



BYLAWS  
OF THE  
STUDENT BAR ASSOCIATION  
OF  
PENN STATE LAW



## **Preamble**

The following bylaws are hereby enacted pursuant to the authority conferred by the Constitution of the Student Bar Association of Penn State Law.

### **Article I: Purpose, Definition, and Membership**

#### **Section 1**

The purposes of this organization are:

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

#### **Section 2**

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

- A. "SBA" means the Student Bar Association of Penn State Law.
- B. "SBA member" means a student currently enrolled at Penn State Law.
- C. "House of Delegates" means the duly elected Class Representatives and Justices.
- D. "Executive Council" means the elected executive governing body of the SBA.
- E. "Board" means the House of Delegates and Executive Council together.
- F. "Law school" means Penn State Law.
- 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.
- K. "Responsible Person" means the individual who has been identified, for funding and event purposes, as that events main point of contact regarding emergency situations. This person is expected to contact the authorities and notify [studentevents@pennstatelaw.psu.edu](mailto:studentevents@pennstatelaw.psu.edu) in the event of an emergency occurring during the event. This individual is forbidden from consuming or being under the influence alcohol during their assigned time at said event.

#### **Section 3**

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: Governing Bodies**

#### **Section 1**

The Board shall be composed of:

- A. A President;
- B. A Vice President;
- C. A Secretary;

- D. A Treasurer;
- E. An SBA Ambassador;
- F. A Director of Student Organizations;
- G. An LLM Senator;
- H. Four (4) Class Representatives each from the 1L, 2L, and 3L classes;
- I. Two (2) Justices each from the 1L, 2L, and 3L classes;
- J. Four (4) LLM Representatives; and
- K. Two (2) LLM Justices.

## **Section 2**

The Executive Council shall be composed of:

- A. The President;
- B. The Vice President;
- C. The Secretary;
- D. The Treasurer;
- E. The SBA Ambassador;
- F. The Director of Student Organizations; and
- G. The LLM Senator.

## **Section 3**

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 4**

The duties of the President shall be as follows:

- A. Serve as the Chief Executive Officer of, and the official spokesperson for, the Board;
- B. Set the agenda anytime the SBA Board meets as a body;
- C. Set the date, time, and place of, and preside over all meetings of the Board;
- D. Nominate Chairpersons for all committees pursuant to Article II, Section 4;
- E. Have the authority to sign checks or warrants for money from the SBA account pursuant to the Budget Guidelines;
- F. Meet regularly with Dean to address SBA concerns;
- G. Conduct the affairs of the Board in accordance with the SBA Constitution and Bylaws and any Resolutions hereafter passed; and
- H. 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.

## **Section 5**

The Vice President shall:

- A. Serve as a liaison to the Board and the law school administration;
- B. Serve as Chairperson of the Election Committee;
- C. Assume the duties of the President in the President's absence;
- D. Coordinate and supervise the activities of SBA committees;
- E. Promulgate a monthly calendar of SBA activities; and
- F. Perform other such duties that are reasonably requested by the President.

## **Section 6**

The Secretary shall:

- A. Record the minutes of each Board meeting;
- B. Make the minutes available to all members of the Board;
- C. Maintain all files and records of the Board and SBA Committees;
- D. Publish the minutes and make them available for public viewing, excepting such parts as may in the Board's judgement require secrecy in order to protect the general welfare of the student body;
- E. Handle the general correspondence of the SBA;
- F. Maintain and update the SBA website, including the list of currently chartered student groups and organizations; and
- G. Perform other such duties as are reasonably requested by the President.

## **Section 7**

The Treasurer shall:

- A. Serve as Chairperson of the Budget Committee;
- B. 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 the 1L general election;
- C. Have the authority to establish and maintain a bank account for the SBA at a commercial banking institution;
- D. Have the authority to sign checks or warrants for money from the SBA account pursuant to the Budget Guidelines;
- E. Establish and maintain an SBA Accounting Policy Manual, and ensure that all SBA financial transactions comply with the policies set forth therein;
- F. On an annual basis, obtain ratification by the Board of the SBA Accounting Policy Manual;
- G. Obtain ratification by the Board of any changes to the SBA Accounting Policy Manual prior to implementing such changes;
- H. Submit written financial reports to the Board at the end of each semester, and interim reports as requested by the Board; and
- I. Perform other such duties as are reasonably requested by the President.

## **Section 8**

The SBA Ambassador shall:

- A. Serve as the SBA's official liaison to the Law Student Division of the American Bar Association;
- B. Keep the Board informed of the ABA news, events, and opportunities;
- C. Serve as the SBA's official liaison to the Penn State Board of Senators;
- D. Keep the Board informed of the business of the Pennsylvania State University Faculty Senate; and
- E. Perform other such duties as are reasonably requested by the President.

## **Section 9**

The Director of Student Organizations shall:

- A. Work with Student Services and the SBA Treasurer to manage student groups;
- B. Prepare, with cooperation from the Executive Council, the SBA Student Organization Handbook;
- C. Organize the annual Student Organization Handbook Training and Student Organization Fair;
- D. Organize a time once an academic year to clean up the Student Organization Room;
- E. Organize and manage the building calendar pertaining to student organizations;

- F. Ensure that student organizations comply with the “responsible person” policy; and
- G. Perform other such duties as are reasonably requested by the President and inherent in his or her position.

### **Section 10**

The LLM Senator shall:

- A. Serve as the LLM spokesperson on the Executive Council and act on their behalf while serving on the Executive Council;
- B. Keep the Executive Council informed of any issues, concerns, or requests of the LLM community;
- C. Represent the interests of LLM students during monthly meetings with the Dean;
- D. Perform other such duties as are reasonably requested by the President

### **Section 11**

The Class Representative shall:

- A. Be the spokesperson for their respective classes and act on their behalf while serving on the Board;
- B. Serve on at least one (1) SBA standing committee; and
- C. Perform other such duties as are reasonably requested by the President.

### **Section 12**

The Justice shall:

- A. Be the spokesperson for their respective classes and act on their behalf while serving on the Board;
- B. Serve on the SBA Court; and
- C. Perform other such duties as are reasonably requested by the President.

### **Section 13**

The LLM Representative shall:

- A. Be the spokesperson for the LLM community and act on their behalf while serving on the Board;
- B. Serve on at least one (1) standing committee; and
- C. Perform other such duties as are reasonably requested by the President.

### **Section 14**

The LLM Justice shall:

- A. Be the spokesperson for the LLM community and act on their behalf while serving on the Board;
- B. Serve on the SBA Court; and
- C. Perform other such duties as are reasonably requested by the President.

### **Section 15**

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 16**

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

## **Article III: Committees**

### **Section 1**

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

- A. 1L Mock Trial Competition;
- B. Academic Affairs;
- C. Admissions & Student Orientation;
- D. Alumni Relations & Graduation;
- E. Budget;
- F. Community Relations;
- G. Equity in the Legal Profession;
- H. Election;
- I. SBA Court;
- J. Social;
- K. Speakers Trust;
- L. Technology;

### **Section 2**

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; and
- C. All SBA committees must create and maintain a mission statement to be approved by the Board on an annual basis.

### **Section 3**

The Budget Committee:

- A. The Treasurer shall be the Chairperson of the Budget Committee.
- B. The Budget Committee shall consist of the Treasurer and four (4) duly appointed members of the SBA. These are the only voting members within the budget committee; however, the President may appoint, with advice and consent of the Board, any other SBA member who shall participate, although they shall not vote.
- C. The Budget Committee has quorum, in any of its meetings, only when at least three (3) voting members are present.
- D. 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.
- E. 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 record of all requests for funding that are not included in the proposed budget until the budget is approved.
- F. Upon arrival 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 majority vote of the Board members present.
- G. After final approval of an annual/semester budget, any allocation/reallocation requests for SBA funds which are 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.

- H. 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.
- I. 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.

#### **Section 4**

SBA Court:

- A. The SBA Court shall consist of the eight (8) Justices elected to the SBA Board.
- B. The Chief Justice will be one of the 3L Justices, who shall be nominated by the President and voted on by the Board.
- C. When necessary, the SBA Court will serve as a:
  - 1. Judicial Review Board;
  - 2. Student Organization Dispute Resolution Board; and
  - 3. Honor Code Hearing Board
- D. As a Judicial Review Board, the SBA Court shall have the power to:
  - 1. Adjudicate disputes on matters of rule, equity, and constitutional law within the SBA;
  - 2. Conduct hearings and issue rulings related to disputed matters, specifically pertaining to election disputes, disciplinary actions, and disputes concerning the interpretation of the SBA Constitution;
  - 3. Review all SBA constitutional amendments, unless otherwise specified, for fairness and equity. The review and any resulting opinion shall be considered non-binding;
  - 4. Procedurally review all internal elections and appointments;
  - 5. Review, sua sponte, all legislation and resolutions approved during the current Board's term for compliance with University policy;
  - 6. A ruling shall be determined by a simple majority of the Justices. The Chief Justice, or in the absence of the Chief Justice, the most senior justice, shall carry the vote.
  - 7. An ad hoc bylaws committee will be created if a board member requires assistance with drafting amendment proposals to the SBA Constitution or SBA Bylaws.
- E. As a Student Organization Dispute Resolution Board, the SBA Court shall have the power to:
  - 1. Resolve disputes between student organizations brought to the SBA Court via a request for a hearing before the board.
    - a. Disputes that can be solved by the SBA Court pertain to any issue a student organization has with other student organizations chartered by the SBA, events that receive SBA funding, and any other situation that falls within the purviews of the SBA.
  - 2. Steps to resolve disputes
    - a. Student organizations must try to resolve the issue with the organization they have the dispute with.
      - i. This must be a good faith effort. This includes, but is not limited to, discussions between the presidents of the organizations and/or between members of their board who oversee the issue in dispute, proposals for a solution discussed between organizations, etc.
      - ii. Presidents of the organizations must be aware of the dispute and be aware of the good faith efforts by both organizations to resolve the dispute.
    - b. If the dispute cannot be resolved between the organizations, the organizations may request a hearing in front of the SBA Court.
      - i. A hearing must take place within 14 days of the request for hearing.

- ii. All organizations party to the dispute must be represented by either its president or someone the president has designated to represent the organization in the proceedings
    - (1) If an organization fails to be present at the hearing, it forfeits its opportunity to be heard.
  - iii. At this hearing each organization must orally present the following:
    - (1) Information regarding the good faith effort to resolve the dispute prior to seeking a hearing before the SBA Court.
      - (a) If there is no evidence of a good faith effort, the hearing will be postponed until all organizations involved have made a good faith effort to resolve the dispute on their own.
    - (2) Information on the nature of the dispute.
    - (3) Desired resolution.
  - iv. Each organization will have 20 minutes to present their case before the SBA Court.
  - v. After each side presents their case, the SBA Court will ask any and all questions it sees fit to any party involved to resolve the dispute
3. Dispute resolution decision by the SBA Court
- a. The SBA Court will consider the desired resolutions from each organization but may make decisions as it sees fit.
  - b. Decisions by the SBA Court will be determined by a majority vote.
  - c. Decisions by the SBA Court are final and cannot be challenged.
  - d. Decisions must be made within 7 days of hearing and all organizations party to the dispute must be notified of decisions within 24 hours of the decision being rendered.
  - e. Decisions will be non-binding on future disputes before the board.
4. Implementation of decision
- a. Organizations party to the dispute will be bound by the decision of the SBA Court.
  - b. Any attempt by an organization, without formal written approval from the opposing party to the dispute, to go against the decision of the SBA Court will result in the following possible consequences.
    - i. The delinquent organization will forfeit its rights in the decision.
    - ii. The SBA Court may then change its decision to benefit the other organization.
    - iii. Budget Committee may withdraw funds from future events within the same academic year from the delinquent organization.
- F. As an Honor Code Hearing Board, the SBA Court shall comply with the procedures outlined in the Penn State Law Honor Code.

## **Article IV: Student Groups and Organizations**

### **Section 1**

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, at 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 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.

## **Section 2**

Any new student group or organization duly chartered under Article IV, Section 1 shall cease to be considered a new student group or organization upon successful renewal of their charter in accordance with Article IV, Section 1(B).

## **Section 3**

At the first SBA meeting held by the newly elected Board in the Spring or at the first meeting of the academic year, the SBA shall ratify the SBA Student Organization Handbook. The Handbook must set forth the SBA's standards, expectations, policies, and procedures of chartered student groups and organizations in accordance with Article IV, Section 1(B) of the SBA Constitution. It will be the duty of the SBA Executive Council, led by the President, to submit the Handbook to the SBA Board at the first SBA meeting of the academic year. The Handbook will be ratified by a simple majority vote of the SBA Board. Any subsequent change to the Handbook must be approved by a majority of the SBA Board.

## **Section 4**

The SBA will conduct a Student Organization Handbook Meeting according to the following:

- A. Student groups and organizations which have been chartered by the SBA must have either the organization's President, Vice President, or Treasurer attend the Student Organization Handbook Meeting.
- B. This meeting will be organized and chaired by the Director of Student Organizations of the SBA. The SBA Treasurer will assist the Director of Student Organizations in organizing and conducting this meeting.
- C. At this meeting, the Director of Student Organizations will promulgate and explain the SBA Student Organization Handbook, ratified in accordance with Article IV, Section 3 of the SBA Constitution.
- D. This meeting must take place between the first and second SBA general body meeting of the academic school year.
- E. Failure of a chartered student organization to attend this meeting may result in the imposition of sanctions as a Mandate of the SBA Board against that student organization.
  1. If a student organization fails to attend the meeting, it will be given notice that sanctions proceedings may be initiated if it does not reschedule to meet with the Director of Student Organizations within fourteen (14) days of the original Student Organization Handbook Meeting.
  2. In the event the absent student organization fails to reschedule within the allotted fourteen (14) days, the Director of Student Organizations will refer the matter to the budget committee to formulate a sanctions proposal. The Director of Student Organizations must also notify the absent student organization that a sanctions vote will occur at the first SBA meeting following the referral.
  3. At the first meeting following the Director of Student Organizations' referral, the Budget Committee must propose a fair and reasonable sanction to the SBA Board.
  4. Prior to any sanctions imposed, the student organization in question must be given an opportunity to be heard. If the student organization in question fails to attend the SBA meeting, it will be deemed to have waived its right to be heard.
  5. Any sanctions proposed by the Budget Committee must be approved by a majority vote of the SBA Board.

## **Article V: Meetings**

### **Section 1**

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 2**

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 3**

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 4**

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 5**

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**

Candidates for all Board positions, fully aware of the voluntary, non-compensatory nature of SBA positions, shall nominate themselves.

### **Section 2**

The entire student body shall elect:

- A. One (1) President;
- B. One (1) Vice President;
- C. One (1) Treasurer;
- D. One (1) Secretary;
- E. One (1) SBA Ambassador; and
- F. One (1) Director of Student Organizations.

### **Section 3**

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

- A. Four (4) Class Representatives; and
- B. Two (2) Justices.

### **Section 4**

The entire LLM student body shall elect:

- A. One (1) LLM Senator;
- B. Four (4) LLM Representatives; and

C. Two (2) LLM Justices.

### **Section 5**

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

### **Section 6**

2L and 3L Board members shall be elected for one (1) year term as defined in the Constitution. The commencement of these terms shall mark the beginning of the new SBA administrative year.

### **Section 7**

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 8**

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 9**

The airing of any complaints arising out of or in connection with an Article VI election shall be made in writing to the Election Committee within five (5) academic days of the election at issue.

- A. The Election Committee shall consider and respond to any properly submitted complaint within five (5) academic days of the receipt of said complaint.
- B. The Election Committee's ruling as to the validity of any properly submitted complaint shall be submitted in writing to the SBA Executive Council and to all individuals they deem related to the complaint.

## **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 positions.

### **Section 2**

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

### **Section 3**

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 the Constitution.

### **Section 4**

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

### **Section 5**

For any removal, following the 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 6**

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 shall assume all privileges, duties, and responsibilities of the President.

### **Section 7**

Except as provided for by the 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 8**

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

## **Article VIII: Amendment and Revision**

### **Section 1**

The amendment and revision of the Constitution of the SBA shall be governed by the following procedure:

- A. 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.
- B. 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.
- C. This section is governed and supplemented to the extent that any provisions contained in the Constitution are applicable.

### **Section 2**

The amendment and revision of any Bylaws of the SBA shall be governed by the following procedure:

- A. Any member of the Board may put forth forward a motion to amend the Bylaws of the SBA or any SBA committee.
- B. Any motion duly seconded shall be submitted to the board as a proposal in writing and distributed to each member of the Board as well as all members in a timely fashion.
- C. Each proposal shall be the subject of an open public comment period at the next general SBA meeting following the motion.
- D. Each proposal having been properly distributed and subject to open comment and fair discussion shall be promulgated by the full Board upon a majority vote.