

CONSTITUTION  
OF  
THE STUDENT BAR ASSOCIATION  
OF  
THE DICKINSON SCHOOL OF LAW  
OF  
THE PENNSYLVANIA STATE UNIVERSITY

## **PREAMBLE**

We, the students of The Dickinson School of Law of The Pennsylvania State University, to foster a more responsive and cohesive law school environment; promote communication, cooperation, and understanding between the Students, faculty, administration, alumni, law school community, and American, state, and local bar associations, do ordain and establish this Constitution for The Student Bar Association of The Dickinson School of Law of The Pennsylvania State University.

## **ARTICLE I — NAME, PURPOSE, MEMBERSHIP, AND DEFINITIONS**

### **Section 1.**

The name of this organization shall be The Student Bar Association of The Dickinson School of Law of The Pennsylvania State University.

### **Section 2.**

The purposes of this organization are:

- A. to be the official representative of the students of The Dickinson School of Law of The Pennsylvania State University to the law school administration, The Pennsylvania State University, the faculty, the community, and other persons and organizations;
- B. to foster and promote feelings of cohesion, unity, and equality among students at the University Park and Carlisle campuses;
- C. to coordinate student activities in the law school;
- D. to further academic achievement through participation by law students in the development and revision of legal education;
- E. to promote and protect the legitimate interests of all students of the law school;
- F. to promote and facilitate the free discussion of ideas among the student body;
- G. to become involved with and participate in the organized bar at all levels; and
- H. to promote professional responsibility in the law school and the legal profession.

### **Section 3.**

In this Constitution, the following words have the meanings indicated:

- A. "SBA" means the Student Bar Association of The Dickinson School of Law of The Pennsylvania State University.
- B. "SBA member" means a student currently enrolled at The Dickinson School of Law of The Pennsylvania State University.
- C. "House of Delegates" means the duly elected Class Representatives and Honor Code Representatives.
- D. "Executive Council" means the elected executive governing body of the SBA at The Dickinson School of Law of The Pennsylvania State University.
- E. "Board" means the House of Delegates and Executive Council together.
- F. "Law school" means The Dickinson School of Law of The Pennsylvania State University.
- G. "advice and consent" means discussion and a majority vote, unless otherwise indicated.
- H. "PSU" means Pennsylvania State University.
- I. "ABA/LSD" means American Bar Association/Law Student Division.
- J. "academic year" means Fall and Spring semesters.

### **Section 4.**

SBA members shall be entitled to vote in all elections and referenda of the SBA except as otherwise provided in this Constitution.

### **Section 5.**

Official copies of this Constitution shall be kept in the official SBA files, in the law school libraries, and in the Dean's Faculty Manual.

## **ARTICLE II – DUTIES AND RESPONSIBILITIES OF THE BOARD**

### **Section 1.**

The Board shall be the governing body of the SBA. It shall have the power to vote as a body to formulate policies, oversee the functions of the SBA, and exercise all powers that are necessary and proper for the execution of this Constitution.

### **Section 2.**

The Board shall be composed of:

- A. a President;
- B. a Vice President - Carlisle;
- C. a Vice President - University Park;
- D. a Secretary;
- E. a Treasurer;
- F. a PSU Senator;
- G. an ABA/LSD Representative;
- H. four (4) Class Representatives each from the 1L, 2L, and 3L classes; and
- I. two (2) Honor Code Representatives each from the 1L, 2L, and 3L classes.

### **Section 3.**

The Executive Council shall be composed of:

- A. the President;
- B. the Vice President - Carlisle;
- C. the Vice President - University Park;
- D. the Secretary;
- E. the Treasurer;
- F. the ABA/LSD Representative; and
- G. the PSU Senator.

### **Section 4.**

The Executive Council shall:

- A. meet when necessary to discuss the focus and concerns for upcoming Board meetings, but not less than once per semester, excluding summer semester;
- B. plan a schedule of events for the fall and spring semesters;
- C. have the power to establish, maintain, and dissolve temporary committees with the advice and consent of the Board; and
- D. resolve emergency situations as they arise.

### **Section 5.**

The duties of the Board members are as follows:

- A. The President shall:
  - 1. serve as the Chief Executive Officer of, and the official spokesperson for, the Board;
  - 2. set the agenda any time the SBA Board meets as a body;
  - 3. set the date, time, and place of, and preside over all meetings of the Board;
  - 4. nominate Chairpersons for all committees pursuant to Article III, Section 4;
  - 5. have the authority to sign checks or warrants for money from the SBA account pursuant to the Budget Guidelines;
  - 6. meet regularly with the Dean to address SBA concerns;
  - 7. conduct the affairs of the Board in accordance with the SBA Constitution and Bylaws and any Resolutions hereafter passed; and

8. review and approve the Budget Committee's proposed annual budget prior to submission to the Board for final approval, or review and approve the Budget Committee's proposed semester budget each semester prior to submission to the Board for final approval.
- B. The Vice Presidents shall:
1. serve as liaisons for their respective campuses to the Board and the law school administration;
  2. serve as Co-Chairpersons of the Election Committee;
  3. assume the duties of the President in the President's absence pursuant to Article VII, Section 3 and Article VII, Section 13;
  4. coordinate and supervise the activities of SBA committees;
  5. promulgate a monthly calendar of SBA activities;
  6. perform other such duties that are reasonably requested by the President; and
  7. have equal duties and responsibilities.
- C. The Secretary shall:
1. record the minutes of each Board meeting;
  2. make the minutes available to all members of the Board;
  3. maintain all files and records of the Board and SBA committees;
  4. publish the minutes and make them available for public viewing, excepting such parts as may in the Board's judgment require secrecy in order to protect the general welfare of the student body;
  5. handle the general correspondence of the SBA;
  6. maintain and update the SBA website, including the list of currently chartered student groups and organizations; and
  7. perform other such duties as are reasonably requested by the President.
- D. The Treasurer shall:
1. serve as Chairperson of the Budget Committee;
  2. submit a completed budget to the Board within six (6) weeks of the beginning of the academic year if the President chooses to do an annual budget, or within six (6) weeks of the beginning of each semester if the President chooses to do a semester budget, for the Board's approval, but not before 1L general elections;
  3. have authority to establish and maintain a bank account for the SBA at a commercial banking institution;
  4. have the authority to sign checks or warrants for money from the SBA account pursuant to the Budget Guidelines;
  5. establish and maintain an SBA Accounting Policy Manual, and ensure that all SBA financial transactions comply with the policies set forth therein;
  6. on an annual basis, obtain ratification by the Board of the SBA Accounting Policy Manual;
  7. obtain ratification by the Board of any changes to the SBA Accounting Policy Manual prior to implementing such changes;
  8. submit written financial reports to the Board at the end of each semester, and interim reports as requested by the Board; and
  9. perform other such duties as are reasonably requested by the President.
- E. The ABA/LSD Representative shall:
1. serve as the SBA's official liaison to the Law Student Division of the American Bar Association;
  2. keep the Board informed of ABA news, events, and opportunities; and
  3. perform other such duties as are reasonably requested by the President.
- F. The Pennsylvania State University Senator shall:
1. serve as the SBA's official liaison to the Penn State Board of Senators;
  2. keep the Board informed of the business of The Pennsylvania State University Faculty Senate; and
  3. perform other such duties as are reasonably requested by the President and inherent in his or her position.
- G. The Class Representatives shall:
1. be the spokespersons for their respective classes and act on their behalf while serving on the Board;
  2. serve on at least one (1) SBA standing committee; and
  3. perform other such duties as are reasonably requested by the President.
- H. The Honor Code Representatives shall:
1. be the spokespersons for their respective classes and act on their behalf while serving on the Board;
  2. serve on the Honor Code Committee; and
  3. perform other such duties as are reasonably requested by the President.

**Section 6.**

All members of the Board shall be voting members with the exception of the President, who shall vote only in the event of a tie.

**Section 7.**

After final approval of the annual/semester budget, the Board will hear any allocation/reallocation requests for SBA funds in excess of five hundred (500) dollars. These requests are to be submitted, within a reasonable amount of time before a general meeting of the SBA, to the Treasurer who shall have the requests added to the agenda. In these requests, the Budget Guidelines, while persuasive upon the Board, are not binding.

**Section 8.**

All decisions of the Board shall be by majority vote of Board members present, except where otherwise provided by this Constitution.

**Section 9.**

Board members shall deliver to their successors all material pertaining to their respective offices.

**Section 10.**

The Board shall be the final interpreter of this Constitution and any laws promulgated thereunder.

**Section 11.**

The Board may enact bylaws not inconsistent with this Constitution.

**ARTICLE III - COMMITTEES**

**Section 1.**

The Executive Council shall establish and maintain the following standing committees:

- A. Admissions,
- B. Alumni Relations,
- C. Budget,
- D. Community Relations,
- E. Diversity,
- F. Election,
- G. Honor Code,
- H. Intramural,
- I. Orientation,
- J. Social,
- K. Speakers Trust,
- L. Student/Faculty Relations,
- M. Technology, and
- N. 1L Trial Competition.

**Section 2.**

The Executive Council, with the advice and consent of the Board, shall have the authority to establish temporary committees, which shall expire at the end of the SBA administrative year.

**Section 3.**

Faculty Committees are committees created by the administration, chaired and maintained primarily by Faculty Members.

#### **Section 4.**

##### Appointments:

- A. The President shall appoint, with the advice and consent of the Board, Chairpersons and committee members to all standing and temporary committees; with the exception of the Budget Committee, whose voting members shall be appointed by the Treasurer with the advice and consent of the Board.
- B. The President, upon request of a Faculty Committee, shall appoint an SBA member to a Faculty Committee under a provisional status until confirmed at the next meeting of the Board.
- C. SBA committee Chairpersons and members may be reprimanded or reassigned upon a majority vote of the Board, and may be removed pursuant to Article VII.

#### **Section 5.**

##### Duties of Committees:

- A. All SBA committees are responsible to the Board and shall regularly report their activities to the Board.
- B. All SBA committees must meet a minimum of one (1) time per semester.
- C. All SBA committees must create and maintain a mission statement to be approved by the Board on an annual basis.

#### **Section 6.**

##### The Budget Committee:

- A. The Treasurer shall be the Chairperson of the Budget Committee.
- B. The Budget Committee shall consist of the Treasurer, two (2) members of the Board from University Park, and two (2) members of the Board from Carlisle. These are the only voting members within the Budget Committee; however, the President may appoint, with the advice and consent of the Board, any other SBA members who shall participate, although they shall not vote. The Budget Committee has quorum, in any of its meetings, only when at least three (3) voting members are present, with at least one voting member from University Park and at least one voting member from Carlisle.
- C. Before formulating an annual/semester budget, the Budget Committee shall draft Budget Guidelines, which the Committee is to follow when formulating an annual/semester budget and when considering any other allocation/reallocation requests during the rest of the academic school year. The Budget Guidelines must be approved by the Board before formulation of the annual/semester budget begins and may be altered during the course of the academic school year as the Board sees fit.
- D. In formulating an annual/semester budget, the Budget Committee shall:
  - 1. accept written proposals for the use of SBA funds from representatives of previously chartered student groups and organizations; and
  - 2. keep a record of all requests for funding that are not included in the proposed budget until the Budget is approved.
- E. Upon approval by the Budget Committee, the proposed budget shall be presented to the Board for final approval. Final approval of the proposed budget shall be by a majority vote of Board members present.
- F. After final approval of an annual/semester budget, any allocation/reallocation requests for SBA funds which are for five hundred (500) dollars or less are to be reviewed by the Budget Committee after they are received by the Treasurer. These requests are to be considered in accordance with the Budget Guidelines and, upon request, the chartered group or organization is entitled to a hearing in person before the Committee.
- G. The Budget Committee shall give a decision to any allocation/reallocation request within two (2) weeks of receiving such request. Every decision shall be accompanied by a brief explanation for the Committee's ruling and delivered to the group or organization that has made the request.
- H. The Budget Committee, through the Treasurer, is to report, at each general meeting of the Board, total allocation/reallocation requested and total granted since the last general meeting. The Board is, upon request by any member, entitled to a detailed explanation and discussion of the decisions of the Budget Committee.
- I. The Board shall enact bylaws to effect the provisions of this Section.

### **ARTICLE IV – STUDENT GROUPS AND ORGANIZATIONS**

**Section 1.**

The Board shall have exclusive power to charter student groups and organizations and to revoke or suspend such charter; to require any student group or organization chartered by the SBA to change its rules or practices to conform to the mandates of the SBA or The Dickinson School of Law of The Pennsylvania State University.

**Section 2.**

No student group or organization may receive funding through the SBA unless the Board has chartered that student group or organization.

**Section 3.**

Student groups and organizations are to be chartered by the SBA in one of two ways:

- A. New student groups and organizations, or those which have forfeited their charter, must obtain, at any time in the academic school year, a petition from the Secretary and obtain at least fifty (50) signatures from SBA members. Upon obtaining the necessary signatures, the student group or organization must present the petition to the Secretary at least one week before the next general body meeting. The President is then to present the organization and its representative at the general body meeting to answer any questions the Board may have. The student group or organization may then receive the SBA charter by a majority vote of the Board.
- B. Student groups and organizations which have been chartered by the Board in the past renew their charter by submitting a budget request form to the Budget Committee at the beginning of each academic school year or each semester (depending on whether or not the President has chosen an annual or a semester budget). Failure to submit a budget request form, even if the student group or organization is not requesting any funds, results in the student group or organization's forfeiture of its charter.

**ARTICLE V – MEETINGS**

**Section 1.**

All action by the Board shall occur at a general meeting or duly convened special meeting. "Special meeting" means any meeting other than a general meeting.

**Section 2.**

The Board shall meet a minimum of six (6) times per semester.

**Section 3.**

Notice shall be given to all SBA members at least five (5) school days prior to any regular meeting and within a reasonable time prior to any special meeting.

**Section 4.**

The President shall post the agenda at least forty-eight (48) hours prior to any regular meeting and within a reasonable time prior to any special meeting.

**Section 5.**

All meetings of the Board require a quorum consisting of a majority of the membership of the Board. At least one (1) Board member from each campus must be present to establish a quorum. If a quorum is not available within a reasonable time, the meeting shall be postponed until such time as the President directs. Any meeting postponed for a lack of quorum shall not be treated as a meeting for attendance purposes, nor shall it count for purposes of Article V, Section 2.

**Section 6.**

Meetings of the Board shall be open to all students, and all students shall be permitted to speak to any issue before the Board.

**Section 7.**

The Secretary or their designee shall keep a record of each proceeding pursuant to Article II, Section 5(C)(1).

**Section 8.**

The President shall convene a special meeting of the Board as soon as practicable, but in no case later than five (5) school days after receipt of a written request for such a meeting that is signed by at least five (5) Board members.

**Section 9.**

No Board member may vote by proxy unless the Executive Council, by a majority vote, permits the submission of a written proxy on a specific resolution.

**Section 10.**

The incoming President and outgoing President shall jointly preside at the first Board meeting that follows the general election. The incoming President shall take office at the close of the joint meeting and shall preside over at least one (1) meeting of the new Board before the end of that academic year.

**Section 11.**

All business of the SBA shall be governed by the rules contained in the current edition of *Robert's Rules of Order Newly Revised* in all cases in which they are not inconsistent with this Constitution and any special rules of order the SBA may adopt.

**ARTICLE VI – ELECTIONS**

**Section 1.**

General elections for members of the Board shall be administered by the Election Committee which shall be Co-Chaired by the Vice Presidents and composed of at least four (4) additional members not voting in that election. Election Committee members may not be candidates for office. In the event that either Vice President is a candidate for office, the President shall appoint a Board Member to serve as Co-Chair.

**Section 2.**

The Election Committee shall set the date for all elections.

**Section 3.**

Candidates for all Board positions shall nominate themselves.

**Section 4.**

3L's shall not vote in general elections for the Board.

**Section 5.**

The entire student body shall elect:

- A. one (1) President;
- B. two (2) Vice Presidents, one for each campus;
- C. one (1) Treasurer;
- D. one (1) Secretary;
- E. one (1) ABA/LSD Representative; and
- F. one (1) PSU Senator.



**Section 6.**

Each of the 1L, 2L, and 3L classes shall elect:

- A. one (1) Honor Code Representative for each campus;
- B. at least one (1) Class Representative for each campus.

**Section 7.**

Elections for 1L Class Representatives and Honor Code Representatives shall be held as early as possible, but no later than five (5) weeks after the start of the academic year.

**Section 8.**

2L and 3L Board members shall be elected for a one (1) year term commencing at the close of the joint meeting described in Article V, Section 10. This date shall mark the beginning of a new SBA administrative year.

**Section 9.**

Candidates for Vice President, Class Representative, or Honor Code Representative need not be registered at the campus where they are running for office. However, if elected, they must register at the campus where they were elected by the beginning of the following academic year or else forfeit their Board position. Any member of the Board must be physically enrolled in classes held at the law school throughout that academic year or else forfeit their Board position. In the case of forfeiture, a special election shall be held as soon as practicable.

**Section 10.**

1L Board members shall serve a term commencing at the first meeting following the fall election until the end of that SBA administrative year.

**Section 11.**

Grievances concerning any election procedure shall be made in writing to the Election Committee.

**Section 12.**

The Board shall enact bylaws to effect the provisions of this Article.

**ARTICLE VII – VACANCY AND REMOVAL**

**Section 1.**

A vacancy shall be deemed to have occurred:

- A. If a member of the Board resigns from office;
- B. If a member of the Board is removed from office;
- C. If a member of the Board is no longer a student at the law school; or
- D. If a member of the Board is required to forfeit their position pursuant to Article VI, Section 9.

**Section 2.**

All resignations from SBA positions should be submitted to the Board in writing.

**Section 3.**

In the event of a vacancy in the office of the President, the majority of the Board shall elect one (1) of the Vice Presidents to assume all privileges, duties, and responsibilities of the President.

**Section 4.**

The Board shall have the sole power of removal.

**Section 5.**

The basis for removal shall be the substantial violation of any provision of this Constitution or the neglect or refusal to perform their official responsibilities and duties.

**Section 6.**

Appointees serve at the discretion of the President and are also subject to removal by the Board.

**Section 7.**

Two (2) absences per semester from regularly scheduled SBA meetings which are deemed unexcused by the SBA Secretary shall constitute neglect to perform the duties of the SBA office and shall make that Board member subject to sanctions provided by this Constitution.

**Section 8.**

The President has discretion to excuse one (1) absence each semester for legitimate reasons.

**Section 9.**

Judgment in cases of removal shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the SBA; but the person convicted shall nevertheless be liable and subject to charge, hearing, judgment, and punishment, pursuant to the rules and regulations of The Dickinson School of Law of The Pennsylvania State University.

**Section 10.**

Any Board member may be removed upon motion of an officer or representative, second of another Board member, and a three-fourths (3/4) majority of the entire Board at the following meeting. The accused shall not vote or be counted in determining the necessary number of votes required for removal.

**Section 11.**

For any removal, following motion and second, the Secretary shall within twenty-four (24) hours give written notice to the individual. The vote for removal shall occur no earlier than seven (7) days following delivery of notice.

**Section 12.**

In the event that 1L Board members have not yet been elected, the vote shall not occur until 1L Board members have been elected and given appropriate time for review.

**Section 13.**

If the President is the subject of a charge for removal, then until the Board votes or the matter is otherwise disposed of, the Vice President for the campus where the President presides shall assume all privileges, duties, and responsibilities of the President.

**Section 14.**

Except as provided for by this Constitution, the President shall, with the consent of a majority of the Board, appoint a member of the Board to fill a vacancy on the Executive Council.

**Section 15.**

The President, with the consent of a majority of the Board, shall fill vacancies on the Board unless otherwise provided for in this Constitution.

**Section 16.**

The President shall fill vacancies for appointed positions within two (2) weeks of any vacancy.

**Section 17.**

Due process requirements of notice, opportunity to hear the charges against him or her, and opportunity to answer those charges and to obtain witnesses to testify on his or her behalf before the Board, shall be guaranteed to any member charged with a violation of this Constitution. However, failure or refusal of an officer to accept notice, to attend a hearing, or to participate therein does not bar removal.

**Section 18.**

A Board member removed in accordance with the provisions of this Article may be reinstated upon presentation of a petition for reinstatement signed by at least fifty (50) percent of those members eligible to vote in an election for the position held.

**Section 19.**

Interpretation of this Article shall be the sole right of the Board.

**ARTICLE VIII – AMENDMENT AND REVISION**

**Section 1.**

This Constitution may be amended or revised by a four-step (4) process: proposal, promulgation, vote, and distribution of the change.

**Section 2.**

Proposals to amend or to revise this Constitution may be made in two ways:

- A. The Board may establish an ad hoc Constitution Committee to initiate proposals for amendment or revision for referral to the Board; or
- B. Any SBA member may submit a petition to the Board at a general meeting, signed by twenty (20) percent of all SBA members, proposing an amendment or revision. The Board shall refuse to validate a petition with insufficient, authentic signatures. The petition shall be made available to the entire student body.

**Section 3.**

Any proposal that is approved by a two-thirds (2/3) majority vote of the Board at a general meeting, where there shall have been full and fair discussion, shall be promulgated by the Board to the SBA membership, along with a brief synopsis of rationale, within ten (10) academic calendar days of the SBA meeting at which the proposal was approved.

**Section 4.**

A vote shall be held during school hours within thirty (30) calendar days after the proposed amendment or revision has been promulgated in which at least one-half (1/2) of the entire SBA membership shall vote. The amendment or revision shall be approved if it receives a two-thirds (2/3) majority of the votes cast.

**Section 5.**

An approved amendment or revision shall be distributed by placing a copy in the SBA permanent files, by attaching a copy to the SBA Constitution on file in the library, and by sending a copy to the Dean of the law school for placement in the Dean's Faculty Manual.

**ARTICLE IX – RATIFICATION**

**Section 1.**

Upon ratification by a two-thirds (2/3) majority of those SBA members voting, this Constitution shall be effective immediately.