

# **The Bylaws of the Student Bar Association Oklahoma City University School of Law**

## **Preamble**

We, the students of Oklahoma City University School of Law, to ensure a student government based upon the will of the student body; in order to develop and further scholastic attainment; to promote understanding among the faculty, students, and alumni; to coordinate or sponsor educational, athletic, and social activities of the Law School Community; to further professional and social interests; to cooperate with national, state, and local bar associations; to pursue a high standard for the quality of life for the student at Oklahoma City University School of Law; and in recognition that the unification of the students of the Law School into an effective group is necessary to these ends, do establish these Bylaws for the Oklahoma City University School of Law Student Bar Association, member of the Law School Division of the American Bar Association.

## **Title 1. Organization**

**Section 1.** This organization shall be known as the Student Bar Association of the Oklahoma City University School of Law. The governing body of the Student Bar Association of the Oklahoma City University School of Law shall be known as the Student Bar Association Board of Governors.

**Section 2.** The membership of the Student Bar Association shall consist of degree candidate students officially enrolled in Oklahoma City University School of Law duly and properly elected pursuant to the Articles set forth herein.

**Section 3.** To be recognized by the Student Bar Association Board of Governors, an independent organization must present a petition with fifteen (15) student signatures, a copy of the organization's constitution, and a schedule of regular meetings, to the Board no later than the second meeting of each semester. All petitions must be approved by a two-thirds (2/3) majority vote of the Board of Governors.

**Section 4.** Once an organization has fulfilled the requirements as prescribed in Section 3 of this Article, the organization will be recognized unless the organization falls into bad standing or it is removed for reasons set forth in the Constitution and Bylaws of the Student Bar Association.

## **Title 2. Elections**

**Section 1.** Ethical Considerations. Each candidate is charged with the duty to conduct a fair, open and respectable campaign.

**Section 2.** Election Procedures.

(a) Ballot secrecy is the key element to all conduct at the polls.

(b) There will be no campaigning within TWENTY (20) feet of the polls. This includes the discussion of a candidate's name, the display of any candidate's/slate's poster, or the

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distribution of fliers. In the event of e-voting, there will be no campaigning within TWENTY (20) feet of computer labs.

- (c) Any candidate found to be in violation of any provision of Article II may be subject to disqualification from the election at the discretion of the Election Committee.
- (d) A paper ballot or an electronic voting system will be decided upon at the Elections Committee's discretion.

**Section 3.** Voting Procedures. No student may vote without being an officially enrolled student of Oklahoma City University School of Law.

- (a) Each voter's name shall be checked against a master listing (provided by the Administration) to ensure current status of a student.
- (b) Each voter shall be required to sign the class list next to his or her name after presenting a valid student identification card.
- (c) Each voter will receive one (1) ballot (according to class status) to be completed and deposited in the ballot box. The Election Committee shall initial each ballot ahead of time before it is distributed at the polls.
- (d) Any individual whose name does not appear on the class listing shall be verified by the Administration before his or her vote is taken.

### **Section 3A. E-Voting Procedures**

- (a) Each student will be entered into the computer system by the OCU Webmaster, a member of his team, the Chairman of the Student Elections Committee, or the Chairman of the Student Technology Committee based upon the student's classification provided to the Elections Committee by the Student Services Office.
- (b) Each voter will sign in at the secure website with login information provided by the Elections Committee.
- (c) Any individual who cannot log in, is incorrectly classified, or has other technical issues shall report the issue to the Elections Committee and the individual's vote may be cancelled at the discretion of the Elections Committee.
- (d) A paper vote may be cast at the Elections Committee discretion, if problems cannot be resolved. These ballots will not be subject to Article II, Section 2 to ensure one vote per student.

### **Section 4. Counting of Ballots**

Ballots are only to be counted in the presence of a majority of the Elections Committee. The SBA President must be a member of that majority unless the SBA President is a second-year law student currently running for office. In the event that the SBA President is a second-year law student currently running for office, then the majority must include the President of the third- year class.

- (a) The Committee shall count and verify the ballots and compile a list of the results.
- (b) Any candidate may contest by written notice submitted to the SBA President no later than forty-eight (48) hours after the results are posted. Upon contest the Elections Committee will review the ballots and reconfirm the vote.
- (c) The ballots from all elections shall be secured and saved for a period of one (1) year.

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### **Section 4A. Counting of E-Ballots**

- (a) The e-voting system overseen by the OCU Webmaster and the Chairman of the Student Elections Committee, will provide the final count of votes.
- (b) The OCU Webmaster and the Chairman of the Student Elections Committee will be charged with reviewing the system should any technical issues arise.
- (c) The SBA President and Elections Committee chair, along with the OCU Webmaster, will have access to the elections results, unless the SBA President is a second-year law student currently running for office. In the event that the SBA President is a second-year law student currently running for office, then the President of the third-year class will stand in the SBA President's place.
- (d) A candidate may contest, by written notice submitted to the SBA President no later than forty-eight (48) hours after the results are posted. Upon contest, the Elections Committee will meet with the webmaster to confirm the e-vote.
- (e) A paper copy of the results will be preserved for a period of one (1) year.

### **Section 5. Elections Committee**

- (a) The Elections Committee shall be composed of the Third Year Class Officers and any other person appointed by the SBA President. The appointed persons must be on the Board of Governors. No member of the Elections Committee who is a candidate may participate in any election procedure supervised by the Elections Committee of the Student Bar Association. No members of the Elections Committee shall campaign for or otherwise endorse a candidate.
- (b) The keepers of the ballot box may consist of Elections Committee members or any other students whom the Committee may appoint. Each volunteer will be considered according to his or her objectivity. No keeper of the ballot box may be involved directly with any campaign.

### **Section 6. Declaration of Winner of Elections**

- (a) The Elections Committee shall declare the winner of an election when any candidate receives a simple majority of the votes cast for that office.
- (b) In the event a simple majority is not obtained by a candidate for the office, a runoff election shall be held the next day between the two candidates receiving the highest vote count. The result of the runoff elections should be construed by Title 2, Section 6, Paragraph (a) of these Bylaws.
- (c) The results of any election shall be posted at the proper place as soon as practical.
- (d) The complete results of the elections including the number of votes cast for, against, or otherwise for each candidate shall be made known upon simple oral or written request of any candidate in any contested race to that person so requesting.
- (e) The actual number of votes cast for, against, or otherwise for elections regarding constitutional amendments, referendum, or any other votes regarding issues and not the specific election of candidates to an elected office shall be completely public and shall be posted with the results of said election. In the event that such an issue based vote is conducted simultaneously with the candidate election to offices, the issue based vote shall

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be subject to complete disclosure. However, it shall have no effect on the candidate based election.

- (f) The total number cast for each and every election and total number of disqualified ballots for each and every election shall be a matter of public knowledge and must be disclosed to any interested party.
- (g) Any questions concerning election results should be addressed to the President of the Student Bar Association.

## **Section 7. First Year Officers and Upper Class Vacancies:**

- (a) An election for the first year officers shall be held the last week in September. Notice of such election shall be posted the first week of the fall semester.
- (b) Elections to fill upper class vacancies arising in the fall semester shall be held simultaneously with the first year elections.

**Section 8.** Class officer elections during the Spring Semester shall be held on the Monday prior to the second to last or last regularly scheduled Student Bar Association meeting. The signup period shall extend for two (2) weeks prior to the election. Elections for the Student Bar Association Executive Committee shall be held after the Spring Semester class officer election and before the adjournment of the last scheduled Board of Governors meeting for the Spring Semester.

## **Section 9. Class Officers**

- (a) Officers to be elected for each class shall be President, Vice-President, Secretary, Treasurer, and Representatives pursuant to Article IV, Section (1) (b) of the Constitution of the Oklahoma City University School of Law Student Bar Association.
- (b) If no one runs for a vacancy, that position will be deemed still open and shall remain open until the next regularly scheduled election.

**Section 10.** All appointees shall be made by the President of the Student Bar Association, including but not limited to, the Student Prosecutor, Disciplinary Tribunal, Library Committee, and Curriculum Committee.

**Section 11.** Any vacancy of a class office occurring during the summer or fall semester shall be filled by a general election of the appropriate class. Any vacancy occurring during the spring semester shall be filled by appointment by the Executive Committee upon recommendation by elected members of the appropriate class. Appropriate notice of the vacancy and pending appointment shall be posted.

## **Title 3. Meetings**

**Section 1.** Regular meetings shall be held at such time and place as the SBA President shall designate provided that a regular meeting of the Board of Governors be held at least once every month of the academic school year.

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**Section 2.** A regular monthly meeting of the Board of Governors shall be held each month. The meeting day shall be determined by the SBA President on a semester-by-semester basis. Notice of the chosen day for the upcoming semester must be given at the last scheduled meeting of the proceeding semester.

**Section 3.** When the Executive Committee deems that the SBA shall hold more than one meeting a month, one meeting shall be reserved for matters not relating to budget requests. In cases of special need, budget requests can be placed on the agenda and submitted to the Board of Governors, by a two-thirds (2/3) approval of the Board of Governors. All normal rules and procedures governing budget requests shall still apply.

**Section 4.** The president in his or her discretion shall make exceptions for holidays, vacations, and final examinations

**Section 5.** All regular meetings of the Board of Governors shall be open to all students.

**Section 6.** Any Board member who accumulates more than one (1) absence per semester shall be dismissed from the Student Bar Association Board of Governors pursuant to Article IX, Section 3 of the Student Bar Association Constitution.

**Section 7.** Upon all matters coming before the Board of Governors that are not governed by the Constitution and Bylaws, the latest edition of Robert's Rules of Order Revised, shall govern.

**Section 8.** Special meetings may be called by the President of the Board as provided in Article V, Section 1(a)(2) of these Bylaws.

## **Title 4. Procedure**

The Procedure for each semester of the Oklahoma City University School of Law Student Bar Association shall follow strictly Robert's Rules unless the Board of Governors votes to suspend the rules by a two-thirds (2/3) majority.

## **Title 5. Duties of Officers**

**Section 1.** The Executive Committee of the Student Bar Association shall consist of a President, Vice-President, Secretary, and Treasurer.

(a) The President of the Student Bar Association shall:

1. Represent the Student Bar Association of the Oklahoma City University School of Law and be its official spokesperson.
2. Schedule regular meetings of the Board of Governors and upon adequate notice, the President may call a special meeting at time and place he/she shall designate. Special meetings may also be called upon written notice signed by a majority of the members of the Board of Governors upon adequate notice.
3. Preside at all meetings of the Board of Governors.

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4. Report to the Board of Governors at all regular and special meetings as to the state of the Board of Governors.
5. Be an ex-officio member of all committees.
6. Appoint chairpersons of all standing and select committees within twenty-five (25) days or two (2) meetings after the beginning of the fall semester.
7. Appoint the Parliamentarian within the same time period. Appointee may not be a member of the Board of Governors, but he or she must be a member of the student body.
8. Have the power and discretion to remove any chairperson or member of any committee who is not carrying out his/her duties.
9. Assist the Treasurer and Budget Committee in preparing the Annual Budget and assist in presenting the budget to the Board.
10. Have a vote during Board of Governors meetings only to resolve a tie.
11. Have the power to veto an action decided by a majority of the Board of Governors. This veto must be made at the time the motion is passed. This veto can only be overridden by two-thirds (2/3) vote of the Board of Governors.
12. Delegate such duties to SBA Vice President as may be necessary to the administration of the responsibilities of the office of the SBA President.
13. Have the authority and responsibility for the proper execution of all provisions of the Constitution or Bylaws.
14. Have such powers as are necessary and proper to conduct the day today responsibilities of the office, and to coordinate the committee chairpersons for the purpose of executing such daily responsibilities.
15. Perform such other duties as are customary to said office.

(b) The Vice President of the Student Bar Association shall:

1. In the absence or inability of the SBA President to perform his or her duties as such, the same shall be performed by the SBA Vice President, who shall have all powers and be subject to all responsibilities imposed upon the SBA President.
2. In the event of a vacancy in the office of the SBA President, the SBA Vice President shall succeed to such office.
3. Assist the SBA President as directed by the SBA President or by the Board of Governors in his or her dealings with the Administration.
4. Perform such other duties as may be necessary and proper to the exercise of the foregoing powers.

(c) The Secretary of the Student Bar Association shall:

1. Handle all correspondence to and from the Board of Governors.
2. Publish annually the Constitution and Bylaws and be responsible for distribution of such to all entering students.
3. Perform such other duties as are necessary and proper to the performance of the foregoing powers.

(d) The Treasurer of the Student Bar Association shall:

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1. Administer the financial affairs of the Board of Governors, receive and expend all moneys of the Board of Governors, maintain an accurate set of records showing all receipts and disbursements of funds, and indicate the source of all income and the purpose of all disbursements.
2. Be the Chairperson of the Budget Committee.
3. With the assistance of the President and the Budget Committee, prepare the Student Bar Association's annual budget, and present that budget to the Board of Governors for approval no later than the third regularly scheduled meeting of the fall semester. The budget shall be approved by a two-thirds (2/3) vote of the Board of Governors.
4. Render an account of current finances to the Board of Governors at each regular meeting, and advise the President and the Board of Governors on financial matters.
5. Perform an audit at the conclusion of each semester. The Treasurer shall document and present such audit to the SBA Executive Committee and each member of the Board of Governors at the first meeting of the following semester.
6. The audit shall provide:
  - i. A balance of each organization's school accounts at the beginning of the preceding semester;
  - ii. A list of each organization's deposits and expenditures for the preceding semester; and
  - iii. A balance of each organization's account at the end of the preceding semester.
  - iv. Implement such procedures and practices as may be necessary and proper to exercise the foregoing powers.

## **Title 6. Committees**

**Section 1.** The standing committees of the Student Bar Association Board of Governors shall be:

- (a) Budget
- (b) Constitutional
- (c) Elections
- (d) Any other special committee that the SBA President deems necessary

**Section 2.** The duties of these committees shall be:

- (a) Budget Committee
  1. The Budget Committee Chair shall be the sitting SBA Treasurer.
  2. The Budget Committee shall consist of the SBA Executive Officers and the Treasurer of each class.
  3. All requests for funds in excess of \$100.00 shall be submitted through the Budget Committee. Any Committee recommendation is subject to approval by the Board of Governors. Any request not in excess of \$100.00 may be approved by the Budget Committee.
  4. The Budget Committee shall be responsible for regulating the budget of the Student Bar Association each academic year.

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5. In the event of a tie within a Budget Committee consisting of an even number of members, the highest-ranking class officer of the 3L or 2L class, based on seniority, whom is not also on the Budget Committee, shall cast a tie breaking vote. Any other inability to reach a majority shall be dealt with on a case-by-case bases.
- (b) Constitutional Committee
1. The Constitutional Committee shall be responsible for reviewing and updating the Constitution and Bylaws of the Board of Governors.
  2. Any Committee recommendation is subject to approval of the Board of Governors.
  3. The President of each class shall serve on the Constitutional Committee and any other person appointed by the SBA President.
  4. The SBA Executive officers may submit changes to the constitution and by-laws to the Board of Governors in the same manner of the Constitutional Committee.
- (c) Elections Committee
1. The Elections Committee shall be responsible for organizing and operating elections, as they become necessary pursuant to Article II herein.
  2. The Elections Committee shall consist of the Third-Year Class officers and any other person appointed by the SBA President.

## **Title 7. Voting.**

**Section 1.** A simple majority of votes cast approves a motion or election. Two-thirds (2/3) majority vote shall be required to:

- (a) Impeach;
- (b) Modify the Constitution or Bylaws; or
- (c) Override a Presidential Veto.

**Section 2.** A tie vote does not approve a measure or an election.

**Section 3.** There shall be no voting by proxy.

**Section 4.** A roll call vote may be had upon request by any member of the Board of Governors, subject to majority approval.

**Section 5.** All roll call votes shall be recorded by the SBA Secretary and reported in the minutes of the meeting.

**Section 6.** Types of motions to be utilized during proceedings are listed in Robert's Rules of Order.

## **Title 8. Termination, Resignation, Removal, and Replacement.**

**Section 1.** Termination: Termination of membership on the Board of Governors results when a student is no longer a member of the Student Body, or has been removed or has resigned from the Board of Governors. Termination of membership on the Board of Governors shall result in the



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termination of all powers, rights, and duties, express or implied, which accompany such vacated office.

**Section 2.** Resignation: Any member may resign from the Board of Governors at any time by presenting a written resignation to any member of the Executive Committee. Such resignation shall be effective when received if no date is specified.

**Section 3.** Removal: Any member of the Board of Governors may be removed for cause subject to Article IX, Section 3 of the Constitution of Oklahoma City University School of Law Student Bar Association.

**Section 4.** Replacement:

(a) In the event of resignation or removal of any elected member of the Student Bar Association Board of Governors, appropriate notice of the vacancy or pending appointment shall be posted according to Article II, Section 11.

(b) Succession.

1. In the event of vacancy in the office of the SBA President, the SBA Vice President shall succeed to such office.
2. In the event of vacancy in the office of SBA Vice President, the SBA Secretary shall succeed to such office.
3. In the event of a vacancy in the office of the SBA Secretary, an election from among members of the Board of Governors shall be held. Two (2) weeks' notice of such election must be given to the Board of Governors by the presiding officer.
4. In the event of a vacancy in the office of the SBA Treasurer, an election by the Board of Governors shall be held. Two (2) weeks notice of such election shall be given to the Board by the presiding officer.

## **Title 9. Good Standing of Student Organizations.**

**Section 1.** Student Organization:

(a) A student organization shall be recognized according to Title 1 of these bylaws.

(b) For an organization to remain in good standing, the organization must:

1. Each organization executive officers must maintain a current copy of the organization's constitution and by-laws (if enacted).
2. Organizations are also responsible for filing a copy of its constitution and by-laws with the sitting SBA Secretary.
3. If applicable, organization executives are required to attend any meeting the SBA Executive Board decides.
  - i. Example: Beginning of the year training, end of year transitions, etc.
4. Each organization is held to the same attendance policy as all other voting members found in Article IX Section 3 of the SBA Constitution.
5. The office of Treasurer is required to maintain records of all financial transactions and take all the necessary means to insure proper and accurate bookkeeping.

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6. Each organization is required to maintain the financial accounts. Organizations are not allowed to overdraw any account.
    - i. If an overdraft on a student organization's account occurs, the organization will remain out of GOOD STANDING until the SBA Treasurer and Accounting office have approved the organization to be in good standing.
- (c) Student Organizations will be considered in bad standing if any of the items listed in Section 1(b) of this Title are not met or considered insufficient by the SBA Board.