

# NEW ENGLAND LAW | BOSTON STUDENT BAR ASSOCIATION



## BYLAWS

### CHAPTER 1 - PURPOSE

These By-laws are to be interpreted in light of the Student Bar Association (hereinafter “SBA”) Constitution and shall act as a supplement to that Constitution by providing procedures for the Student Bar Association to employ.

### CHAPTER 2 - DEFINITIONS

1. Absences
  - a. Excused absence: Any absence of which the President or a Vice President has been notified prior to the scheduled meeting, and deemed to be excused in the President or Vice-Presidents’ discretion.
  - b. Unexcused absence: Any absence that is not an excused absence as defined above.
2. Academic Year: The period dating from the first day of Fall classes to the last day of Spring classes, unless otherwise specified by the law school.
3. Board of Representatives: The legislative body consisting of two representatives elected for each section.
4. Consent: A majority vote of the General Assembly which formally recognizes an executive action.
5. Evening Division Liaison: a Member, preferably from the Evening Division, who shall be responsible for representing the interests of evening division students to the executive board of a student group. This officer may hold other offices within the Group.
6. Executive Board: The executive body of the Student Bar Association consisting of those officers listed in Article V § 1 of the Constitution.
7. General Assembly: The assembled body of the Student Bar Association consisting of the Executive Board and the Board of Representatives.
8. Law School: The New England School of Law Board of Trustees, or the Dean of New England School of Law and his administration, employees and designates, acting in their official capacity.
9. Member in Good Standing: Any Voting Member of the General Assembly, who is still enrolled in classes, has not been impeached, has two or fewer “unexcused” General Assembly absences, and is a Student in Good Standing as defined by the student handbook.
10. Quorum: Two-thirds (2/3) of all elected SBA Voting Members in good standing.
11. Student Bar Association Gallery: Non-voting Members of the Student Bar Association.
12. Student Group: Any social club, honor society, fraternal organization, or other group operated by Members and formally recognized as an organization by the Student Bar Association.

## **CHAPTER 3 – EXECUTIVE OFFICERS**

### 1. President

- a. The President shall oversee the day to day operations of the Student Bar Association.
- b. The President shall be the primary representative of the student body to the administration of the Law School.
- c. The President shall have signatory powers on the Student Bar Association bank accounts.
- d. The President shall sit on the Budget committee pursuant to Article VIII § 1 of the Constitution.
- e. The President shall be responsible for scheduling all meetings of the Student Bar Association by giving all members at least seventy two (72) hours notice of the time and place of the meeting. If the President deems necessary, he/she may call for emergency meetings by giving only twenty four (24) hours notice.
- f. The President shall communicate with the Office of the Dean of the law school on a regular basis, but not less than once per month, during the academic year to discuss the concerns of the student body.
- g. The President shall publicize and make available applications for all open committee positions at the beginning and end of the academic year. The President shall select committee chairpersons from the pool of applicants as he/she deems qualified, then shall forward the remaining applications to their respective committee chairpersons for membership selection.
- h. The President shall issue executive orders as necessary and in accordance with Chapter 5 herein.
- i. The President shall ensure that all Student Groups are provided with copies of these Bylaws and relevant SBA policies.
- j. The President or his or her proxy shall attend the Annual Meeting of the Law Student Division of the American Bar Association in the summer preceding the academic year for which the President was elected, and both the Fall Roundtable and the Spring Conference of the First Circuit of the same, and shall participate in activities, vote, and represent New England School of Law as is expected by the Law Student Division.
- k. President shall hire and supervise an Administrative Assistant to the Student Bar Association

### 2. Vice President – Day Division

- a. The Day Division Vice President, in conjunction with the President, shall determine the duties of this office.
- b. In the absence of the President or in the event that the President is unable to complete his/her term, the Day Division Vice President shall have the option to seek ascension to the office of President, under the conditions of Art. XII, § 1 of the Student Bar Association Constitution.
- c. The Day Division Vice President shall sit on the Budget committee pursuant to Article VIII § 1 of the Constitution.
- d. The Day Division Vice President, in conjunction with the Evening Division Vice President and President, shall supervise and communicate with all committee heads on behalf of the Executive Board.

3. Vice President – Evening Division

- a. The Evening Division Vice President, in conjunction with the President, shall determine the duties of this office.
- b. In the absence of the President or in the event that the President is unable to complete his/her term, the Evening Division Vice President shall have the option to seek ascension to the office of President, under the conditions of Art. XII, § 1 of the Student Bar Association Constitution.
- c. The Evening Division Vice President shall sit on the Budget committee pursuant to Article VIII § 1 of the Constitution.
- d. The Evening Division Vice President, in conjunction with the Day Division Vice President and President, shall supervise and communicate with all committee heads on behalf of the Executive Board.

4. Treasurer

- a. The Treasurer shall be responsible for the accounting and management of the Student Bar Association funds.
- b. The Treasurer is responsible for the maintenance of the SBA bank account and shall have signatory powers thereon.
- c. The Treasurer shall establish guidelines for the budget process prior to the commencement of the academic year. The Treasurer shall consult with the Executive Board in the development of said guidelines.
- d. The Treasurer shall, at the beginning of the Fall semester, form and establish the Budget Committee, serving as chairperson thereof, in accordance with Chapter 6 of these Bylaws and Article VIII of the Constitution.
- e. The Treasurer shall appoint four (4) students, at least one from each division, to serve on the Budget Committee.
- f. The Treasurer shall report regularly to the General Assembly on the status and balance of the SBA Treasury, and shall report with particularity on the expenditure of all funds and the balance of all accounts at the first meeting of the General Assembly in each semester.
- g. The Treasurer shall make check request forms publicly available.
- h. The Treasurer shall make all records of the SBA Treasury available for review by any Member who requests it.

5. American Bar Association Delegate

- a. Any American Bar Association Delegate, or candidate therefore, shall be a current member of the Law Student Division of the American Bar Association.
- b. The American Bar Association Delegate, in conjunction with the President, shall determine the duties of this office.
- c. The American Bar Association Delegate shall represent New England School of Law in the Law Student Division of the American Bar Association, and shall participate in the operations of the First Circuit as it may require.
- d. The American Bar Association Delegate shall promote and communicate the goals, objectives, benefits, initiatives, and events of the Law Student Division of the American Bar Association to the student body.
- e. The American Bar Association Delegate shall solicit and promote membership in the Law Student Division of the American Bar Association and the Student Bar Association.

- f. The American Bar Association Delegate shall coordinate as necessary and appropriate with the Vice Chair of the Law Student Division of the American Bar Association and the Lieutenant Governor of ABA Representatives in the First Circuit thereof.
- g. The American Bar Association Delegate or his or her proxy shall attend the Annual Meeting of the Law Student Division of the American Bar Association in the summer preceding the academic year for which the Delegate was elected, and both the Fall Roundtable and the Spring Conference of the First Circuit of the same, and shall participate in activities, vote, and represent New England School of Law as is expected and required by the Law Student Division of the American Bar Association.

#### **CHAPTER 4 – THE BOARD OF REPRESENTATIVES**

1. All Representatives shall represent the interests of their constituencies, and advocate for those interests in assembly.
2. All Representatives shall serve scheduled office hours, or shall find another Voting Member to serve the same, and shall only be excused from such service by the President or his or her designate.
3. All Representatives are strongly encouraged to serve on at least one committee of the Student Bar Association or of the Faculty, or in an Executive Office.
4. All Representatives shall make class announcements on important matters as requested by the President or the Communications Committee, in a manner most effective to communicate those messages to the entire class.

#### **CHAPTER 5 – EXECUTIVE ORDERS**

1. The President is duly authorized to issue Executive Orders on all matters not otherwise delegated in the Constitution or these Bylaws. Such Orders, upon issuance in writing, shall be binding upon the Student Bar Association and carry the full force of a resolution of the General Assembly.
2. The President may issue Executive Orders, including but not limited to, those which:
  - a. Assign additional administrative duties to officers of the Executive Board;
  - b. Create special administrative offices, subject to the consent of the General Assembly;
  - c. Create and disband SBA committees and assign all duties thereto;
  - d. Establish joint committees with the administration and appoint delegates thereto; and
  - e. Make interim appointments during recesses of the General Assembly.
3. The President shall, upon issuance, promptly communicate Executive Orders to the General Assembly.
4. Any Representative may call into question an Executive Order. If such objection is raised during a meeting of the General Assembly, the agenda shall be amended to permit a debate and vote on the constitutionality of the Executive Order. If objection is raised in writing at any other time, the matter shall be added to the agenda of the next meeting of the General Assembly for debate and vote. A vote of the General Assembly shall constitute rescission of such Order, as governed by Article 10 of the Student Bar Association Constitution.

## **CHAPTER 6 - BUDGET**

### 1. General

- a. Any Student Group requesting funds from the SBA shall comply with all aspects of the budgetary process as outlined herein.
- b. Any Student Group seeking funds from the SBA shall meet the following requirements:
  - i. The group must be formally recognized and eligible to receive funds in accordance with Chapter 7 of these Bylaws and as required by the Constitution.
  - ii. The group shall maintain and uphold a policy of nondiscrimination equal to that policy stated in Art. IV, § 2 of the Constitution.
  - iii. The group shall elect or appoint an Evening Division Liaison to its executive board in accordance with the group's own constitution and bylaws.
  - iv. The presiding or financial officer of the group shall attend a mandatory budget information session.
- c. Any executive appropriations shall be approved only by a majority vote of the General Assembly and shall be accompanied by a brief summary explaining the substance of the requested expenditures.
- d. No disbursements of funds from the SBA Treasury shall be made to any group that fails or ceases to comply with these requirements.

### 2. Schedule

- a. The Treasurer shall direct the budget process, in accordance with a schedule set by him or her and not exceeding the time limitations herein, in the following steps:
  - i. Not later than August 1, the Treasurer shall notify the presiding or financial officers of record of all groups of the budgetary guidelines and procedures contained herein.
  - ii. By the third day of classes in the academic year, the Treasurer shall set and publish a timeline for the current budget process.
  - iii. By the end of the second week of the academic year, the Treasurer shall have conducted two mandatory information sessions, one for each division, outlining all aspects of the budget process.
  - iv. The Treasurer shall establish a deadline for budget submissions that is within a period of ten (10) days of the final mandatory information session.
  - v. No later than the Sunday following the fourth week of the academic year, the Budget Committee shall hold open hearings in which the financial or presiding officer of all groups with validly submitted budget proposals shall present and answer questions on their proposals as required by the Committee.
  - vi. The Budget Committee shall render final determinations and make available to the General Assembly a completed budget proposal not later than the last day of September.
  - vii. Upon approval of the Budget by the General Assembly, the Treasurer shall notify all groups, executive offices, and committees of their approved budgets. All funds shall be retained by the Treasury until such time that they are requested by the organization.

### 3. Trial Appropriations

- a. Prior to the completion of the budget process, any student group, committee, or executive office may request a trial appropriation from the SBA Treasury, not to exceed five-hundred dollars (\$500).
  - i. Prior to the formation of the Budget Committee, the Treasurer shall have full discretion to grant such requests.
  - ii. With the concurrence of the President, the Treasurer shall allocate funds in any amount deemed necessary, for the use of the Executive Board. In the event of a disagreement between the President and Treasurer, the Executive Board shall vote to determine the allocation and amount of such funding.
  - iii. The Budget Committee, once formed and convened, shall have discretion over all requests exceeding two hundred fifty dollars (\$250).

### 4. Treasury Procedures

- a. Minutes shall be taken at all meetings of the budget committee by the SBA Secretary, or if unavailable, a designate of the Treasurer, and shall be made publicly available.
- b. In all matters before the Budget Committee relating to an organization in which a member is involved, said member(s) shall abstain from voting on that matter.
- c. Approval of the Budget:
  - i. The budget as a whole must be approved by a majority of all voting members of the General Assembly and may not be amended on the floor.
  - ii. The rejection of a budget by the General Assembly requires the Treasurer and the Budget Committee reconvene within one (1) week, and draft a new proposal which shall be resubmitted to the General Assembly at a special meeting called by the President.
- d. Groups may request that checks be made out directly to a vendor upon submission of an invoice by the vendor beforehand and submission of a receipt afterward. Otherwise, groups may request reimbursement for approved expenses upon submission of an itemized receipt from the vendor.
  - i. Non-itemized credit card receipts are not sufficient for reimbursement.
  - ii. All requests for reimbursement must be made prior to commencement of that year, unless leave is granted by the Treasurer for additional time.
- e. Funds allocated to a group shall be spent on the event for which they were requested and during the semester for which they were allocated.
  - i. With the approval of the Treasurer, a Student Group may reallocate funds within their budgeted allotment to other events, including those which may be sponsored by another Student Group.
  - ii. Funds that are not spent on an approved event will be forfeited to the Supplemental Fund for reallocation.

### 5. Budget Criteria

- a. When allocating funds among Student Groups, the Budget Committee *shall* consider:
  - i. the history of the group's activities and contributions to the student body;
  - ii. the merits of the proposed activities and budgets;
  - iii. the group's current balances in all non-SBA accounts and projected outside funding for the current year; and
  - iv. the group's stated funding priorities.
- b. When allocating funds among Student Groups, the Budget committee *may* consider
  - i. the number of a student group's active members;

- ii. the willingness and/or ability of the group to contribute to the group's financing through fundraising or the collection of dues; and
      - iii. the group's funding levels in previous years.
    - c. When allocating funds among Student Groups, the Budget Committee shall *not* provide funds for:
      - i. student travel;
      - ii. "miscellaneous" expenses;
      - iii. food at meetings other than the organization's initial meeting; and
      - iv. fundraising events that financially benefit the organization.
    - d. The final budget shall consist of itemized allocations as deemed appropriate for Student Groups, an Executive Fund to be used at the discretion of the Executive Board, a fund for Executive Offices and SBA Committees, and a Supplemental Fund of an amount deemed necessary to account for and fulfill future supplemental requests.
    - e. The Treasurer shall be authorized to issue budgetary guidelines consistent with these Bylaws and the Constitution. All such guidelines shall be read into the minutes of the first meeting of the Budget Committee.
6. Supplemental Budget Requests
- a. Any student group, executive office, committee, or Voting Member may request supplemental funds, provided their use is consistent with all funding limitations imposed upon the original budget process.
  - b. The Treasurer shall have discretion over minor supplemental funding requests of two hundred fifty dollars (\$250) or less.
  - c. Any requests exceeding two hundred fifty dollars (\$250) shall require a reconvention of the Budget Committee.
  - d. Any student group, executive office, committee, or Voting Member which has been denied funding within the Treasurer's discretion may appeal that denial to the Budget Committee. The Budget Committee shall convene for such matters and shall have final appellate discretion.

## **CHAPTER 7 – STUDENT GROUPS**

1. All groups shall adhere to the rules, policies, procedures, and decisions established by the Student Bar Association, its appointed officers, and the Law School. Any decision made by an agent of the Student Bar Association, or any ruling thereon, shall be appealable to the President.
2. All groups which have been recognized in the previous academic year shall receive continued recognition with each successive year provided:
  - a. They verify that their Mission Statement and Constitution, as well as any national Constitution, Charter, or policies that may be binding upon them, are on file with the Executive Board not later than the fifteenth day of September of that academic year.
  - b. They submit contact information for a presiding officer, and evening division liaison and financial officer, should they be seeking funds, to the Executive Board of the Student Bar Association not later than the fifteenth day of September of that academic year.
  - c. They hold an open meeting of the club's membership not later than the last day of October of that academic year.

3. Any club failing to meet these criteria without cause shall lose recognition as a sponsored organization of the Student Bar Association, and shall be ineligible for submission of a budget.
4. For good cause, the President of the Student Bar Association may grant leave to comply with any or all of the above provisions, to any group that shall request it.
5. The procedure for admission of any new group, or for readmission of any previously recognized group, shall be as follows:
  - a. The presiding officer of the proposed Student Group shall submit to the Student Bar Association a mission statement for the proposed club and organization, as well as any national constitution, charter or policies to which it would be bound, and shall request a resolution to accept the group as a probationary member of the Student Bar Association.
  - b. On the passage of such resolution, the Student Group shall have full access to SBA resources, and may request trial appropriations on an individual case basis; however it shall be unable to propose a budget.
  - c. The group shall hold at least one meeting, shall ratify a constitution with the support of two-thirds of its membership, shall elect or otherwise designate a presiding officer, financial officer, and evening division liaison, and shall enlist a willing faculty sponsor.
  - d. Upon the completion of these conditions, the presiding officer of the group shall submit to the Executive Board of the Student Bar Association its ratified constitution, and may petition the general assembly for full recognition of the group therein constituted.
  - e. Approved groups shall be entitled to make supplemental budget requests on an individual case basis notwithstanding their ineligibility for a budget.
6. Revocation or alteration of recognition
  - a. Any action to alter or revoke a student group's recognition by the Student Bar Association must be effectuated by resolution of the Student Bar Association passed subsequent to a hearing as to the merit of such alteration or revocation before the General Assembly.
    - i. Full revocation of a group's recognition shall require a two-thirds (2/3) majority vote of the General Assembly.
    - ii. Any other resolution shall require a simple majority.
  - b. Any Group subject to such a resolution shall receive not less than ten (10) days notice of the hearing, and shall be afforded the opportunity to present evidence in their defense.
  - c. Such a hearing may only be convened on the motion of the General Assembly.

## **CHAPTER 8- ELECTIONS**

1. There shall be a standing Elections Committee of the Student Bar Association, which shall be responsible for the publication, conduct, and certification of all SBA elections.
2. Any Member who will not be seeking election to any SBA office shall be eligible to be a member of the Elections Committee, subject to appointment by the chairperson.
3. Any Member may become a candidate for office by submitting a nomination petition signed by the constituents of that office by a deadline established by the committee. Nomination for the Board of Representatives shall require twenty five (25) signatures; nomination for any Executive Board office shall require fifty (50) signatures.

4. The committee shall establish such regulations regarding the conduct of the elections and campaigning as it deems necessary, and shall inform the candidates of all pertinent regulations.
5. On the day of elections, the committee shall permit each candidate to speak for equal time before those students voting for that office, prior to the distribution of ballots.
6. All candidates for contested positions shall be elected by plurality vote. All candidates for uncontested positions shall assume office automatically.
7. No write-in votes shall be considered in the outcome of any election.
8. All ballots shall be counted at least twice, each discrepancy resolved by a third count, and the results of these tallies shall be certified by the committee chairperson to the President of the Student Bar Association. The ballots shall be sealed and stored in a secure location for a period of not less than ninety (90) days, during which time any Member shall be entitled to review the ballots under the supervision of a member of the Committee.

## **CHAPTER 9 – STATUTORY REVISIONS**

1. Any Voting Member of the SBA may draft a new bylaw and submit it to the General Assembly in resolution form.
2. The bylaws shall be reviewed biannually along with the Constitution.

## **CHAPTER 10 – COMMUNICATIONS**

1. If a resolution, executive order, or other SBA communication includes a call for it to be published to the Members, it shall be done so by posting a copy of the resolution along with a paragraph in plain English explaining the purpose of the resolution. A copy will be posted on the bulletin board outside the SBA office and any other SBA managed bulletin boards, including electronic, that are deemed appropriate. In conjunction or as an alternative, the communication can be published by email or by announcement if specified within the communication. Further, a copy will be provided to Due Process, and the staff of which will decide whether to include it in their publication.
2. The SBA Administrative Assistant will be responsible for publishing these communications, with the exception of performing class announcements.
3. Under special circumstances this publication process may be altered for any individual communication by a majority vote of quorum of the SBA General Assembly.