CONSTITUTION OF THE SOUTHERN METHODIST UNIVERSITY
DEDMAN SCHOOL OF LAW STUDENT BAR ASSOCIATION

MODIFICATION HISTORY
- After 10th Amendment (August 24, 2016)
- After 9th Amendment (April 20, 2016)
- After 8th Amendment (March 24, 2016)
- After 7th Amendment (November 18, 2015)
- After 6th Amendment (April 16, 2014)
- After 5th Amendment (April 3, 2013)
- After 4th Amendment (January 28, 2013)
- After 3rd Amendment (April 3, 2007)
- After 2nd Amendment (April 6, 2005)
- After 1st Amendment (September 22, 2004)

Article I – NAME

The name of the organization shall be the “Southern Methodist University, Dedman School of Law, Student Bar Association” (“SBA”).

Article II – MEMBERSHIP

Membership shall include all students enrolled in the Southern Methodist University (“SMU”), Dedman School of Law.

Article III – OBJECTIVES

The objectives of the SBA shall be to advance the best interests of legal education; to actively support and institute, when necessary, procedures and practices for the betterment of the SMU Dedman School of Law; and to promote the academic, professional and social well-being of the students of the SMU Dedman School of Law. The SBA and all student organizations receiving funds from the SBA shall make reasonable efforts to comply with Standard 301(b) of the ABA Standards for Approval of Law Schools and Interpretations, which states: “A law school shall ensure that all students have reasonably comparable opportunities to take advantage of the school’s educational program, co-curricular programs, and other educational benefits.”

Article IV - THE VOTING COUNCIL

Section 1 - Definitions

For purposes of interpreting this Constitution:
(a) The terms 1L, 2L, and 3L shall only pertain to students enrolled in the J.D. Day Program at the Dedman School of Law, and shall retain their traditional meanings.
(b) The terms 1E, 2E, 3E, and 4E shall only pertain to students enrolled in the J.D. Evening Program, and shall have the following meanings:
   (i) 1E – Any Evening Program student who has not completed two semesters at the law school;
   (ii) 2E – Any Evening Program student who has completed at least two semesters, but not more than four semesters;
   (iii) 3E – Any Evening Program student who has completed at least four semesters, but not more than six semesters;
   (iv) 4E – Any Evening Program student who has completed at least six semesters.

(c) The term LLM shall only pertain to students enrolled in the Masters of Law Program at the Dedman School of Law, and shall retain its traditional meaning.

(d) The term SJD shall only pertain to student enrolled in the Doctor of the Science of Law Program at the Dedman School of Law, and shall retain its traditional meaning.

(e) No regard shall be given to summer semesters for purposes of Section 1(b) of this Article.

Section 2 - Organization
The governing body of the Student Bar Association shall be the Voting Council, which shall be composed of the following members:

(a) Executive Committee:
   (i) President of the SBA;
   (ii) Vice President of the SBA;
   (iii) Secretary of the SBA; and
   (iv) Treasurer of the SBA.

(b) Voting Council:
   (i) One 3L class representative for each 3L class section;
   (ii) One 2L class representative for each 2L class section;
   (iii) One 1L class representative for each 1L class section;
   (iv) One 4E class representative for each 4E class section;
   (v) One 3E class representative for each 3E class section;
   (vi) One Transfer Student Committee Representative for all Transfer students
   (vii) One LLM and SJD class representative;
   (viii) One representative of the Law Student Division of the American Bar Association (“ABA”);
   (ix) One representative of the Law Student Division of the Texas Bar Association (“TBA”);
   (x) One student representative to the Dallas Bar Association (“DBA”);
   (xi) One student representative to the Federal Bar Association (“FBA”);
   (xii) All of the Law School representatives to the SMU Student Senate that the Law School is entitled to send (“Law Senators”);
   (xii) Any Law School representative to the SMU Student Senate who is elected or becomes an officer of the SMU Student Senate or of the SMU Student Body during the term to which they were elected; and
(xiv) Any student of the Law School who is elected or becomes (1) an Officer of the SMU Student Senate or of the SMU Student Body, (2) a Senator of the SMU Student Senate holding a non-Law Senator position, or (3) who becomes the Student Member of the SMU Board of Trustees, provided that they have previously served, at a minimum, one semester as a member of the Voting Council of the Student Bar Association or are confirmed as a member of the Voting Council by a majority vote of the Voting Council.

(xv) In the event that any class section entitled to a representative under Article IV Sections 2(b)(i)-(vii) of this Constitution does not have any students enrolled in a given school year the position or positions will be left vacant until the next school year for which a corresponding class for that section is enrolled. Any such vacant position will not be filled by the Voting Council vacancy filling procedures and will not be factored into any Voting Council quorum requirement.

(c) Voting Council Membership Limitation:
   (i) No person shall hold more than one position on the Voting Council of the Student Bar Association, except as provided below.

   (1) In the event that a vacancy should arise in one of the Law School representative to the SMU Student Senate seats elected under Article IV Section (2)(xiii) of this Constitution the President shall have the ability to nominate any member of the Voting Council, including themselves, to fill the position on an ad interim basis, subject to confirmation by a majority vote of the Voting Council, until the vacancy filling procedure provided for in Article IX Section 3 of this Constitution can be implemented.

   (2) No person serving as an ad interim Law School representative to the SMU Student Senate shall receive an extra vote by virtue of their holding the position of Law School representative to the SMU Student Senate on an ad interim basis.

   (3) If an ad interim Law School representative to the SMU Student Senate fails to resign from the SMU Student Senate upon the completion of the regular vacancy filling procedure provided for in Article IX Section 3 of this Constitution then both of their positions on the Voting Council shall automatically become vacant and they shall be barred in the future from standing for election for any position elected under this Constitution.

   (a) Article IV Section 2(c)(3) of this Constitution shall not apply if an ad interim Law School representative to the SMU Student Senate is confirmed, according to the procedure provided for in Article IX Section 3 of this Constitution, on a permanent basis to the vacant Law School representative to the SMU Student Senate, provided they immediately resign from their other position on the Voting Council of the Student Bar Association.

Section 3 – Powers
Subject to any limitations imposed by this Constitution, the Voting Council shall have the power to perform any function that promotes the objectives of the SBA, including, but not limited to, the power to:

(a) Receive, manage and disburse, for the benefit of the students of the Dedman School of Law, any funds received by the SBA;

(b) Act in the name of the SBA members in any capacity when the Voting Council considers it advisable to do so;

(c) Plan and execute any activity designed to promote the academic, professional or social well-being of the students of the Dedman School of Law; and

(d) Create and maintain By-Laws for the SBA.
   (i) The By-Laws shall include the following:
       (1) Budget and finance procedures;
       (2) A system to formally recognize organizations falling under the authority of the SBA;
       (3) Election procedures; and
       (4) Other procedures and guidelines necessary to the operation of the SBA.
   (ii) By-Laws shall be approved and amended by a two-thirds majority of the Voting Council.

Section 4 – Meetings

(a) The SBA President shall be responsible for organizing meetings of the Voting Council;

(b) Regular meetings of the Voting Council shall be held at least once every two weeks when classes are in session;

(c) Special meetings of the Voting Council may be called by the President or by a majority of the members of the Voting Council;

(d) An emergency vote by email may be called during a regular or special meeting by a two-thirds majority of the Voting Council. An emergency vote by email may be used only on legislation that has been before the Voting Council for at least one week. An emergency vote by email must be open for 24 hours. The results of an emergency vote by email are valid only if two-thirds of Voting Council members vote. An individual vote shall be valid only if the vote is received by the President during the scheduled time period for voting and the vote is copied by email to all voting members of the Voting Council;

(e) Members of the Voting Council and the Dedman School of Law student body shall be given at least three school days notice of all regular meetings and reasonable notice of all special meetings; and

(f) Meetings of the Voting Council shall be open to all students and all students shall be permitted to speak about any issue before the Voting Council in accordance with regular meeting procedure in this Section. The Voting Council may, however, elect to meet in an executive session upon the concurrence of two-thirds of the voting members present.
Section 5 – Quorum

(a) One more than one-half of the members of the Voting Council, physically present, shall constitute a quorum. No Voting Council action may be taken without a quorum.
(b) For an emergency vote by email, the receipt of votes from two-thirds of the members of the Voting Council shall satisfy the quorum requirement in Section 4(a) of this Article.

Section 6 – Voting

(a) All actions by the Voting Council shall require a majority vote of the members present, unless otherwise provided for in this Constitution;
(b) All members of the Voting Council, except the President, shall have one vote. The President shall vote only in case of a tie;
(c) Appointed Committee Chairs and members of the Honor Council shall not have a vote;
(d) The Voting Council shall not vote by secret ballots.
(e) Except as provided by Article IV, Section 4(d), absentee votes shall not be allowed. Voting by proxy shall not be allowed.

Section 7 – Procedure

(a) The President, or in his/her absence, the Vice President, shall preside at all meetings of the Voting Council, and
(b) The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Voting Council in all cases to which they are applicable and in which they are not inconsistent with the Constitution, By-Laws, and any special rules of order the Voting Council may adopt.

Section 8 – Legislation

Only Voting Council members may submit Legislation to the Voting Council.

Section 9 - Constitutional Disputes

(a) Any disputes concerning the interpretation of this Constitution shall first be submitted to the Vice President in his or her capacity as Parliamentarian.
(b) Any ruling of the Parliamentarian may be appealed to a Rules Tribunal made up of members of the Voting Council that will rule on disputes concerning the interpretation of this Constitution, and any other governing documents of the SBA, such as the SBA Bylaws. Its membership shall include the President and three Voting Council Representatives elected by the Voting Council at its first meeting following inauguration. Any member of the Rules Tribunal that has a conflict of interest regarding the interpretation any of the above documents shall recuse themselves, and a substitute member shall be elected by the Voting Council. Interpretations of the Rules Tribunal may be contested only on the basis of improper participation of the Rules Tribunal by a
member. All challenges under this provision shall be taken up by the full Voting Council who may affirm, amend, or reject the interpretation submitted by the Rules Tribunal.

**Article V - DUTIES AND QUALIFICATIONS OF MEMBERS OF THE COUNCIL**

**Section 1 – President**

The President shall have completed a minimum of 42 credit hours in the Dedman School of Law and become a member of the ABA before taking office. The President shall supervise the Executive Committee and the Voting Council. In meeting these responsibilities, the President shall:

(a) Preside at meetings of the SBA and the Voting Council;
(b) Call special meetings of the Voting Council whenever necessary;
(c) Serve as Chair of the Executive Committee;
(d) Appoint student members to any disciplinary committees established by the Dean or Disciplinary Council of the Dedman School of Law;
(e) Appoint student members, subject to the approval of the Voting Council by a two-thirds majority vote, as delegates to any organization outside the Dedman School of Law where there is otherwise no mechanism in existence for such appointments to be made;
(f) In the event that both the President and Vice President are to be absent or unable to perform their duties, appoint a member of the Voting Council to perform the duties of the President during the absence;
(g) Furnish the Secretary with a copy of all correspondence made on behalf of the Voting Council or the SBA by the President;
(h) Set and publish a written agenda on the SBA bulletin board 24 hours prior to any regular meeting;
(i) Appoint chairpersons and members of all committees subject to the provisions of Article VII; and
(j) Perform such other duties as may be necessary and proper to the foregoing.

**Section 2 - Vice President**

The Vice President shall have completed a minimum of 42 credit hours in the Dedman School of Law before taking office. The Vice President shall assist the President. In meeting this responsibility, the Vice President shall:

(a) Perform the duties of the President in the President's absence;
(b) Succeed to the office of President for the remaining portion of any unexpired term created by the vacation of that office for any reason;
(c) Act as parliamentarian for SBA and Voting Council meetings;
(d) Keep a copy of the current edition of Robert's Rules of Order Newly Revised, the SBA Constitution, and the SBA Voting Council by-laws available at all meetings of the Voting Council and the SBA;
(e) Monitor the operation, organization, and performance of all committees and subcommittees of the SBA and collect monthly reports from all committee chairs;
(f) Serve as a member of the Executive Committee and as Chair of the Screening Committee;

(g) Furnish the Secretary a copy of all correspondence made on behalf of the Voting Council or the SBA by the Vice President; and

(h) Perform such other duties as may be necessary and proper to the foregoing.

Section 3 – Secretary

The Secretary shall have completed a minimum of 11 credit hours in the Dedman School of Law before taking office. The secretary shall:

(a) Record and publish on the SBA bulletin board the minutes of the meetings of the SBA and of the Voting Council and Executive Committee;

(b) Maintain and publish on the SBA bulletin board a record of attendance for all meetings of the Voting Council;

(c) Maintain and publish on the SBA bulletin board a record of all roll call votes;

(d) Maintain a current record of e-mail addresses and telephone numbers of all members of the Voting Council;

(e) Serve as a member of the Executive Committee;

(f) Maintain a record of all business transactions and correspondence of the SBA and the Voting Council;

(g) Maintain and update the student activities board;

(h) Maintain and update a current copy of the SBA Constitution;

(i) Maintain a current copy of the Constitution, the SBA By-Laws, and minutes from all SBA Voting Council and Executive Committee meetings on reserve in the Underwood Law Library;

(j) Give notice to the Voting Council of any member of the Voting Council whose attendance has fallen below the threshold described in Article X, Section 1(a) at the first meeting following the date at which such member may be removed for cause under that section;

(k) Provide all members of the Voting Council and Committee Chairs with a copy of the Constitution at the first meeting of the Voting Council after elections;

(l) Keep SBA members informed and updated on SBA activities and events; and

(m) Perform such other duties as may be necessary and proper to the foregoing.

Section 4 – Treasurer

The Treasurer shall have completed a minimum of 11 credit hours in the Dedman School of Law before taking office. The Treasurer shall:

(a) Serve as Comptroller for the SBA;

(b) Prepare the budget for the SBA on a fiscal year basis in accordance with Article VIII;

(c) Collect all monies due to the SBA;

(d) Provide for safekeeping of all money held by the SBA;

(e) Disperse the funds of the SBA when authorized to do so by the Voting Council or by the Executive Committee as provided by Article VII, Section 4(a);

(f) Serve as a member of the Executive Committee and as Chair of the Finance Committee;
(g) Render a current written financial summary once a semester and when requested by the Voting Council;
(h) Maintain a roster of the presidents and treasurers of all organizations receiving funding through the Voting Council;
(i) Furnish the Secretary a copy of all correspondence made on behalf of the Voting Council or SBA by the Treasurer; and
(j) Perform such other duties as may be necessary and proper to the foregoing.

Section 5 – Class Representatives

(a) The 3L Representatives shall be members of the 3L class and shall have completed a minimum of 42 credit hours at the Dedman School of Law before taking office.
(b) The 2L Representatives shall be members of the 2L class and shall have completed 12 credit hours at the Dedman School of Law before taking office.
(c) The 1L Representatives shall be members of the 1L class at the Dedman School of Law elected in his/her first semester of Law School.
(d) The 4E Representative shall be a member of the 4E class and shall have completed 52 credit hours at the Dedman School of Law before taking office.
(e) The 3E Representative shall be a member of the 3E class and shall have completed 31 credit hours at the Dedman School of Law before taking office.
(f) The 2E Representative shall be a member of the 4E class and shall have completed 11 credit hours at the Dedman School of Law before taking office.
(g) The 1E Representative shall be a member of the 1E class at the Dedman School of Law elected in his/her first semester of Law School.
(h) The LLM and SJD Representative shall be enrolled in a non-J.D. program at the Dedman School of Law elected at the same time as the 1L and 1E representatives.
(i) Class Representatives shall:
   (i) Serve as members of the Voting Council;
   (ii) Serve as members of any standing or special committee to which they are appointed;
   (iii) Perform other such duties as may be deemed necessary by a two-thirds vote of the Voting Council; and
   (iv) Perform such other duties as may be necessary and proper to the foregoing.

Section 6 - Student Representative to the Law Student Division of the American Bar Association

The Student Representative to the Law Student Division of the ABA shall have completed a minimum of 11 credit hours at the Dedman School of Law and become a member of the ABA before taking office. The Student Representative shall:
(a) Serve as a member of the Voting Council;
(b) Serve as a member of any standing or special committee to which he/she is appointed;
(c) Represent the best interests of the students of the Dedman School of Law to the ABA;
(d) Actively encourage and provide a means for students to join the ABA; and
(e) Perform such other duties as may be necessary and proper to the foregoing.

Section 7 - Student Representative to the Law Student Division of the Texas Bar Association

The Student Representative to the Law Student Division of the TBA shall have completed a minimum of 11 credit hours at the Dedman School of Law and become a member of the TBA before taking office. The Student Representative shall:
   (a) Serve as a member of the Voting Council;
   (b) Serve as a member of any standing or special committee to which he/she is appointed;
   (c) Represent the best interests of the students of the Dedman School of Law to the Texas Bar Association;
   (d) Actively encourage and provide a means for students to join the Texas Bar Association; and
   (e) Perform such other duties as may be necessary and proper to the foregoing.

Section 8 - Student Representative to the Dallas Bar Association

The Student Representative to the DBA shall have completed a minimum of 11 credit hours at the Dedman School of Law and become a member of the DBA before taking office. The Student Representative shall:
   (a) Serve as a member of the Voting Council;
   (b) Serve as a member of any standing or special committee to which he/she is appointed;
   (c) Represent the best interests of the students of the Dedman School of Law to the DBA;
   (d) Actively encourage and provide a means for students to join the DBA; and
   (e) Perform such other duties as may be necessary and proper to the foregoing.

Section 9 - Student Representative to the Federal Bar Association

The Student Representative to the FBA shall have completed a minimum of 11 credit hours at the Dedman School of Law and become a member of the FBA before taking office. The Student Representative shall:
   (a) Serve as a member of the Voting Council;
   (b) Serve as a member of any standing or special committee to which he/she is appointed;
   (c) Represent the best interests of the students of the Dedman School of Law to the FBA;
   (d) Actively encourage and provide a means for students to join the FBA; and
   (e) Perform such other duties as may be necessary and proper to the foregoing.

Section 10 - Law School Representatives to the SMU Student Senate

The Law School Representatives to the SMU Student Senate shall have completed a minimum of 11 credit hours at the Dedman School of Law before taking office. The Law School
Representatives, as well as any persons entitled to sit on the Voting Council via Article IV Section 2(b)(xiv) or Article IV Section 2(b)(xv) of this constitution, shall:

(a) Serve as a member of the Voting Council;
(b) Serve as a member of any standing or special committee to which they are appointed;
(c) Represent the best interests of the students of the Dedman School of Law to the SMU Student Senate;
(d) Submit oral reports as necessary; and
(e) Perform such other duties as may be necessary and proper to the foregoing.

Article VI – HONOR COUNCIL

Section 1 – Membership

The Honor Council shall consist of three elected primary representatives and one alternate representative, elected pursuant to Article IX.

Section 2 – Jurisdiction

(a) The purpose of the Council shall be to adjudicate actions arising under the SBA Constitution against the SBA, one of its committees, one of its members, or any complaint brought against a student for academic dishonesty.

(b) If an action concerns an SBA committee, the complaint should first be brought before that committee. If the matter is not resolved within the committee, the action may be appealed to the SBA Voting Council. If still unresolved, the action may be appealed to the Honor Council. The Council may decide to hear a complaint if a majority of the Council determines that there has been a clear abuse of discretion on the part of the SBA, one of its committees, or one of its members.

(c) Additionally, the Council may review any case when academic dishonesty has been alleged against a student by a professor, student, or administrator.
   i) The Council may review evidence and testimony presented by the individual(s) who initially brought the allegations of academic dishonesty against the student.
   ii) The student under review will be given an opportunity to present evidence and testimony to the Council on his or her own behalf.
   iii) The Honor Council will then vote on a course of action. Any vote to punish the student under review must be a unanimous decision by the Honor Council.
   iv) The Council will then make a ruling and present a recommendation to the Dean of Students suggesting punishment for the student under review.

Section 3 – Duties.

The Honor Council shall:

(a) Have appellate jurisdiction in all cases arising under the SBA Constitution, including,
but not limited to, resolving constitutional disputes resolved by the SBA Vice President under Article V Section 2(c) of this Constitution;
(b) Have primary jurisdiction in all cases involving academic dishonesty, under the appellate review of the Dean of Students; and 
(c) Take no formal action without all members present.

Section 4 – Council Procedures

(a) The Honor Council shall adopt Council Procedures by a majority vote of the Council.
(b) The Procedures shall include:
   (i) Procedural rules that address petitions for review and the conduct of hearings; and
   (ii) Any other rules deemed appropriate by the Council.
(c) The Council shall cause the Council Procedures to be posted on the SBA website.

Article VII – COMMITTEES

Section 1 – Chair and Committee Members

(a) The Screening Committee shall be comprised according to Section 4(b) of this Article.
(b) Within 21 days of the general SBA elections or when any vacancy occurs in the position of Chair of any committee, the Chair of the Screening Committee and the Screening Committee Members, upon seven days public notice, shall screen and appoint applicants for the Committee or Subcommittee Chair. The President shall give final approval of appointments made under this Article.
(c) The President shall give at least seven days public notice to SBA members to apply for the committee(s). The Screening Committee will select and assign applicants to the various committees, except for the Finance Committee, which shall be selected according to Section 4(d) of this Article.

Section 2 - Appointed Committee Chairs

Appointed Committee Chairs shall:
   (a) Serve as Chair for the committee to which they are appointed;
   (b) Attend Voting Council meetings or give reports as necessary or as requested by the Voting Council; and
   (c) Perform such duties as may be necessary to the foregoing.

Section 3 - Committee Structure

(a) There shall be two types of committees, each of which may have subcommittees as deemed necessary by the Committee Chair or the President.
   (i) Standing Committees - Standing Committees shall continue concurrent with the full term of SBA Officers. Chairs shall be appointed at the beginning of the term of office of an incoming President, or when a vacancy occurs; and
(ii) Special Committees - Special Committees shall be created by the President whenever he/she deems necessary. Special Committees shall exist for such time as the President directs, or until the expiration of the appointing President's term of office.

(b) In addition to standing committees created by Section 4 of this Article, the Voting Council may create Standing Committees, as it deems necessary. All such committees shall be subject to the provisions of this Article.

Section 4 - Standing Committees

The following shall be the Standing Committees of the SBA:

(a) Executive. The President shall serve as Chair of the Executive Committee. Its members shall include only the President, Vice President, Secretary, and Treasurer of the SBA. This committee shall act for the Voting Council when, in the opinion of the President, the urgency of the situation or nature of the subject to be considered makes it impractical to call a meeting of the Voting Council. The Executive Committee shall have the authority, subject to the foregoing, to expend up to two hundred dollars ($200) without Voting Council action. Any such expenditure must be reported to the Voting Council at its next meeting. The Voting Council shall, by a two-thirds vote, have the power to terminate any action taken by the Executive Committee pursuant to this subsection. The Voting Council may delegate additional responsibility to the Executive Committee as it sees fit.

(b) Screening Committee. The Screening Committee shall consist of four members of the Voting Council. Screening Committee members shall be appointed by the President subject to approval by a majority of the Voting Council. The Vice President shall be the non-voting Chair of the Screening Committee.

(c) Publicity Committee. The Publicity Committee shall publicize events for the SBA and listed and chartered organizations in the Dedman School of Law.

(d) Finance. This committee shall prepare the budget of the SBA in accordance with Article VIII and make written recommendations to the Executive Committee concerning all major expenditures considered by the Voting Council. The slate for the Financial Committee members shall be submitted within 21 days of the general SBA elections and shall consist of three names from the 1L or 1E class, three names from the 2L or 2E class, and three names from the 3L or 3E class, and two names from the 4E class, and the slate of names shall be submitted to the President. One person from each class shall be selected to serve on the Finance Committee in the same manner as contained in Section 1 (b). The Treasurer shall be the Chair of the Finance Committee. The written recommendations and the final budget are to be published by the Treasurer for the student body.

(e) Elections. The Election Committee shall formulate election rules for all elections subject to the approval of the Voting Council and pursuant to this Constitution. This Committee shall supervise all student elections and shall certify the results of all elections subject to approval by the Voting Council.

(f) Activities. The Activities Committee shall plan and implement all social events undertaken by the SBA, including, but not limited to:

(1) Barristers’ Ball
(2) Carnival
(3) Follies
(4) Golf Tournament
(5) Race Judicata

The activities enumerated in this Section shall be coordinated through a subcommittee dedicated to each activity.

(g) Programs. The Programs Committee shall be responsible for the following:

(i) Planning and implementing all non-social events undertaken by the SBA, including but not limited to:

(1) Orientation
(2) Graduation Activities
(3) Public Service
(4) Speakers
(5) Intramurals

The programs enumerated in this Section shall be coordinated through a subcommittee dedicated to each program. The Screening Committee shall select a Chair for each subcommittee in accordance with Article VII, Section 1, and such Chair shall serve as a Vice-Chair of the Programs Committee. In the event a Vice-Chair must be replaced before fulfilling his/her obligation to the Programs Committee, the Executive Committee shall appoint a replacement. The Chair of the Programs Committee shall be selected in accordance with Article VII, Section 1, and will oversee the subcommittees designated above.

(h) Mentor Committee. The Mentor Committee shall be responsible for the First-Year Mentor Program. The committee shall choose Mentors by application and interview. The Mentors chosen shall help First-Year students become acclimated to law school life and academics, as well as help with outlining and exam-taking skills, and perform any other tasks as deemed necessary and proper by the Chair to aid students with law school academics. The Student Director of the Mentor Program shall be the Chair of this committee.

(i) Issues. The Issues Committee shall address student concerns including but not limited to curriculum, career services, financial aid, and safety.

(j) Dallas Association of Young Lawyers. The Dallas Association of Young Lawyers (“DAYL”) Committee Chair shall act as the liaison between the SBA and DAYL to enhance the Law School’s relationship with the Dallas legal community. The DAYL Liaison may choose to form a committee if he or she sees fit. The student selected under this Constitution for the DAYL Committee Chair position shall be subject to acceptance by the DAYL.

Section 5 – General

(a) Each Standing or Special Committee shall consist of at least three members;
(b) Each committee shall meet on call of its Chair as necessary and not less than once each semester during which it is in existence;
(c) The Voting Council shall have the power to supersede or invalidate any action by any committee; and
(d) Student organizations, as opposed to committees, are independent of the SBA and cannot represent the SBA, contract for the SBA, or serve as agent for the SBA in any way. Any organization attempting to do so will be removed from the budgeting process as per Article X, Section 1.

Article VIII – BUDGETS

Section 1 - Submission of Requests for Funding

(a) Except as outlined in Article VII, Section 4(a), the Voting Council shall have the sole authority to allocate the use of SBA funds.
(b) The Voting Council shall establish procedures for the allocation of funds to be contained in the By-Laws of the SBA.
(c) Under no circumstances will the total expenditures for any academic year exceed the total revenues received for that academic year, unless such expenditure is approved by a two-thirds majority vote of the Voting Council.
(d) No committee shall maintain SBA-granted funds or non-SBA funds in separate bank accounts, but committees shall request any budgeted funds directly from the SBA Treasurer.
(e) No SBA chartered or listed organizations shall maintain SBA granted funds in a separate bank account, but organizations shall request any budgeted funds directly from the SBA Treasurer.
(f) Subject to any funds granted by the SBA Voting Council, SBA chartered and listed organizations shall not sign or become liable in their own names on any contract without approval of the SBA Voting Council.
(g) All organizations and committees shall submit to the SBA Treasurer monthly statements of all receipts and expenditures involving SBA Funds.
(h) All SBA chartered or listed organizations may maintain their non-SBA funds in a separate bank account.
(i) Failure to comply with these provisions may result in the reversion of all SBA granted funds of the violating organization back to the SBA General Account and exclusion from the SBA budgeting process for one year.

Article IX - ELECTION AND TERM FOR MEMBERS OF THE COUNCIL

Section 1 – Election

(a) The Election of the Executive Committee officers for the subsequent Academic year shall occur on a Tuesday, but must have occurred before the first Tuesday in April, i.e. no later than the last Tuesday in March.
(b) Representatives of the First-Year classes and the Graduate Program (LLM/SJD) shall be selected at a special election to be held no later than the last Tuesday in September.
(c) Selection of all Voting Council members for the following academic year not mentioned in Subsections (a) and (b) of this section and Honor Council members
shall be elected at a General Election to be held on the Tuesday immediately following the Election of the Executive Committee.

(d) Election of the President, Vice-President, Secretary, Treasurer, American Bar Association Representative, State Bar of Texas Representative, Dallas Bar Association Representative, Federal Bar Association Representative, First-Year Representatives, and the LLM and SJD Representative shall be by a majority of votes cast.

   (i) If a majority vote is not obtained, a run-off election shall be held between the two candidates receiving the highest number of votes. If a run-off election is needed, it shall be held the following day.

(e) Election of all other Voting Council members and Honor Council members shall by a plurality.

(f) Guidelines and procedures for conduct of elections and campaigns shall be with the assistance of the Elections Committee governed by the Voting Council.

(g) The Elections Committee will, per Article 5 Section 6(8) of the SBA Bylaws, disqualify any candidate found to have committed a major violation of the election rules and may impose upon candidates who commit a minor violation of the election rules any or all of the following sanctions, 1.) Limit the amount of their campaign materials, 2.) Decrease their candidate spending limits, or 3.) Revoke a candidate’s mass communication privileges, including their right to communicate via email. Notice of Candidate Disqualification or Sanction shall be posted outside the SBA Office within 24 hours of the Election Committee’s decision to disqualify.

(h) The Honor Council will serve as the final appeal in cases of disqualification from an election.

Section 2 - Term of Office

(a) The term of office for each Voting Council member shall be for one academic year commencing the date after the law school hooding ceremony and concluding at the law school hooding ceremony the following year, except that First-Year Class Representatives and the LLM and SJD Representative shall serve from the time of their election until the following law school hooding ceremony.

(b) The incoming SBA Voting Council shall have authority to meet and make binding appointments in preparation for the upcoming year.

Section 3 – Vacancy

(a) If a vacancy occurs in any office other than the office of President, the vacancy shall be filled by the following process:

   (i) The Executive Committee shall give public notice of the vacancy and one week’s notice for interviews. The Executive Committee shall interview applicants for the vacancy.

   (ii) The Executive Committee shall make recommendations to the Voting Council based on its applicant interviews at the following Voting Council Meeting and may give reasons for such recommendations.
(iii) Each applicant shall be given an opportunity to speak to the Voting Council before the vote occurs.
(iv) The Voting Council may be given the opportunity to question each applicant before the vote occurs.
(v) The Voting Council will vote on the candidates and elect the candidate with a majority vote.
(vi) If a majority vote is not obtained, the Voting Council will immediately conduct a run-off election between the candidates receiving the highest number of votes.
(vii) The candidate who obtains a majority of the vote shall immediately take office and assume the responsibilities thereof for the remainder of the vacant term.
(b) If a vacancy for the office of President occurs, the Vice President shall fill the vacancy.

Article X - REMOVAL OF MEMBERS OF THE COUNCIL

Section 1 - Grounds For Removal

A member of the Voting Council may be removed for cause, including, but not limited to, one of the following:
(a) Failure to adequately represent his/her constituency as evidenced by lack of attendance at meetings of the SBA Voting Council or meetings of the Executive Committee. A member of the Voting Council who attends at least three-fourths of the scheduled meetings of the Voting Council within a period of no less than three months is considered to have attended a sufficient number of meetings; or
(b) Failure to carry out the duties of the office which he holds.

Section 2 - Procedure for Removal

Any member of the SBA may bring an action for removal by submitting a request for removal in writing to the President of the SBA. If an action for removal has been commenced under this section, the President shall notify the member that the member’s removal is to be considered at the next meeting of the Voting Council to be held at least three days from the date that notice is given. If removal of the President is being considered, the Vice President shall preside when the removal action is considered. A member against whom an action is brought shall be given an opportunity to be heard. If the member fails to object or if the Voting Council finds that his/her objections are without merit and do not justify his/her conduct, the Voting Council shall remove the member. Removal shall require a two-thirds vote of the Voting Council members present, provided there is a quorum. Voting shall be by roll call. The member under consideration shall not vote nor be counted in calculation of quorum. The member removed shall have automatic standing and the right to appeal to the Honor Council if such appeal is made within five days of the removal, excluding days school is not in session.

Section 3 – Reinstatement
A member removed in accordance with the provisions of this Article may be reinstated:
(a) Upon presentation of a petition for reinstatement signed by fifty-one percent of those SBA members eligible to vote in an election for the position held. A petition for reinstatement must be submitted to the Voting Council within ten days of removal; or
(b) By a unanimous vote of the Honor Council.

Section 4 - Filling the Vacancy

A vacancy created by the removal of a member shall be filled in accordance with the provisions of Article IX, Section 3. The Voting Council election in Article IX, Section 3 shall not occur until the reinstatement procedures have been exhausted. A removed member that has failed to be properly reinstated is ineligible to participate in the Voting Council election in Article IX, Section 3 for the position.

Article XI - GENERAL MEETINGS OF THE STUDENT BAR ASSOCIATION

Section 1 – General

(a) A General Meeting of the SBA is defined as a meeting inclusive of all students of the SMU Dedman School of Law, not just the Voting Council meetings, and upon which all students are permitted vote.
(b) General Meetings will only be called as defined in Section 3 of this Article.

Section 2 – Purpose

General Meetings of the SBA will only be called to:
(a) Address any amendments to the SMU Dedman School of Law SBA Constitution;
(b) Address any issue that the President, the Voting Council, or the student body, as demonstrated by petition under Section 3(c) of this Article, deem of such importance that it requires the attention of the entire membership; and
(c) Readdress any issue already taken under consideration by the Voting Council.

Section 3 - Authority to Call

The President shall call a General Meeting of the SBA:
(a) When he/she deems it necessary to meet the requirements of Section 2 of this Article;
(b) Upon a request by a majority of the Voting Council, which may set a time and place for the meeting to be held; or
(c) Upon receiving a petition in writing signed by two hundred members of the SBA. Such a petition may set a time and place for the meeting to be held.

Section 4 – Quorum

For a General Meeting, 25 percent of the members of the SBA shall constitute a quorum.

Section 5 – Notice
Notice of any General Meeting and the matters to be acted upon shall be given at least five days prior to such meeting, excluding days school is not in session. Notice shall be delivered to the membership via electronic mail, posting of bulletins throughout the campus, and/or by any other normal means.

Section 6 – Voting

(a) All members of the SBA present at the General Meeting shall have one vote, except for the President.
(b) The President shall vote only in the case of a tie.
(c) The Secretary shall be responsible for certifying eligible voters. If the Secretary is unable to perform this duty or if, out of a sense of fairness as determined in the sole discretion of the President, the Secretary should not certify eligible voters, the President shall appoint a disinterested substitute to certify eligible voters.
(d) An action by the body requires a majority vote.
(e) Absentee votes shall not be allowed. Voting by proxy shall not be allowed.

Section 7 - Procedure

(a) The President shall preside at all General Meetings;
(b) General Meetings shall be conducted in accordance with Robert's Rules of Order Newly Revised;
(c) No vote at a General Meeting shall be effective unless a quorum is present; and
(d) The President is obligated to recall a General Meeting if quorum is not achieved unless quorum has been attempted and failed on two previous occasions.

Article XII – COMPENSATION

Section 1 - Amounts and Payment

(a) The members of the Executive Committee shall receive the cost of three-fourths of one semester hour as a tuition reimbursement each semester:
(b) The grants shall be payable by September 1 and February 1 following election and service in the respective office.

Section 2 - Summer Terms

If the President supervises the operation of the SBA during the summer term, he/she shall receive an additional cost equivalent of one-half of one semester hour. If the President does not oversee the operation of the SBA during the summer term, the person designated by the President and approved by the Voting Council to supervise SBA during the summer term will receive the cost equivalent of one-half of one semester hour. This sum for summer service shall be payable by September 1, following the summer term.

Section 3 - Power to Withhold
The Voting Council shall, upon a two-thirds vote, excluding the officer being challenged, have the power to withhold compensation indefinitely for failure of an officer to substantially comply with his/her duties as set out in Article V. The officer being challenged shall have automatic standing and the right to appeal to the Honor Council.

Article XIII – AMENDMENTS

Section 1 - Proposal of Amendments

Amendments may be proposed by any voting member of the Voting Council or by petition in writing signed by one-third of the SBA members.

Section 2 - Approval of Amendments

(a) The Constitution may be amended either 1) by approval of two-thirds of the votes cast in an election by the members of the SBA or 2) by a three-fourths vote of the Voting Council of the SBA.
(b) Upon approval of an Amendment, the Secretary shall promptly:
   (1) Publish a copy of the Constitution, as amended;
   (2) Place a copy of the amended Constitution on reserve at the SMU Underwood Law Library; and
   (3) Provide each member of the Voting Council with a copy of the amended Constitution.

Article XIV – ADOPTION

Section 1

This Constitution shall have effect and become authority upon approval by a majority of the voting membership of the SBA except where this Constitution conflicts with qualification, method of selection, or the composition of any body listed herein, in which case this Constitution shall take effect at the end of the Spring 2007 term.

Section 2

All prior Constitutions of this SBA shall be repealed and this Constitution shall take effect on the twenty-first day following approval by the membership. The adoption of this Constitution will not repeal prior legislation and/or resolutions of the SBA, unless the legislation and/or resolution is in conflict with this Constitution. Members of the SBA who are serving as officers of the Student Bar Association at the time of adoption of this Constitution will retain their office under the term limitations of this Constitution.

Section 3

Upon taking effect this Constitution shall only be superseded in its entirety by a three-fourths majority of the votes cast in an election open to all members of the SBA.