petitioner seeks the signatures of supporters. |
| 1202 | **ARTICLE XIII.** | REFERENDA & PETITIONS |
| 1204  1206  1208 | **Section 1.**  A. | A referendum is the power to send an "issue" to a direct vote of the Members of the Association. "Issues" shall include:  Approving or rejecting any action or legislation adopted by the officers of the Association or the representatives of the Council; |
| 1210  1212 | B. | Making amendments to this document or any government document adopted by the officers of the Association or the representatives of the Council; |
| 1214 | C. | Proposing new rules and policies of the Association; |
| 1216  1218  1220  1222 | D.  E.  **Section 2.** | Creating or rescinding self-assessed fees or modifying the monetary amount of self-assessed fees;  Recalling an officer of the Association.  A referendum may be initiated by the officers of the Association or by the Members of the Association. |
| 1224  1226 | A. | A referendum initiated by the officers of the Association shall require a two- thirds vote of officers present and voting at a duly constituted meeting of the officers of the Association. |
| 1228  1230 | B. | A referendum initiated by the Members of the Association shall require the filing to the SBA Executive President of a petition meeting the following signature requirements and any other requirements prescribed in this |
| 1232 |  | document:  1. A referendum concerning self-assessed fees shall require signatures |
| 1234  1236 |  | at least equal to thirty-five percent (35%) of the Members of the Association on the petition; |

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1. A referendum to recall an officer of the Association shall require signatures at least equal to forty percent (40%) of the electorate on the petition, pursuant to Art. IV, Section 10(D) of this document;
2. All other referenda shall require signatures at least equal to twenty- five percent (25%) of the Members of the Association on the petition.

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| 1244  1246 | **Section 3.**  A. | Petitions  In order to be valid, a petition shall contain the printed name, signature, |
| 1248  1250 |  | class classification, phone number, and email address of each qualified  Member of the Association in support of the issue of the petition and the date the qualified Member signs the petition. The petition shall be an |
| 1252  1254  1256 | B. | original and not a photocopy. Issue of a Petition   1. A petition shall not contain more than one issue; 2. The issue of a petition must be clearly stated at the top of each page |
| 1258 |  | of the petition where there are signatures; |
| 1260 |  | 3. Wording of the Issue |
| 1262  1264  1266 |  | 1. The issue must specifically state the wording to be used on the voting ballot; 2. An issue shall not include or exclude qualified Members of the Association who are entitled to vote on the issue or |
| 1268 |  | change the specified percentage of votes necessary for the approval or disapproval of the issue. |
| 1270 | C. | Procedures for Petitions |
| 1272 |  | The following procedures shall be used to verify and execute petitions: |
| 1274  1276  1278 |  | 1. A completed petition shall be submitted to the SBA Executive President; 2. Within seven calendar days of receiving the completed petition, the SBA Executive President shall submit the petition to the Chair of |
|  |  | the Ethics Committee for verification. The Ethics Committee shall |
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| 1280  1282 |  | ensure that the petition meets the requirements for petitions as prescribed in the document, and the Committee shall not consider  the merits concerning the issue of the petition. If the petition does |
| 1284 |  | not meet the prescribed requirements, the Chair of the Ethics  Committee shall return the petition to the SBA Executive President |
| 1286 |  | and include a statement as to why the petition is invalid. The SBA  Executive President shall then return the petition and statement from |
| 1288 |  | the Ethics Committee to the petitioner.  3. However, if the petition is successfully verified by the Ethics |
| 1290  1292 |  | Committee, the Ethics Committee returns the petition to the SBA Executive President for execution. The SBA Executive President  shall have seven calendar days to consider the feasibility of the |
| 1294 |  | petition before submitting the petition to the SBA Commissioner of  Elections for execution. If the issue is deemed infeasible, the SBA |
| 1296 |  | Executive President shall invalidate the petition and submit a  statement to the petitioner outlining the reasons for the invalidation. |
| 1298 |  | The petitioner may appeal the decision of the SBA Executive President to the Ethics Committee. |
| 1300  1302 |  | 4. However, if the SBA Executive President determines that the issue of the petition is feasible, then the petition shall be submitted to the SBA Commissioner of Elections, who shall then place the issue on |
| 1304 |  | ballot for an election, which shall be held within twenty (20) class  days from the Committee's receipt of the petition by the SBA |
| 1306 |  | Executive President. The SBA Commissioner of Elections shall be  permitted to only make typographical or grammatical revisions to |
| 1308 | D. | the petition issue.  Failure to follow the timelines outlined in this Section shall cause the |
| 1310  1312 |  | petition to automatically move to the next stage in the process, even if the petition has not been approved or verified by the officers and entities prescribed in this Section. |
| 1314 | **Section 4.** | Elections & Issues |
| 1316  1318 | A. | If the provisions of two or more issues approved at the same election conflict, the provisions of the issue receiving the highest affirmative vote shall prevail. |
| 1320  1322 | B. | Any issue initiated and approved by the Members of the Association shall not be repealed by the officers of the Association, unless the provisions of the issue allow the officers of the Association to repeal the provision. |
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However, the officers of the Association shall be permitted to amend issues initiated and approved by the Members of the Association - with the exception of successful recalls of officers, amendments to this document and any governing document of the Association, and issues involving self- assessed fees - as long as the amendment does not substantially undermine the spirit of the issue.

1330 **ARTICLE XIV.** PARLIAMENTARY AUTHORITY

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The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with this document and any special rules of order the Association may adopt.

1336 **ARTICLE XV.** AMENDMENTS

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**Section 1.** Amendments to this document may be proposed by a two-thirds vote of officers present and voting at a duly constituted meeting of the Association or by a referendum signed by twenty-five percent (25%) of Members of the Association.

**Section 2.** Proposed Amendments shall become part of this document after ratification by a two-thirds (2/3) majority vote of Members of the Association voting in an election. A minimum of fifty percent (50%) of total eligible qualified voters must vote in the election.

1348 **ARTICLE XVI.** MISCELLANEOUS PROVISIONS

1350 **Section 1.** Distribution Rules

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* 1. At least one copy of this document shall be placed in the Chancellor's Office

and the Office of Admissions.

* 1. The SBA Executive President shall ensure that this document and any governing document adopted by the Association shall be easily accessible to the Members of the Association at all times.

**Section 2.** Adoption of Bylaws

1. The officers of the Association and the representatives of the Council may adopt additional rules consistent with and complementary to the provisions of this document.

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1. This document shall supersede any governing document adopted by the Association or by any other Provisional Student Organization or organization at the Law Center.

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September 20, 2021

A RESOLUTION OF THE LSU LAW STUDENT BAR ASSOCIATION

To formally recognize the autonomy of the LSU Law Student Bar Association as a separate entity from the Louisiana State University Paul M. Hebert Law Center and Louisiana State University’s main campus.

WHEREAS the LSU Law Student Bar Association is a non-profit corporation incorporated under the laws of the State of Louisiana, and

WHEREAS the LSU Law Student Bar Association is, in and of itself, a complete and independent government possessing a legislative, executive, and judicial branch, multiple subsidiary organizations, the ability to generate annual revenue, and the historical support of the faculty and administration of the Louisiana State University Paul M. Hebert Law Center to function as an independent government, and

WHEREAS in 1977, the LSU Law Student Bar Association voted to formally separate themselves from the Student Government Association of Louisiana State University’s main campus, and

WHEREAS at no time during the forty-four years following the LSU Law Student Bar Association’s vote to become an independent entity has the LSU Law Student Bar Association been a part of Louisiana State University’s main campus or bound by its rules and regulations.

WHEREAS in 2015, upon Louisiana State University Paul M. Hebert Law Center’s “realignment” with Louisiana State University’s main campus, the LSU Law Student Bar Association took no similar action, and

WHEREAS the LSU Law Student Bar Association still does not wish to be realigned with the main campus of Louisiana State University nor subject to governance as a student organization and finds no reasonable basis for or benefit from such action.

THEREFORE, BE IT RESOLVED that the LSU Law Student Bar Association does formally recognize the autonomy of the LSU Law Student Bar Association as an independent corporate entity, entirely separate from the Louisiana State University Paul M. Hebert Law Center and Louisiana State University’s main campus.

THEREFORE, BE IT FURTHER RESOLVED that the LSU Law Student Bar Association does herby express an intent to remain an independent corporate entity, entirely separate from the

campus.

MOTION BY Damian Olvera SECONDED BY Madeleine Murphy

UNANIMOUSLY APPROVED BY VOTING OFFICERS

Dylan Scully – Executive Vice President Katie Gonsoulin – Executive Secretary Andrew Hughes – Executive Treasurer Austin Pottorff – 3L Class President Meghan Falcon – 3L Class Vice President Heidi Bieber – 3L Class Secretary

Sarah Tadros – 3L Class Representative Madeleine Murphy – 3L Class Representative Neyah Johnson – 2L Class President

Damian Olvera – 2L Class Vice President

Chrissie Davidson – 2L Class Secretary Ryan York – 2L Class Representative Alaysia Johnson – 1L Class President

Mekkah Husmadeen – 1L Class Vice President Rayni Amato – §1-1L Class Representative Ansley Sumner – §2-1L Class Representative Diamond McCray – §3-1L Class Representative

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Description automatically generated with medium confidence**SIGNED**

Alex Domingue, Executive President