

**LAW SCHOOL STUDENT BAR ASSOCIATION  
BYLAWS**

**THE COLLEGE OF WILLIAM AND MARY  
MARSHALL-WYTHE SCHOOL OF LAW**

Enacted August 2, 2011

Amended January 26, 2012

**§ 1. General Provisions**

**§ 1.1. Effects of these Bylaws**

1. These bylaws shall take effect upon ratification by two-thirds (2/3) of currently elected Student Bar Association (SBA) Board Members.
2. These bylaws shall be distributed to all newly elected SBA Board Members by the Secretary within one week of taking office. Bylaws shall also be available on the SBA website for all students to review.
3. In the event that any provisions within these Bylaws conflict with the Student Bar Association Constitution, the provisions in the Constitution shall govern.
4. Except as otherwise limited by the Student Handbook, the Student Code of Conduct, the Honor Code, the SBA Constitution, and these bylaws, the enumeration of responsibilities in these bylaws shall not be construed as a restraint on the exercise of such powers that may be necessary and proper to effectuate the efficient and constitutional governing of the law school student body.
5. Any and all procedural issues not addressed by these bylaws shall be governed by ROBERT'S RULES OF ORDER.

**§ 1.2. Interpretation**

1. The SBA Executive Council shall be responsible for interpreting these bylaws.
2. If any member of the SBA Board disagrees with the Executive Council's interpretation of the bylaws, three-fourths (3/4) of the SBA Board members may override the Executive Council's interpretation.

**§ 1.3. Definitions**

1. For the purposes of interpretation, the following definitions shall apply:
  - a. SBA: refers to the entire law school student body.
  - b. Constitution: refers to the SBA Constitution.
  - c. Executive Council: refers to the President, Vice President, Secretary, and Treasurer.

- d. SBA Board: refers to the Executive Council and all other Elected Members (including 3L class representatives, 2L class representatives, 1L class representatives, and the LLM Representative).
- e. First-Year Election: the election held in the fall semester of each school year for the purpose of electing the Class Representative for the first year class and the LLM class.
- f. Executive Election: the election held pursuant to Article X, Section 3 of the SBA Constitution for the purpose of electing all members of the Executive Council.
- g. General Election: the election held pursuant to Article X, Section 4 of the SBA Constitution in the spring semester of each school year for the purpose of electing rising 2L class representatives and rising 3L class representatives.
- h. Special Election: an election required by Article X, §5 of the Constitution to fill a vacancy left by the cessation of service of any of the elected members of the SBA Board.
- i. General Membership Meeting: a meeting in which all students in attendance may vote. A general membership meeting can be called by the SBA Board or upon petition to the SBA President by any student. A petition for a general membership meeting may be signed by fifty (50) students ten (10) days prior to the time the meeting is to be called.
- j. SBA Board Meeting: a meeting for the SBA Board and invited guests that is open, but not advertised, to the public.
- k. Work Flow Document: a digital or hard copy document that tracks which member of the SBA Board is responsible for a given task.
- l. Friendly Amendment: An Amendment to a policy position that is accepted by the policy's authors.
- m. Unfriendly Amendment: An amendment to a policy position that is not accepted by the policy author(s) and is subject to a vote by the SBA Board.
- n. School Week: any week during the fall or spring semester during which classes are scheduled at the law school for at least two days.
- o. Weekday: Monday through Friday inclusive.
- p. SBA Board Treasury: all funds allocated to and possessed by the SBA Board (including funds held in off-campus bank accounts).
- q. Student Assembly – the student government at the College of William and Mary
- r. Student Senate – the legislative branch of the Student Assembly

#### **§ 1.4. Procedure to Amend**

1. Amendments to, additions to, and removal of bylaws shall take place according to the following procedure:

- a. If an SBA Board member or appointed representative determines that a bylaw should be amended, added, or removed, that Board member may submit a proposed bylaw amendment to the SBA Secretary for dispersal to the SBA Board.
  - b. If deemed necessary by the SBA President, a committee may be formed to propose and consider bylaw amendments. In the event a committee is established, the President shall appoint an elected member of the SBA Board to chair the committee. If no committee is required, the SBA Board shall vote on the proposed bylaw in accordance with §1.4(2) of these bylaws.
    - i. The Committee Chairperson may select committee members.
    - ii. Committee members can include any member of the student body, faculty, and administration.
  - c. Amendment of a bylaw requires two-thirds (2/3) approval of all currently elected SBA Board Members.
2. A vote on any bylaw amendment must take place within two school weeks of any proposal subject to the voting procedure laid out in § 7.4 of these bylaws.

### **§ 1.5. Time Period**

1. These bylaw shall be reasonably construed in consideration of school closings due to unforeseen events, weekends, holidays, and those days that may fall within any of the following scheduled recesses of the law school:
  - a. Fall Break
  - b. Thanksgiving Break
  - c. Winter Break
  - d. Spring Break
  - e. Summer Break
2. Where deadlines prescribed by these bylaws fall on one of the aforementioned days, the SBA Board reserves the right to adjust said deadlines accordingly, as long as such adjustments are reasonable under the circumstances.

## **§ 2. The Executive Council**

### **§ 2.1. The Executive Council**

1. The Executive Officers of the SBA Board (the Executive Council) shall include the President, the Vice President, the Secretary, and the Treasurer.
2. All Executive Council members shall:
  - a. Represent the interests of the entire student body to the SBA Board, faculty, and administration.
  - b. Attend as many SBA planned events as possible

- i. At the discretion of the Treasurer, in consultation with the Executive Council, discounted or free event tickets may be offered to members of the Executive Council.
  - (1) At the discretion of the Treasurer, in consultation with the Executive Council, discounted or free event tickets may be offered to other members of the SBA Board.
- 3. In addition to their duties outlined below, Executive Council members must meet with the Dean of the law school at least once per semester (subject to the schedule of the Dean) in order to discuss student issues and concerns.
- 4. The President and Vice President should aim to meet with the Dean at least once per month while classes are in session.
- 5. The power to create ad-hoc executive committees and positions shall reside with each Executive Officer, subject to approval by the President. The Executive Officer overseeing a particular ad hoc committee or position shall have the power to remove any individual serving on such a committee or in such a position.

## **§ 2.2. The President**

- 1. The President shall be the Chief Executive Officer of the SBA Board and shall be elected, serve, and fulfill his/her duties in accordance with Article V of the Constitution.
- 2. The President shall:
  - a. Assume all powers of the Presidency upon election.
  - b. Transfer all powers of the Presidency to the new President upon the election of a new President.
  - c. Oversee the transition from the previous SBA Board to the current SBA Board.
  - d. Serve as the official spokesperson of the SBA.
  - e. Call and preside over all SBA Board Meetings.
  - f. Meet regularly with law school administrators to share information and lobby on behalf of all law students.
  - g. Monitor the actions of the faculty and administration to ensure student rights are preserved.
  - h. Oversee the implementation of SBA policy initiatives.
  - i. Lead efforts to gather the opinions and viewpoints of the student body.
  - j. Maintain a database of the policies of peer law schools.
  - k. Provide the law school student body with periodic updates about policy initiatives.
  - l. Appoint a Graduation Committee Chairperson.
  - m. Request funds from the SBA Board Treasury for the implementation of SBA Board policy initiatives in accordance with voting procedures outlined in § 7.4 of these bylaws.

- n. Prepare and/or update both a paper and electronic copy transition binder for his/her successor by February 15.
3. The enumeration of certain rights shall not be construed to deny other unenumerated rights held by the President.

### § 2.3. The Vice President

1. The Vice President shall:
  - a. Assume the power of the Vice Presidency upon election.
  - b. Transfer all powers of the Vice Presidency to the new Vice President upon the election of a new Vice President.
  - c. Oversee all events organized by the SBA Board including, but not limited to:
    - i. Weekly Bar Reviews
    - ii. Bar Crawl
    - iii. Fall From Grace
    - iv. Ski Trip
    - v. Barrister's Ball
  - d. Maintain a list of those responsible for various event planning tasks.
  - e. Coordinate the creation and sale of all tickets for SBA events.
  - f. Request funds from the SBA Board Treasury for the implementation of SBA Board event initiatives in accordance with voting procedures outlined in § 7.4 of these bylaws.
  - g. Maintain a database of event information to pass on to future Vice Presidents.
  - h. Attend all regularly scheduled meetings of the Honor Council.
  - i. Assume the Presidency of the SBA if the SBA President is unable to perform his/her duties.
  - j. Mentor a 1L Class Representative.
  - k. Prepare and/or update both a paper and electronic copy transition binder for his/her successor by February 15.
    - i. The transition binder should include:
      - (1) Copies of any communication between members of the SBA Board and vendors, event staff, school officials, or student groups related to the planning of events.
      - (2) Any forms, contracts, or funding requests
      - (3) Concise summaries of all events
      - (4) Copies of any marketing or publicity materials used

## **§ 2.4. The Secretary**

1. The Secretary shall:
  - a. Assume the powers of the Secretary upon election.
  - b. Transfer all powers of the Secretary to the new Secretary upon the election of a new Secretary.
  - c. Ensure that copies of the Constitution and Bylaws are made available to all students.
  - d. Record and distribute minutes of all SBA Board meetings.
  - e. Serve as a liaison to student groups regarding announcement of events, notices, and activities.
  - f. Supervise the SBA webmaster.
  - g. Handle all official SBA correspondence.
  - h. Regularly check the SBA email account.
  - i. Maintain the SBA Facebook page.
  - j. Maintain the SBA Board's electronic and paper records.
  - k. Maintain the SBA Alumni Database.
  - l. Organize the distribution of bulletin board space to student groups.
  - m. Schedule monthly meetings between the Dean of the law school and the Executive Board.
  - n. Prepare introductory materials for new SBA Board members.
  - o. Mentor a 1L Class Representative.
  - p. Prepare and/or update both a paper and electronic copy transition binder for his/her successor by February 15.

## **§ 2.5. The Treasurer**

1. The Treasurer shall:
  - a. Assume the powers of the Treasurer upon election.
  - b. Transfer all powers of the Treasurer to the new Treasurer upon the election of a new Treasurer.
  - c. Oversee all SBA funds.
  - d. Maintain records of all SBA transactions.
  - e. Establish a close working relationship with the law school's Chief Financial Officer.
  - f. Examine receipts and process reimbursement requests for student organizations.
  - g. Supervise the Finance Chairperson.
  - h. Run the student organization budgeting process by:
    - i. Organizing a Budgeting Information Session for student organizations.

- ii. Providing clear and concise budgeting instructions to all student organizations.
- iii. Informing students of budget decisions in a timely manner.
- i. Process fees and cut checks for the Graduation Committee.
- j. Assure that the SBA Board receives at least fifty percent (50%) of the Student Activities Fee (pre-“state handling fee”) from the Student Association (SA).<sup>1</sup>
- k. Provide student organization treasurers with the necessary documentation and procedures for requesting funds.
- l. Mentor a 1L Class Representative.
- m. Prepare and/or update both a paper and electronic copy transition binder for his/her successor by February 15.

### **§ 3. Class Representatives**

#### **§ 3.1. Duties of All Class Representatives**

1. All Class Representatives shall:
  - a. Represent the interests of their respective class to the SBA Board, faculty, and administration.
  - b. Actively aid the Executive Council members in their respective duties
  - c. Be present at the majority of SBA planned events.
  - d. Prepare and/or update both a paper and electronic copy transition binder for their successors by February 15.

#### **§ 3.2. 3L Class Representatives**

1. Two (2) rising 3Ls shall be elected to serve as 3L Representatives starting in the spring of their 2L year.
2. 3L Class Representatives shall serve from the spring of their 2L year through the end of the academic year.
3. 3L Class Representatives shall:
  - a. Collaborate with student organizations to coordinate weekly bar reviews.
  - b. Work with the Vice President to plan annual events.
  - c. Pursue policy initiatives that interest them.

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<sup>1</sup> For example, if law students pay a \$180 student activities fee, the SBA Board should receive at least 50% (\$90) from the Student Assembly. Under this example, if there are 600 total law students, the SBA Board should receive a total of \$54,000 (\$90 multiplied by 600). This formula is calculated based on the signed agreement memorialized between the SA and SBA Board on April 27, 2010.

- d. Serve as liaisons between the 3L class and the SBA Board.
- e. Assist in SBA tabling and advertisement efforts.

### **§ 3.3. 2L Class Representatives**

1. Two (2) rising 2Ls shall be elected to serve as 2L Representatives starting in the spring of their 1L year.
2. 2L Class Representatives shall serve from the spring of their 1L year through the spring General Election of Class Representatives their 2L year.
3. 2L Class Representatives shall:
  - a. Collaborate with the Secretary to advertise SBA events and initiatives.
  - b. Order graduation awards for all graduating 3Ls who served on the SBA Board during their time at the law school.
  - c. Assure that student lounge equipment is clean and in working order.
  - d. Pursue policy initiatives that interest them.
  - e. Serve as liaisons between the 2L class and the SBA Board.
  - f. Assist in SBA tabling and advertisement efforts.

### **§ 3.4. 1L Class Representatives**

1. Three (3) 1Ls shall be elected to serve as 1L Representatives starting in the fall of their 1L year in accordance with Article X, Section 4 of the SBA Constitution.
2. 1L Class Representatives shall serve from the fall of their 1L year through the spring General Election of Class Representatives their 1L year.
3. 1L Class Representatives shall:
  - a. Collaborate with the Secretary to advertise SBA events and initiatives.
  - b. Pursue policy initiatives that interest them.
  - c. Serve as liaisons between the 1L class and the SBA Board.
  - d. Assist in SBA tabling and advertisement efforts.

### **§ 3.5. LLM Representative**

1. One (1) L.L.M. student shall be elected to serve as L.L.M. Representative in the fall of their L.L.M. year.
2. L.L.M. Representatives shall serve from the fall of their L.L.M. year through the end of the academic year.
3. L.L.M. Representatives shall:
  - a. Work with the Secretary to advertise SBA events and initiatives.
  - b. Pursue policy initiatives that interest them.



- c. Serve as liaisons between the LLM class and the SBA Board.
- d. Assist in SBA tabling and advertisement efforts.

### **§ 3.6. Attendance**

1. All members of the SBA Board are required to attend all general and SBA Board meetings.
2. The Secretary shall be responsible for keeping track of attendance.
3. If an SBA Board member is to be absent from a meeting, the board member shall inform the Secretary via e-mail.
4. Members of the SBA Board are allowed two (2) unexcused absences per semester.

## **§ 4. Appointed Representatives**

### **§ 4.1. Student Assembly Senators**

1. Three (3) law students shall serve as Student Assembly (SA) Senators.
2. SA Senators shall be appointed by the SBA Board.
3. All SA Senators shall:
  - a. Represent the interests of the law school in the Student Assembly.
  - b. Attend all SA meetings.
  - c. Vote in SA meetings based on the direction of the SBA Board.
  - d. Serve on at least one (1) SA committee.
  - e. Submit a request to the Student Senate Chair that at least one (1) law student be placed on the Senate Finance and Budget Committee
  - f. Attend all assigned SA committee meetings.
  - g. Serve as liaisons between law school student organizations and the Senate Finance and Budget Committee.
  - h. Provide the SBA Board with weekly updates on Student Assembly activity.
  - i. Prepare and/or update both a paper and electronic copy transition binder for their successors by February 15.
    - i. The transition binder should include:
      - (1) Copies of bills passed or presented in the SA
      - (2) An executive summary of methods employed for requesting funds from the SA.

#### **§ 4.2. Finance Chairperson**

1. The Finance Chairperson shall be appointed by the SBA Board.
2. The Finance Chairperson shall:
  - a. Serve as an assistant to the Treasurer.
  - b. Assist the Treasurer during the budgeting process.
  - c. Assure that student organizations utilize the funds made available through the Student Assembly.
  - d. Prepare and/or update both a paper and electronic copy transition binder for his/her successor by February 15.

#### **§ 4.3. Chief of Staff**

1. The Chief of Staff shall be appointed by the President in consultation with the Vice President.
2. The Chief of Staff shall serve at the President's pleasure.
3. The Chief of Staff shall:
  - a. Attend all SBA Board meetings.
  - b. Assist in the administration of SBA business.
  - c. Manage the work flow document of all SBA initiatives.
    - i. The Chief of Staff's management of the work flow document shall not be construed to mean that the Chief of Staff may delegate how a particular task is accomplished.
  - d. Prepare and/or update both a paper and electronic copy transition binder for his/her successor by February 15.

#### **§ 4.4. American Bar Association Representative**

1. The American Bar Association (ABA) Representative shall be appointed by the SBA Board.
2. The ABA Representative shall:
  - a. Keep the law school community abreast of ABA events, scholarships, and other opportunities.
  - b. Serve as the liaison between the SBA Board and the national and regional chapters of the ABA.
  - c. Prepare and/or update both a paper and electronic copy transition binder for his/her successor by February 15.

#### **§ 4.5. Graduate Council Representative**

1. Two (2) law students shall serve as Graduate Council Representatives.

2. Graduate Council Representative shall be appointed by the SBA Board.
3. The Graduate Council Representatives shall:
  - a. Attend all Graduate Council meetings.
  - b. Keep the law school community abreast of Graduate Council activities.
  - c. Serve as the liaison between the SBA Board and the Graduate Council.
  - d. Meet regularly with the SBA Board to plan and promote joint-graduate school activities.
  - e. Prepare and/or update both a paper and electronic copy transition binder for their successors by February 15.
    - i. The transition binder should include:
      - (1) Minutes of Graduate Council Meetings
      - (2) Summary of events hosted by the Graduate Council

#### **§ 4.6. Community Service Chair**

1. The Community Service Chair shall be appointed by the SBA Board.
2. The Community Service Chair shall:
  - a. Regularly compile and distribute information about volunteer and service-related opportunities on campus and in the greater Williamsburg area.
    - i. The Chair shall maintain an e-mail mailing list of those interested in receiving volunteer information.
  - b. Organize regular service projects specifically designed for law students.
  - c. Prepare and/or update both a paper and electronic copy transition binder for his/her successor by February 15.

#### **§ 4.7. Webmaster**

1. The Webmaster shall be appointed by the SBA Board.
2. The Webmaster shall:
  - a. Be responsible for the maintenance, design, and upkeep of the SBA website.
  - b. Assure that all information on the SBA website is correct and up to date.
  - c. Prepare and/or update both a paper and electronic copy transition binder for his/her successor by February 15.
    - i. The transition binder shall include:
      - (1) All usernames and passwords associated with the SBA website
      - (2) Copies of advertising contracts and their terms
      - (3) A description of modules and/or custom programming added to the website

- (4) Content Backups
  - (5) Security Backups
  - (6) Any mockups/designs/.png/.flash/.gif files etc. for any files on the website.
3. At the discretion of Executive Council, the Webmaster may receive limited monetary compensation.

#### **§ 4.8. Attendance**

1. Appointed Representatives may attend SBA Board meetings.
2. Except for the Chief of Staff, appointed Representatives are not required to attend SBA Board meetings.
3. Appointed Representatives must attend SBA Board meetings if requested by the President.

### **§ 5. Appointments**

#### **§ 5.1. Appointment of Honor Council Chief Justice**

1. The Honor Council Chief Justice shall be appointed by the entire SBA Board prior to the appointment of all Associate Justice positions.
2. Applications for the position of Chief Justice shall be made available within one (1) week of the conclusion of the spring general elections
3. Applications shall be created by the SBA President in consultation with the Executive Council.
4. Applications shall consist of a questionnaire and resume.
5. The student body will be made aware of the availability of applications via e-mail.
6. Applications cannot be due less than seventy-two (72) hours after the student body is made aware of the applications.
7. Eleven (11) copies of the applications shall be placed in the Secretary's hanging file by the appointed time and date.
  - a. The Secretary will be responsible for providing copies of applications to all members of the SBA Board.
8. Interview sign-up sheets should be made available outside the SBA office no less than seventy-two (72) hours before the first interview.
9. The Secretary shall be responsible for booking interview rooms and confirming appearances by the applicants.
10. All interviews are confidential.
11. The outgoing Chief Justice may be present for the interviews of those seeking the position.

- a. The Chief Justice may give his/her opinion about the candidates but may not participate in the voting process.
  - b. In the event the current Chief Justice has a conflict of interest with the appointment process of the incoming Chief Justice, the Deputy Chief Justice shall be present for the interviews of those seeking the position. The Deputy Chief Justice may give his/her opinion about the candidates but may not participate in the voting process.
  - c. In the event that both the current Chief Justice and Deputy Chief Justice have conflicts of interest with the appointment process of the incoming Chief Justice, the outgoing 3L Associate Justices of the Honor Council will select an outgoing 3L Associate Justice to be present for the interviews of those seeking the position. The outgoing 3L Associate Justice may give his/her opinion about the candidates but may not participate in the voting process.
12. Following the interview of all candidates, the SBA Board and Honor Council Representative may confer about the candidates. At any time, the Honor Council Representative may be asked by any member of the SBA Board to leave the room.
13. Approval of the Honor Council Chief Justice requires a majority (50% plus 1) approval by the SBA Board.
- a. Voting shall be done by voice vote.
  - b. Any member of the SBA Board may request that voting occur via secret ballot.
  - c. The Honor Council Representative may not be present for the voting process.
    - i. To properly close the meeting, the SBA Board must move to enter a closed session and the Board must approve the motion by majority vote.
    - ii. The motion to enter a closed session must: identify the subject matter and purpose of the closed session, and make specific reference to the applicable exemption from the open meeting requirements provided by law.<sup>2</sup>
    - iii. At the conclusion of the closed session, the SBA Board will immediately reconvene in open session and take a roll call or other recorded vote, to be included in the minutes, certifying that to the best of each member's knowledge: only matters lawfully exempt from the open meeting requirements provided by law, and only matters identified in the motion for closed session were discussed in the closed session.
    - iv. Any SBA Board member who believes there was a departure from the lawful and approved exemption from the open meeting requirements provided by law must so state prior to the open session vote, indicating the substance of the departure, and such statement will be recorded in the minutes.<sup>3</sup>
    - v. The SBA Board may permit non-Board members to attend closed meetings if they are deemed necessary, or if their presence will reasonably aid the Board in its consideration of a topic that is a subject of the meeting.

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<sup>2</sup> See Va. Code Ann. § 2.2-3712.

<sup>3</sup> Such statements, and the outcome of the open session do not affect the validity or confidentiality of the closed session.

- vi. Minutes need not be taken in closed session, and if minutes are taken, they will not be subject to public disclosure.
  - vii. The SBA Board may close meetings for the following purposes, which must be specifically referenced by Virginia Code section in the motion to enter closed session:
    - (1) Discussion, consideration, or interviews of prospective candidates for appointment, disciplining or resignation of appointed representatives, Honor Council Justices, or SBA Board Members. Va. Code Ann. § 2.2-3711(A)(1);
    - (2) Discussion or consideration of disciplinary matters or any other matters that would involve the disclosure of information contained in a scholastic record concerning any student, pursuant to Va. Code Ann. § 2.2-3711(A)(2);
    - (3) The protection of the privacy of individuals in personal matters not related to public business, pursuant to Va. Code Ann. § 2.2-3711(A)(4);
    - (4) Consultation with legal counsel and briefings pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the College, and consultation with legal counsel employed or retained by the College regarding specific legal matters requiring the provision of legal advice by such counsel, pursuant to Va. Code Ann. § 2.2-3711(A)(7);
    - (5) Discussion or consideration of special awards, pursuant to Va. Code Ann. § 2.2-3711(A)(10); or
    - (6) Discussion or consideration of any other matter exempt from open meeting requirements provided by law.<sup>4</sup>
  - viii. Any vote taken in a closed meeting should be made recorded in the minutes and made available to the public.
14. The President shall inform the accepted candidate of his/her status within twelve (12) hours of the vote.
  15. The Secretary shall inform the rejected candidate(s) of his/her status within twelve (12) hours of the vote.
  16. The Chief Justice shall assume all powers of his/her position upon appointment.

## § 5.2. Appointment of Honor Council Associate Justices

### § 5.2-1. 3L Associate Justices

1. 3L Associate Justices shall be appointed by the Executive Council and rising 3L Representatives.

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<sup>4</sup> See Va. Code Ann. § 2.2-3711(A).

2. Applications for the position of 3L Associate Justice shall be made available within one (1) week of the conclusion of the spring general elections
3. Applications shall be created by the SBA President in consultation with the Executive Council.
4. Applications shall consist of a questionnaire and resume.
5. The student body will be made aware of the availability of applications via e-mail.
6. Applications cannot be due less than seventy-two (72) hours after the student body is made aware of the applications.
7. Seven (7) copies of the applications shall be placed in the Secretary's hanging file by the appointed time and date.
  - a. The Secretary will be responsible for providing copies of applications to all members of the Executive Council and rising 3L Representatives.
8. Interview sign-up sheets should be made available outside the SBA office no less than seventy-two (72) hours before the first interview.
9. The Secretary shall be responsible for booking interview rooms and confirming appearances by the applicants.
10. All interviews are confidential.
11. If graduating at the end of the term, the outgoing Chief Justice shall be present for the interviews of those seeking the position. Should the Chief Justice not be graduating, the Deputy Chief Justice will take his or her place. Should the Deputy Chief Justice not be graduating, the graduating 3L Justices shall select one of themselves to take his or her place.
  - a. The Chief Justice may give his/her opinion about the candidates but may not participate in the voting process.
12. Following the interview of all candidates, the SBA Executive Council, rising 3L Representatives, and Honor Council Representative may confer about the candidates. At any time, the Honor Council Representative may be asked by any member of the Executive Council or rising 3L Representative to leave the room.
13. Approval of a 3L Associate Justice requires majority (50% plus 1) approval by the Executive Board
  - a. Voting shall be done by voice vote.
  - b. Any voter may request that voting occur via secret ballot.
  - c. The Honor Council Representative may not be present for the voting process.
14. The President shall inform the Chief Justice and accepted candidate of the candidate's status within twelve (12) hours of the vote.
15. The Secretary shall inform the rejected candidate(s) of his/her status within twelve (12) hours of the vote.
16. 3L Associate Justices shall assume all powers of his/her position upon appointment.

## § 5.2-2. 2L Associate Justices

1. 2L Associate Justices shall be appointed by the Executive Council and rising 2L Representatives.
2. Applications for the position of 2L Associate Justice shall be made available within one (1) week of the conclusion of the spring general elections
3. Applications shall be created by the SBA President in consultation with the Executive Council.
4. Applications shall consist of a questionnaire and resume.
5. The student body will be made aware of the availability of applications via e-mail.
6. Applications cannot be due less than seventy-two (72) hours after the student body is made aware of the applications.
7. Seven (7) copies of the applications shall be placed in the Secretary's hanging file by the appointed time and date.
  - a. The Secretary will be responsible for providing copies of applications to all members of the Executive Council and 2L Representatives.
8. Interview sign-up sheets should be made available outside the SBA office no less than seventy-two (72) hours before the first interview.
9. The Secretary shall be responsible for booking interview rooms and confirming appearances by the applicants.
10. All interviews are confidential.
11. If graduating at the end of the term, the outgoing Chief Justice shall be present for the interviews of those seeking the position. Should the Chief Justice not be graduating, the Deputy Chief Justice will take his or her place. Should the Deputy Chief Justice not be graduating, the graduating 3L Justices shall select one of themselves to take his or her place.
  - a. The Chief Justice may give his/her opinion about the candidates but may not participate in the voting process.
12. Following the interview of all candidates, the SBA Executive Council, 2L Representatives, and Honor Council Representative may confer about the candidates. At any time, the Honor Council Representative may be asked by any member of the Executive Council or 2L Representative to leave the room.
13. Approval of a 2L Associate Justice requires majority (50% plus 1) approval by the Executive Council and 2L Representatives
  - a. Voting shall be done by voice vote.
  - b. Any voter may request that voting occur via secret ballot.
  - c. The Honor Council Representative may not be present for the voting process.
14. The President shall inform the Chief Justice and accepted candidate of the candidate's status within twelve (12) hours of the vote.



15. The Secretary shall inform the rejected candidate(s) of his/her status within twelve (12) hours of the vote.
16. 2L Associate Justices shall assume all powers of his/her position upon appointment.

**§ 5.2-3. 1L Associate Justices**

1. 1L Associate Justices shall be appointed by the Executive Council and 1L Representatives.
2. Applications for the position of 1L Associate Justice shall be made available within one (1) week of the conclusion of the first-year election.
3. Applications shall be created by the SBA President in consultation with the Executive Council.
4. Applications shall consist of a questionnaire and resume.
5. The student body will be made aware of the availability of applications via e-mail.
6. Applications cannot be due less than seventy-two (72) hours after the student body is made aware of the applications.
7. Eight (8) copies of the applications shall be placed in the Secretary's hanging file by the appointed time and date.
  - a. The Secretary will be responsible for providing copies of applications to all members of the Executive Council and 1L Representatives.
8. Interview sign-up sheets should be made available outside the SBA office no less than seventy-two (72) hours before the first interview.
9. The Secretary shall be responsible for booking interview rooms and confirming appearances by the applicants.
10. All interviews are confidential.
11. The Chief Justice shall be present for the interviews of those seeking the position.
  - a. The Chief Justice may give his/her opinion about the candidates but may not participate in the voting process.
12. Following the interview of all candidates, the SBA Executive Council, 1L Representatives, and Honor Council Representative may confer about the candidates. At any time, the Honor Council Representative may be asked by any member of the Executive Council or 1L Representative to leave the room.
13. Approval of a 1L Associate Justice requires majority (50% plus 1) approval by the Executive Council and 1L Representatives
  - a. Voting shall be done by voice vote.
  - b. Any voter may request that voting occur via secret ballot.
  - c. The Honor Council Representative may not be present for the voting process.
14. The President shall inform the Chief Justice and accepted candidate of the candidate's status within twelve (12) hours of the vote.

15. The Secretary shall inform the rejected candidate(s) of his/her status within twelve (12) hours of the vote.
16. 1L Associate Justices shall assume all powers of his/her position upon appointment.

### **§ 5.3. Appointment of Appointed Representatives**

1. With the exception of the Chief of Staff, all Appointed Representatives will be appointed by the SBA Board.
2. All appointed representatives serve for one (1) year from date of appointment.
3. Applications for the position of an Appointed Representative shall be made available within one (1) week of the conclusion of the spring general elections
4. Applications shall be created by the SBA President in consultation with the Executive Council.
5. Applications shall consist of a questionnaire and resume.
6. The student body will be made aware of the availability of applications via e-mail.
7. Applications cannot be due less than seventy-two (72) hours after the student body is made aware of the applications.
8. Eleven (11) copies of the applications shall be placed in the Secretary's hanging file by the appointed time and date.
  - a. The Secretary will be responsible for providing copies of applications to all members of the SBA Board.
9. Interview sign-up sheets should be made available outside the SBA office no less than seventy-two (72) hours before the first interview.
10. The Secretary shall be responsible for booking interview rooms and confirming appearances by the applicants.
11. All interviews are confidential.
12. The outgoing Appointed Representative may be present for the interviews of those seeking the position unless he/she is seeking reappointment.
13. Following the interview of all candidates, the SBA Board and current Appointed Representative may confer about the candidates.
14. Approval of an Appointed Representative requires majority (50% plus 1) approval by the SBA Board.
  - a. Voting shall be done by voice vote.
  - b. Any member of the SBA Board may request that voting occur via secret ballot.
  - c. The current Appointed Representative may not be present for the voting process (unless they are also a member of the SBA Board).
15. The President shall inform the accepted candidate of his/her status within twelve (12) hours of the vote.

16. The Secretary shall inform the rejected candidate(s) of his/her status within twelve (12) hours of the vote.
17. The Appointed Representative shall assume all powers of his/her position upon appointment.

#### **§ 5.4. Appointments to Vacant Positions**

1. Honor Council Vacancies
  - a. In the event that an Honor Council Justice is unable to fulfill the duties of his/her position, the SBA President shall seek additional applications from the student body and appoint, with the consent of a majority of the SBA Board, an SBA member to fill such vacancy as an interim appointment.
  - b. An Honor Council vacancy is created if an Honor Council position is vacated by the circumstances outlined in Article VIII, Section 2(a) of the SBA Constitution.
  - c. The interim appointment shall run for the remainder of the term.
2. Appointed Representatives Vacancies
  - a. In the event that an Appointed Representative is unable to fulfill the duties of his/her position, the SBA President shall appoint, with the consent of a majority of the SBA Board, an SBA member to fill such vacancy as an interim appointment.
  - b. The interim appointment shall run for the remainder of the term.

#### **§ 5.5. No Applicants**

1. No Honor Council Applicants
  - a. In the event that there are fewer applications than Honor Council vacancies, the SBA President shall appoint, with the consent of a majority of the SBA Board, an SBA member to fill all vacant positions.
2. No Appointed Representative Applicants
  - a. In the event that there are fewer applications than Appointed Representative vacancies, the SBA President shall appoint, with the consent of a majority of the SBA Board, an SBA member to fill all vacant positions.

#### **§ 6. Removal of Appointed Representatives**

1. Two-Thirds (2/3) of the SBA Board may remove an Appointed Representative, except the Chief of Staff, from their position for dereliction of duty, if at least seven (7) members are present to vote.

## **§ 7. Conducting Business**

### **§ 7.1. Meetings**

1. All SBA meetings are open to the public.
2. The SBA Board will hold at least one (1) meeting per month in a large classroom and advertise the meeting to the student body.

### **§ 7.2. Quorum**

1. Three-fourths (3/4) of the Executive Council must be present to conduct Executive Council business.
  - a. In the event that the Executive Council loses quorum, the presiding officer must end the meeting until quorum is regained.
2. One-half plus one (1/2 plus 1) of the SBA Board must be present to conduct SBA Board business.
  - a. In the event that the SBA Board loses quorum, the presiding officer must end the meeting until quorum is regained.

### **§ 7.3. Decorum**

1. Rules of decorum apply to all persons present for SBA meetings.
2. SBA members may speak when recognized by the presiding officer.
3. SBA members shall refrain from using profanity during meetings.
4. SBA members shall not use speech that would or could be construed as slander or defamation of character.
5. SBA members shall refrain from engaging in side conversations during meetings.

### **§ 7.4. Voting**

1. Voting during SBA meetings can be conducted by voice, by raising hands, by secret ballot, or through roll call vote. Most votes will be a voice vote but any SBA Board member may request that another voting method take place.
  - a. In the event of a roll call vote, the Secretary will be responsible for recording votes.
  - b. In the event that a vote is conducted by secret ballot, the Secretary will be responsible for collecting and counting votes.
2. A Board member can vote “Yes”, “No” or “Abstention.”
3. If a roll call vote is taken, a Board member may choose to pass, but he/she may not abstain when his/her vote is called for the again.
4. Proxy votes, voting while not physically present in the room, are not allowed.
5. In the event of a tie, the President shall break the tie.

## § 7.5. Policy Positions and Debate

1. Any SBA Board member may propose a policy position that:
  - a. Outlines a policy strategy for the SBA Board to adopt and pursue.
  - b. Creates a new SBA program.
  - c. Allocates SBA funds to a project or program beneficial to the student body.
2. Policy positions must be typed and digitally submitted to the SBA Secretary no later than twelve (12) hours on the day before the meeting at which the policy position is to be considered.
3. Digital copies of policy positions will be emailed to all members of the SBA Board.
4. An SBA Board member will be able to introduce, explain, and answer questions about his/her policy position
5. It is expected that SBA Board members will have conducted the appropriate research before bringing a policy position to a meeting.
6. Friendly amendments may be proposed to a policy position. During the first meeting the policy position is discussed, the policy position author(s) may choose to accept or reject friendly amendments.
7. At the end of the meeting where a policy position is presented, SBA Board members are expected to speak to their constituencies about the proposed policy position.
8. Between the first and second meeting, SBA Board members are expected to research the policies of different law schools and law school student governments so that they may make an informed policy choice.
9. At the second meeting a policy position is presented, debate on the policy position is encouraged.
  - a. At this time, unfriendly amendments may be proposed.
  - b. For an unfriendly amendment to be inserted into a policy proposal, two-thirds (2/3) of the SBA Board members must vote in favor of adding the unfriendly amendment.
10. Final passage of a policy position takes place when members of the SBA Board vote on legislation.
11. A policy position needs to attain a simple majority vote in order to be adopted by the SBA Board.
12. Upon adoption, the SBA President will take the appropriate steps to assure that the policy position is put into effect.

## § 7.6. Straw Polls

1. Any SBA member may propose a non-binding straw poll to gather the opinions of the SBA Board.

### **§ 7.7. Budget Votes**

1. The overall budget for the SBA and law school organizations shall be put together by the Treasurer and the Finance Chairperson.
2. The overall budget for the SBA and law school organizations shall be approved by the SBA Executive Council.
3. Amendments to decrease or increase an allocation are allowed. Amendments to increase or decrease an allocation must receive three-fourths (3/4) of the Executive Council's approval.
4. If an SBA Executive Council member is a Board member of any organization requesting funding, the member must declare their position as a Board member prior to any budgetary vote.

## **§ 8. Student Organizations**

### **§ 8.1. New Organizations**

1. Any student may propose the creation of a new student organization.
2. Students interested in starting a new organization will be encouraged to review the list of current student organizations to assure that their interests are not being met on the graduate or undergraduate campus.
3. If an existing organization has the same general mission as a proposed new organization, students shall be encouraged to collaborate with already existing organizations.
4. The creation of a new organization does not guarantee SBA funding.
  - a. SBA funding of a new organization is at the discretion of the Executive Council.
  - b. New organizations that provide fresh and innovative ideas to the campus community will receive funding priority over new organizations that are similar to current organizations.
5. New organizations must submit a Constitution to the SBA Secretary.

### **§ 8.2. Defunct Organizations**

1. Groups inactive for two (2) or more academic years will be declared defunct and cease to exist.
2. Defunct organizations will be ineligible to apply for SBA funding.
3. A defunct organization seeking to be re-recognized may petition the SBA Board for re-recognition without submitting a new Constitution to the Dean of Administration.

## § 9. Finance and Budgeting Rules

### § 9.1. Preliminary Spring Budgeting

1. Prior to the start of the spring budgeting process, the Treasurer, in consultation with the Finance Chairperson and Executive Council, will set a buffer between the total amount of SBA funds and total amount of funds allocated to student organizations.<sup>5</sup>
2. In the Spring preceding the budget year, the Treasurer and Finance Chairperson shall hold an organizational meeting to discuss the budget process and necessary forms.
3. All SBA Board members should be familiarized with the budget process and necessary forms.
  - a. To facilitate the education of SBA Board members, the Treasurer will make a presentation to the SBA Board prior to the commencement of preliminary spring budgeting.
4. Budgeting forms should include:
  - a. The organization's name
  - b. The name of an officer who will be part of the organization in the following academic year
  - c. The previous year's spending including:
    - i. Events/Needs and Cost
    - ii. A breakdown of funding sources to include SBA funding, SA funding, outside funding, and dues paid by members
  - d. Proposed Events and expenditures, including descriptions of new events.
5. Detailed and well-organized budgets will be considered in a more favorable light than broad and unorganized budgets.
6. The overall preliminary spring budget for the SBA and law school organizations shall be put together by the Treasurer and the Finance Chairperson.
7. The overall preliminary spring budget for the SBA and law school organizations shall be voted on by the SBA Executive Council.
8. After a vote by the Executive Council, individual organizations will be informed by the Treasurer of their preliminary spring budget.
9. Any student organization may appeal their preliminary spring budget allocation
  - a. A predetermined percentage of available funds will be set aside for appeals.
  - b. Budget appeals will occur via the following process:
    - i. The Treasurer will post available dates and times for appeals hearings so that student organizations may sign up.

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<sup>5</sup>The "budget buffer" will be set aside to address emergency situations and provide discretionary funding as described in §9.5

- ii. The Treasurer and Finance Chairperson will attend all appeals hearings.
- c. In reviewing budget appeals, the Treasurer will consider the standards laid out in the Registered Student Organization handbook, the standards laid out in i-v below, and any other standards he/she deems necessary:
  - i. The number of students affected by the organization;
  - ii. Value and/or utility to the law school community;
  - iii. Price;
  - iv. Uniqueness of a given project or event; and
  - v. Size of the event
- d. In the event a student group chooses to appeal, the SBA Executive Council will consider appeals based on the standards laid out above in §9.1.7.c, the amount of money available, and the amount of money already allocated.
- e. Groups that fail to sign up for an appeal by the given deadline will forfeit their right to appeal.
- f. Groups that have an unexcused absence from their scheduled appeals hearing will forfeit their right to appeal.

## **§ 9.2. Summer Budgeting**

- 1. The Treasurer will meet with the law school Chief Financial Officer (CFO) before the beginning of the new year to discuss the financial state of the SBA.

## **§ 9.3. Final Budgeting**

- 1. After consulting with the CFO, the Executive Council shall vote on the final budget prior to the first day of classes.
- 2. Final budgets will be distributed to student organizations at the initial student organization meeting.
  - a. Organizations that fail to attend the initial student organization meeting and have not contacted the SBA Board by the start of fall break shall forfeit all funds for the academic year.

## **§ 9.4. Mid-Year Budgeting**

- 1. The Treasurer may recommend to the Executive Council a mid-year allocation process. Upon three-fourths (3/4) approval by the Executive Council, the Treasurer may commence the mid-year budgeting process.
- 2. If the Executive Council decides to have a mid-year budgeting process, the Treasurer will assure that information about the process is posted online and sent out to the student body via e-mail.
- 3. Upon commencement of the mid-year budgeting process organizations may solicit additional funding from the SBA during a mid-year allocation process provided:



- a. the organization has responsibly spent their original allocation, as noted in their initial spring budget, up to the mid-year budgeting process date; and
  - b. the organization requires additional funding due to unforeseeable circumstances; or
  - c. if the student group was started after the final budgeting process.
4. Once all allocations have been considered by the Treasurer and Finance Chairperson, the Treasurer shall propose mid-year budget allocations to the rest of the Executive Council.
  5. After all necessary debate, discussion, and recommendations, the Executive Council shall vote on the allocations pursuant to §7.7.
  6. There is no appeals process for mid-year budgeting.

### **§ 9.5. Discretionary Budgeting**

1. Under extraordinary circumstances and at the discretion of the Treasurer, with the majority consent of the Executive Council, the SBA Board may award discretionary funding to law school groups.

### **§ 9.6. Funding of Political Causes**

1. No SBA funding shall be used for any political causes, including but not limited to political causes within the law school, the Williamsburg community, the Commonwealth of Virginia and the United States of America.
2. SBA funds are solely for the promotion of student life and common student interests and may not be used to promote a particular political position, candidate, referendum, or SBA Constitutional amendment.

### **§ 9.7. The Graduation Committee**

1. The SBA President shall appoint a Graduation Committee and Chair every year, no later than thirty (30) days from the first day of classes during the fall semester preceding Commencement.
  - a. The Committee shall be made up of a minimum of five (5) people, including the Chair.
  - b. At the discretion of the appointed Chairperson, a co-Chairperson may also be appointed by the SBA President
2. The Graduation Committee shall maintain a separate outside account from the SBA Board and be responsible for maintaining and tracking the Committee's finances.
3. The SBA Treasurer shall serve as an account holder for the Graduation Committee's bank account.
4. The SBA Treasurer shall serve as the primary Graduation Committee account holder until the full Graduation Committee is appointed.

5. The SBA Treasurer shall have full access to all Graduation Committee financial documents.<sup>6</sup>
  - a. Original receipts should be saved and submitted to the Treasurer for filing in order to provide information for future Graduation Committees and promote financial transparency.
6. At the first meeting of the Graduation Committee, the Committee shall elect a Treasurer who shall be responsible for administering the Graduation Committee bank account.
  - a. Within one (1) week of their election as Graduation Committee Treasurer, the Graduation Committee Treasurer shall request that the SBA Treasurer add the Graduation Committee Treasurer as an authorized account holder for the Graduation Committee bank account.
7. The Graduation Committee will receive a surplus of up to \$3,000.00 from the previous year's Graduation Committee. At the discretion of the Graduation Committee, all funds in excess of \$3,000.00 may be donated to the next year's Graduation Committee or the class gift.
8. After Graduation, and the payment of all debts pursuant to Graduation Committee Activities, the Graduation Committee Treasurer shall be removed as an authorized account holder for the Graduation Committee Bank Account.
9. Graduation Committee funds will come from the following sources:
  - a. Fundraising
  - b. Alumni
  - c. The College of William & Mary
  - d. Any other legal source
10. Any issue related to Graduation Committee finances not specifically mentioned in these bylaws shall be addressed at the discretion of the SBA Treasurer, in collaboration with the SBA Board.

## **§ 10. Alumni**

1. All SBA Board Alumni have the option to be admitted to a directory so that current SBA Board members may call upon alumni for advice on any given issue.
2. Alumni who wish to be a part of this directory should provide their name and contact information, as well as any particular policy areas they would prefer to be consulted on, to the Secretary prior to their graduation.
3. All listed members of the Directory will be entitled "Alumni Officer."
4. The Secretary shall be responsible for compiling and maintaining the SBA Alumni Database.

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<sup>6</sup> This may include, but is not limited to, a shared Google Documents spreadsheet.

## **§ 11. Enforcement**

1. Failure to follow these bylaws can be considered dereliction of duty or malfeasance and subject the offending SBA Board member to dismissal proceedings pursuant to Article IX of the SBA Constitution.