

Elisabeth Haub School of Law at Pace University
Student Bar Association Constitution

ARTICLE 1 – ORGANIZATION NAME

The name of this organization shall be the “Student Bar Association” of Elisabeth Haub School of Law at Pace University. Its abbreviated title shall be “SBA.”

ARTICLE 2 – PURPOSES OF THE ORGANIZATION

The purposes of this organization are enumerated as follows:

Section 1

To act as a vehicle for student self-government and to provide an effective means for the expression of student views to faculty, staff, alumni, fellow students, and the public at large.

Section 2

To maintain effective communication between the student body, the faculty, and the university administration.

Section 3

To sponsor and maintain programs relating to student events having an academic or networking purpose beneficial to the students, law school and university that fortify the relationships between the student body, the university, the law school and the surrounding community.

Section 4

To foster an exchange of ideas between Elisabeth Haub School of Law, its fellow institutions of legal education, alumni and those associated with the practice of law.

Section 5

Allocate funds collected from the student activity fee to student organizations through a budgetary process at the beginning of each semester.

ARTICLE 3 – MEMBERSHIP

The SBA membership is comprised of elected and appointed officers that represent the student body.

ARTICLE 4 – OFFICERS

Section 1 – Officers Enumerated

The Executive Officers shall be the President, Vice President, Treasurer, and Secretary. The Representatives to the SBA shall consist of the following:

1. Six 1L representatives who are elected by members of their class exclusively;
2. One 1L January class representative who is elected by members of the January class exclusively;
3. Four 2L representatives who are elected by members of their class exclusively;
4. Four 3L representatives who are elected by members of their class exclusively; and
5. One Pace American Bar Association Law Student Division Representative who must be a member of the American Bar Association. Position to be filled by Presidential appointment in accordance with Article 10, Section 1.

Section 2– Duties and Powers of Officers

Clause 1 – The President

The President shall:

1. Be the chief executive officer of the SBA;
2. Call meetings of the Executive Board as defined in Article 5;
3. Call meetings of the SBA representatives, known as the Assembly, in accordance with the Constitutional provisions or motions of the Executive Board;
4. Preside over all duly constituted meetings of the Executive Board and the Assembly;
5. Serve as the official representative of the SBA outside the Law School;
6. Be an ex officio member of all standing committees of the SBA;
7. Serve as a member of the Elisabeth Haub School of Law Alumni Association, or any successor thereto, in a manner consistent with the Constitution and by-laws of the Alumni Association and the SBA;
8. Serve as chair of the Graduation Committee;
9. Meet regularly with Law School Administration;
10. Have the authority to make appointments as necessary in accordance with Article 10, Section 1. Such appointments shall be made with the advice and consent of the Executive Board and upon a majority vote of a quorum of the members of the SBA;
11. Be a voting member of the Executive Board;
12. Shall cast the tie-breaking vote, as necessary; and

13. To avoid the appearance of impropriety, ensure proper representation of the student body, and foster greater student involvement, the SBA President shall not hold the office of President of any other student organization.

Clause 2 – The Vice President

The Vice President shall:

1. Assume the office and duties of the President in the President's absence or whenever a vacancy in the office of President may arise;
2. Serve as the chairperson of the Election Committee and with the Committee shall set all rules and regulations in governance thereto;
3. Advise the President on procedural matters relating to the SBA Constitution;
4. Perform other such duties as the President and Executive Board may assign in the administration of the SBA;
5. Attend regularly scheduled Executive Board and General Assembly Meetings; and
6. Be a voting member of the Executive Board and Assembly.

Clause 3 – The Treasurer

The Treasurer shall:

1. Be the chief fiscal officer of the SBA and chairperson of the Fundraising Committee;
2. Hold budget meetings with each club at the beginning of each semester to determine how funds will be allocated;
3. Work with the applicable staff representative to assure that the collection and disbursement of SBA funds are distributed and collected according to applicable guidelines established by the Law School and/or University, and shall, with the staff representative, assure that clear, comprehensive, and accurate records of all such transactions are available for review by the Executive Board;
4. Perform such other duties as the President and the Executive Board may assign in the administration of the SBA;
5. Attend regularly scheduled Executive Board and General Assembly Meetings; and
6. Be a voting member of the Executive Board and Assembly.

Clause 4 – The Secretary

The Secretary shall:

1. Be in charge of keeping all records, except those relating to fiscal matters;
2. Issue and publish minutes of the General Assembly meetings of the SBA;
3. Maintain record of attendance at General Assembly meetings of the SBA;
4. Issue SBA notices, when needed;
5. Issue and/or maintain copies of all SBA correspondences, as appropriate;
6. Perform such other duties as the President and Executive Board may assign in the administration of the SBA;
7. Attend regularly scheduled Executive Board and General Assembly Meetings; and
8. Be a voting member of the Executive Board and Assembly.

Clause 5 – Elected Representatives

Elected Representatives shall:

1. Serve as a liaison between the SBA General Assembly, Assembly, and their representative class;
2. Attend regularly scheduled SBA General Assembly meetings commencing in the semester in which they are elected;
3. Serve on at least one SBA Committee;
4. Attend regularly scheduled SBA Committee meetings;
5. Perform tabling duties for at least three (3) hours per semester;
6. As a First Year Class Representative, perform such duties on the day of the annual Barrister's Ball the President and the Chair of the Special Events Committee may assign;
7. Perform such other duties as the President and the Executive Board may assign in the administration of the SBA; and
8. Be a voting member of the Assembly.

Section 3 – Tenure of Offices

Clause 1 –Executive Board

Election for the Executive Board shall occur in the spring semester of the academic year. The President-elect, Vice President-elect, Treasure-elect and Secretary-elect will learn the responsibilities and duties of their elected office from the outgoing Executive Board following their election and shall attend the final SBA General Assembly meeting of the academic year. This is done to assure a smooth transition of the SBA functions to the next Executive Board.

Clause 2 – Upper Class Representatives

Upper Class Representatives of the SBA shall hold office for a period of one academic year, commencing at the end of the spring semester in which they are elected and ending at the end of the following spring semester.

Clause 3 – First Year Class Representatives

First Year Representatives of the SBA shall hold office for a period of one academic year, commencing immediately following fall semester elections and ending at the end of the spring semester of that academic year. The 1L Class Representative from the January class shall hold office for a period of one academic semester, commencing immediately following an election in early January and ending at the end of the spring semester of that academic year.

ARTICLE 5 – THE EXECUTIVE BOARD

Section 1 – Composition of the Executive Board

The Executive Board shall consist of the President, Vice President, Treasurer and Secretary.

Section 2 – Legislative Powers

All legislative powers shall be vested in the Executive Board, where not inconsistent with other provisions of this Constitution.

Section 3 – Administration of Student Organization Budgets

The Student Bar Association Treasurer is responsible for working with the applicable Law School staff representative and the student organizations to compile and submit the student organization budget to the Law School administration at the beginning of each semester for approval. Active, chartered student organizations, approved by the Assembly of the SBA shall have their budget administered by the SBA Executive Board pursuant to University funding guidelines.

The following student organizations fall within the budget administered by the SBA Executive Board:

American Constitution Society

Black Law Students Association

Christian Law Students Association

Corporate and Commercial Law Society

Criminal Justice Society
Environmental Law Society
Federalist Society
Family Law Society
Intellectual Property Students Organization
International Law Society
Italian American Law Students
Jewish Law Students Association
Lambda Legal Law Students Association
Latin American Law Students Association
Muslim Law Students Association
National Lawyers Guild
Pace Immigration Law Society
Pace Law Tax Society
Personal Injury Law Association
Phi Alpha Delta
Public Interest Law Student Organization
Sports, Entertainment, and Arts Law Society
Student Animal League Defense Fund
Student Bar Association
Technology, Encryption, and Cyber Student Organization
Women's Association of Law Students

ARTICLE 6 – THE ASSEMBLY

Section 1 – Voting Assembly

The voting assembly shall be defined as the SBA Executive Board and Class Representatives. The President shall only cast a vote in the case of a tie.

Section 2– Quorum Defined

A quorum shall be defined as equal to or greater than three-fourths (3/4) of the Voting Assembly of the SBA.

Section 3 – Veto Power

The Assembly shall have the power to veto any action taken by the Executive Board or SBA Committee upon a two-thirds (2/3) vote of a quorum of the Assembly.

ARTICLE 7 – MEETINGS

Section 1 – Conduct of the Meetings

Meetings shall be conducted in accordance with this Constitution. Disputes arising within the General Assembly regarding conduct of the meetings that are not resolved by this Constitution shall be addressed by Roberts Rules of Order. Any dispute or confusion arising from the interpretation of this Constitution shall, likewise be governed by Robert's Rules of Order.

Section 2 – Executive Board Meetings

Clause 1 – First Meeting

The first meeting of the SBA Executive Board shall be held at the end of the spring semester in which they were voted into office at the convenience of the Executive Board members. At this meeting, the Executive Board shall determine, by a majority vote of the Executive Board members, a regularly scheduled weekly meeting day, time and room to take place from that day forth at the convenience of the members. The Executive Board will also set the timeline for the fall semester budget process and discuss major goals for the semester. The SBA Executive Board shall also meet with the Dean for Students, to discuss goals and timeline.

Clause 2 – Regularly Scheduled Meetings

Executive Board meetings shall be held in accordance with the schedule determined at the first Executive Board meeting.

Clause 3 – Who May Attend

Executive Board meetings shall be attended by Executive Board members only, unless otherwise requested by the Board.

Section 3 – General Assembly Meetings

Clause 1 – First Meeting

The first General Assembly meeting of the SBA shall be held in September in accordance with the meeting time established by the Executive Board. At this meeting, the President shall notify all General Assembly members of the meeting schedule for the remainder of the semester. Posting shall be done by poster, electronic mail or other means of acceptable communication at the Law School at least 48 hours notice.

Clause 2 – Policy Meeting and/or Leadership Retreat

The SBA Executive Board shall inform Student Organizations of all the appropriate policies and procedures to be followed and provide each Student Organization President with a copy of the Student Organization Handbook or inform them where they may find it electronically. The SBA Executive Board should also use the time to receive feedback and suggestions from the organizations. This forum shall take the form of a General Assembly Meeting or Leadership Retreat.

Clause 3 – Who May Attend

This meeting shall be attended by the SBA Executive Board and an officer from each of the SBA recognized Student Organizations. Additional Officers from the Student Organizations, the Dean of the Law School, the Dean for Students and the Dean for Students Administrative Assistant shall be invited to attend.

Clause 4 – Regularly Scheduled Meetings

General Assembly meetings shall be held every other week thereafter in accordance with the schedule determined at the first assembly meeting. Regular meetings of the General Assembly are open to the Pace community and includes the student body at large, faculty and staff of the law school.

Clause 5 - Mandatory Representation of Student Organizations

All recognized student organizations shall be represented at all SBA General Assembly Meetings. No one person may represent more than two student organizations at any SBA General Assembly Meeting.

1. Two (2) absences per organization will be permitted per semester.
2. If a student organization has five members or less, the organization may elect to take a one semester exception to this attendance rule (“Attendance Sabbatical”). The organization must present compelling evidence of their need for an Attendance Sabbatical to the SBA Executive Board. The SBA Executive Board shall review the evidence and make a decision within a reasonable amount of time to allow the organization to arrange for an attendee should their request be denied.
3. The Executive Board may elect to deduct up to \$100 for each additional absence from the funds awarded to the organization by the SBA (“Attendance Penalty”). The Attendance Penalty will be subject to the approval of the Dean for Students.
4. The Attendance Penalty will not apply in the spring semester so as not to penalize a student organization’s new executive board’s budget for the following academic year based on the previous executive board’s absences.

Section 4- Assembly Meetings

Clause 1 – Who May Attend

Assembly meetings will consist of the SBA Executive Board and the SBA Class Representatives only, unless otherwise requested. The Assembly is also referred to as the Voting Assembly in this Constitution.

Clause 2- Regularly Scheduled Meetings

Assembly Meetings will take place immediately after the General Assembly meeting has ended.

Clause 3- Matters to Discuss

The Assembly will vote on new student organizations, host committee meetings (*see Section 5*), vote on amendments to the SBA Constitution, and other voting matters that include, but are not limited to proposals, resolutions, and legislative matters.

Section 5 – Committee Meetings

Clause 1 – First Meeting

The first round of committee meetings shall be coordinated by the respective President appointed committee chair. Committee Chairs shall be appointed in accordance with Article 10, Section 1.

Clause 2 – Regularly Scheduled Meetings

Committee meetings shall be held throughout the semester as the Committee Chair sees fit.

Clause 3 – Who May Attend

Committee meetings shall be attended by Committee members only, unless otherwise requested by the committee.

Section 6 – Cancellation of Meetings

Cancellations of meetings as set forth above in Article 7, shall be communicated to relevant members at least 24 hours prior to the scheduled meeting.

Section 7 – Inability to Attend a Meeting

Any person as required above to attend a meeting shall give reasonable notice to any member of the SBA Executive Board or Committee Chair if they are unable to attend a scheduled meeting. Reasonable notice shall be defined as at least 24 hours prior to the meeting or as soon as practicable, if 24 hours is not feasible. Absences may result in removal as defined in Article 11, Section 1, Clause 1.

ARTICLE 8 – COMMITTEES

Section 1 –Standing Committees

Clause 1 – General

Standing Committees of the SBA shall consist of the School Improvements Committee, Publicity Committee, Fundraising Committee, and Special Events Committee.

Clause 2 – School Improvements Committee

The School Improvements Committee shall work to enhance the food service, internal communications, curriculum and physical maintenance of the school. The Committee shall also investigate any additional specific concerns of students. The Committee Chair is encouraged to allocate responsibilities based on these goals.

Clause 3 – Publicity Committee

The Publicity Committee shall work to enhance the internal and external publicity of the school in an effort to maintain a positive image of Pace Law. The Committee shall utilize resources such as Hearsay and local media outlets. The Committee Chair is encouraged to allocate responsibilities based on these goals.

Clause 4 – Fundraising Committee

The Fundraising Committee shall work to increase the amount of funds in the SBA Agency Account to be used for general operating expenses and special events as detailed in Article 8, Section 1, Clause 5. The Committee Chair is encouraged to allocate responsibilities based on these goals.

Clause 5 – Special Events Committee

The Special Events Committee shall plan, organize and facilitate annual events hosted by the SBA such as Barrister’s Ball, Race Judicata, and Women in Politics. The Committee Chair is encouraged to allocate responsibilities based on these goals.

Section 2 - Ad Hoc Committees

Clause 1 – General

When necessary, the President may create Ad Hoc Committees to address specific issues. Members of these committees shall be appointed by the President.

Clause 2 – Creation and Dissolution

Ad Hoc committees shall be created or dissolved as necessary by the President with the consent of the Executive Board members by majority vote.

Section 3- Elections Committee

Clause 1 – General

The Elections Committee shall be responsible for organizing and overseeing the Fall and Spring Elections.

Clause 2 – Duties and Responsibilities

The duties and responsibilities of the Elections Committee shall be to:

1. Advertise available positions within the SBA;
2. Establish rules and regulations for election procedures consistent with relevant provisions of the Constitution;
3. Establish dates and times for the election process taking into account the convenience of the SBA Executive Board;
4. Create, distribute and collect all relevant paperwork pertaining to the election process;
5. Be the primary contact for the candidates' questions and concerns;
6. Organize a schedule for the SBA members to collect votes during the election;
7. Collect the ballots;
8. Count the votes; and
9. Submit the results to the President.

Clause 4 – Who May Serve on the Committee

The Chairperson of the Election Committee shall be the SBA Vice-President. At no time may an Election Committee member serve on the committee if he/she is running in the election being held. If the Chairperson or any member of the committee chooses to run for office in the election, that person must withdraw from the committee and the vacancy shall be filled by Presidential appointment, in accordance with Article 10 Section 1. In the event that every Executive Board member is running for a seat, the Chairperson and committee members shall be selected from the General Assembly of the SBA.

ARTICLE 9 – ELECTIONS

Section 1 – Eligibility for Candidacy

Any full time or part time student is eligible to run for an SBA position so long as she/he meets the requirements for the specific office listed below. No person shall be eligible to run for more than one office in any one election.

Section 2 – Eligibility for Name on the Ballot

Clause 1 – Executive Position

For a name to be placed on the ballot for an Executive position (President, Vice President, Secretary, and Treasurer), a student must meet the following criteria:

1. Must have a cumulative GPA of 2.67 or higher at the Law School;

2. Complete and submit a petition with a minimum of fifty (50) student signatures to the Elections Committee. The signatures can be from any student at the Law School; and
3. Complete and submit a statement of candidacy to the Elections Committee.

Clause 2 – Class Representative Position

For a name to be placed on the ballot for a Class Representative position, a student must meet the following criteria:

1. Must be in good academic standing (GPA higher than 2.30) at the Law School, as defined by the Register's Office;
2. Complete and submit a petition with a minimum of twenty-five (25) student signatures to the Elections Committee. The signatures must be from members of the student's class; and
3. Complete and submit a statement of candidacy to the Elections Committee.

Section 3 – Election Results

Clause 1 – General

Candidates shall be elected to their position with a plurality of at least twenty-five percent (25%) of the votes. The results of the election shall be posted no later than forty-eight (48) hours following the election and shall not reveal the final tally. Posting shall be done by poster, electronic mail, or other means of acceptable communication at the Law School.

Clause 2 – Run-Off Elections

In case of a tie, or if no candidate for office receives more than twenty-five percent (25%) of the total vote, the leading two candidates shall oppose each other in a run-off election to be held no less than five (5) or more than seven (7) school days following the original election according to the rules determined by the Election Committee.

Section 4 – Recount of Vote

Any candidate may request a recount. The recount must be requested in writing within forty-eight (48) hours of the posting of the election results. The Election Committee must conduct the recount within seventy-two (72) hours of the request. All candidates running for that position may attend the recount with the Election Committee.

Section 5 – Timing of Elections

Clause 1 – Executive Board

The elections for the executive board shall be conducted in either March or April. The time and location of the polls and polling procedures shall be established by the Election Committee.

Clause 2 – Upper Class Representatives

The elections for the upper class representative positions shall be conducted the week following Executive Board elections. The time and location of the polls and polling procedures shall be established by the Elections Committee.

Clause 3 – First Year Class Representatives

The elections for the first year class representatives shall take place in the fall semester prior to the second scheduled General Assembly meeting of the SBA or earlier, unless extenuating circumstances prohibit them from occurring. The time and location of the polls shall be established by the Elections Committee.

Clause 4 – January 1L Class Representative

The elections for the January 1L class representative shall take place in the spring semester prior to the first scheduled General Assembly meeting of the SBA. The time and location of the polls shall be established by the Elections Committee.

ARTICLE 10 – APPOINTMENTS

Section 1 – General

Appointments shall be made by Presidential nomination, with the consent of the Executive Board.

Section 2 – Bar Association Representatives

For a student to be eligible for appointment to a position as the American Bar Association Law School Division Representative, Westchester County Bar Association Representative, Student Representative to the Association of the Bar of New York City, or of any other Bar Association the SBA or Law School has a relationship with a student must meet the following criteria:

1. Must be in good academic standing at the Law School, as defined by the Register's Office; and
2. Complete and submit an application to the Executive Board detailing why they would be a good candidate for the position.

ARTICLE 11– REMOVAL FROM OFFICE

Section 1 - Automatic Removal

Clause 1 – General

An elected member shall be automatically removed from the SBA upon absence from three (3) scheduled General Assembly meetings per semester. Removal is effective at the conclusion of the third missed

meeting. The Executive Board shall give notification of automatic removal from office to the individual, the SBA members, and the Dean for Students.

Clause 2 – Appeal from Automatic Removal

Any individual removed may make a written appeal to the President within ten (10) days of notification by the Executive Board of automatic removal. The Vice President shall present the appeal before the Assembly in accordance with Article 6, Section 4 at the regularly scheduled Assembly meeting immediately following the receipt of the appeal. Reinstatement shall occur upon three-fourth (3/4) approval vote of a quorum of the Assembly.

Section 2 –Removal by Constituency

Any elected member of the SBA shall be subject to removal upon a petition citing dereliction of duties or other egregious causes related to their SBA functions that is signed by twenty-five percent (25%) of the constituency from which that member was elected or appointed. Upon submission of such petition to the President of the SBA, the President shall put the petition up for a vote before the constituency from which that member was elected or appointed. Such vote shall be held no less than five (5) or more than ten (10) days after the filing of such a petition and shall be a yes-no vote. An officer or representative shall be recalled upon a vote in favor of such recall from a majority of the votes cast in the constituency from which such person was elected. Removal shall be final.

Section 3 – Removal by the SBA

Clause 1 – General

Any member of the SBA may make a motion to remove a member of the SBA. The President shall moderate discussions both in favor and against the removal prior to taking a vote. Removal from office shall be effective upon three-fourth (3/4) vote of quorum. Removal shall be final.

Clause 2 - Removal of Appointed Officers

An appointed member of the SBA may be removed from office by the President with the consent of the Executive Board.

ARTICLE 12 – FILLING OF VACANCIES

Section 1 – Executive Board

Vacancies on the Executive Board shall be filled as follows: In the case where the President was removed or vacates the position, the position will be filled by the Vice-President. When the Vice-President is removed or vacates the position, the position will be filled by the Secretary. The Treasurer shall remain as Treasurer and the Assembly will elect a Secretary from the members of the SBA. If the Treasurer is removed or vacates, the Assembly shall elect a member from the members of the SBA to fill the position.

Section 2 - Representative and Other Positions

The President shall notify the relevant constituency of vacancies that may arise and solicit volunteers and/or nominations to fill the vacancy. With the advice and consent of the Executive Board, the President shall fill the vacancy pursuant to Article 10, Section 1. This procedure shall be followed if a vacancy arises during the course of the academic year, or if a position is not filled during a regularly scheduled election.

ARTICLE 13– LEGISLATIVE INITIATIVES

Section 1 – Proposed Legislation

All proposed legislation placed forward for consideration by the Assembly from the Executive Board shall be done in the name of the Office of the President with the advice and consent of the Executive Board, by the Vice President reading to the Assembly the bill as set forth from the Executive Board. Legislation shall pass with a majority of quorum.

Section 2 – Consideration of Proposed Legislation

Any student currently registered as a J.D., S.J.D., or L.L.M. candidate at the Law School may petition the Executive Board to adopt or rescind legislation by presenting a petition signed by no fewer than ten percent (10%) of the student body. The Executive Board shall present the proposed legislation at the Assembly meeting immediately following receipt of the petition and shall be passed in accordance with Article 13, Section 1.

ARTICLE 14 – AMENDMENTS

Section 1 – General

Amendments to this Constitution may be presented by any SBA Representative or Executive Board member.

Section 2 – Approval of the Amendments

Amendments to the Constitution require approval by two-thirds (2/3) of the entire voting membership of the SBA Assembly.

ARTICLE 15– RATIFICATION

Section 1 –Approval of the Constitution

This Constitution shall become effective upon affirmative vote of two-thirds (2/3) of the entire voting membership of the SBA.

ARTICLE 16– SEVERABILITY

If any provision of this Constitution shall be adjudicated by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy.

ARTICLE 17 – MISCELLANEOUS

The SBA operates under Pace University policy as regulated by the Regulation by Colleges of Conduct on Campuses and Other College Property Used for Education Purposes, found in Title 7, section 6430, 6431, 6432, 6433, 6434, and 6436 of New York's Education Law.