

CONSTITUTION

OF THE

STUDENT BAR ASSOCIATION

AT THE

UNIVERSITY OF ALABAMA

SCHOOL OF LAW

Article I

- Section 1.* The objectives of the Student Bar Association at The University of Alabama School of Law shall be:
- A. To assure a student government based upon the will of the student body;
 - B. To instill those standards of honesty commensurate with the formation and maintenance of good moral character among the students of this Law School;
 - C. To provide a forum for the expression of ideas concerning social, moral, and intellectual aspects of the legal profession;
 - D. To provide association among students, administration, and faculty;
 - E. To support an opportunity for the students of the Law School to participate in the formulation of the educational policies of the Law School;
 - F. To encourage association of students with members of the legal profession.

Article II

- Section 1.* The name of this organization shall be the Student Bar Association. The Student Bar Association shall be the governing body of the students at The University of Alabama School of Law.
- Section 2.* The membership of the Student Bar Association shall consist of all law students officially enrolled at The University of Alabama School of Law.

Section 3. Members of the Student Bar Association current in dues payment and debts owed to the Student Bar Association shall be deemed to be members in good standing. Only members in good standing shall be eligible to participate in SBA-sponsored activities. Membership in good standing is a prerequisite to being a candidate for student office, casting a ballot in any SBA election, and serving as an officer in an organization receiving Student Bar Association funding.

Article III

Section 1. All legislative powers of the Student Bar Association shall be vested in the Student Bar Association Senate.

Section 2. The Senate shall consist of four Senators elected from each class. Rising second and third year Senators shall be elected in the spring at the time of class-wide office elections and shall take office at the Student Bar Association meeting following the election. First year Senators shall be elected in the fall and shall take office at the Student Bar Association meeting following the election. In the even of resignation or removal from office of any Senator, the Student Bar Association Senate shall appoint someone to fill the unexpired term.

Section 3. The Senate shall:

- A. Enact all legislation the Senate deems appropriate for achieving the objectives of this Constitution and enact all Bylaws in keeping with these objectives.
- B. Adopt its own rules of order.
- C. Keep a journal of its minutes, which shall be posted by the Student Bar Association Secretary in a designated place at the Law Center.
- D. Arbitrate grievances among the students, faculty and administration. All appeals from the decision of the Student Bar Association shall be to the office of the Dean of the Law School.
- E. Create, oversee, and dissolve all committees which shall be deemed appropriate for achieving the objectives of this Constitution.
- F. Establish Student Bar Association membership dues and direct the Student Bar Association Treasurer to collect such dues from all students upon commencement of their legal education.
- G. Allocate funds for the Student Bar Association, approve the yearly Student Bar Association budget and require an accounting of such funds from the Treasurer.

- H. Approve the Student Bar Association Honor Code, Rules of Court Procedure by a three-quarter vote.
- I. Appoint by a majority a Student Bar Association Elections Committee to assist with all Student Bar Associations elections. The Elections Committee shall consist of one person appointed by the Senate from each class section. No member of the Elections Committee shall hold any other Student Bar Association office. A vote of no confidence by three-fourths of the Student Bar Association Senate shall result in the dismissal of all or one member of the Elections Committee and appointment of a new Elections Committee or member.
- J. Make Student Bar Association Election Procedure Rules.
- K. Formulate policies of the Student Bar Association.
- L. Perform such other duties as may be necessary and proper to the exercise of the foregoing powers and all duties of a Senator as set forth in the Student Bar Association Bylaws.

Section 4. The Student Bar Association Senate shall meet at least once a month. For the purposes of conducting business, a quorum shall consist of three-fourths of the Senate members.

Section 5. Each Senator shall attend every regularly scheduled meeting of the Student Bar Association Senate.

Section 6. The Law School Senators in the University of Alabama Student Government Association shall be non-voting members of the Senate, and shall attend at least one regularly scheduled meeting of the Student Bar Association Senate per semester.

Article IV

Section 1. With the exception of the Student Bar Association Elections Committee, there shall be two types of committees: standing committees and select committees. All committees shall be created by the Student Bar Association Senate and shall be subject to the authority of the Senate, which shall define the purpose and duties of each and which shall classify each accordingly.

- A. A standing committee shall be responsible for the administration of matters of a continuous social and educational nature. The chairperson of each standing committee shall be appointed by the Student Bar Association Senate and shall assume the duties of chairperson immediately. Each standing committee member shall join and carry out his obligations as a member voluntarily. In the case of resignation or removal of a chairperson, a new chairperson shall be appointed by the Senate and shall take office immediately and fill the unexpired term.

B. A select committee shall be responsible for the investigation, discussion, and administration of specific matters assigned to it by the Senate. The chairperson of each select committee shall be appointed by the Student Bar Association Senate, and committee members shall be appointed by the chairperson. In the case of resignation or removal of a chairperson, the Senate shall appoint a new chairperson who shall take office immediately and fill the unexpired term. In no case shall the term of a select committee extend beyond one academic year without approval by a three-fourths vote of the Senate.

Section 2. A vote of no confidence by a majority of the Student Bar Association Senate for any chairperson of any committee shall result in his or her removal from office.

Section 3. In no case shall this article be construed to govern the Student Bar Association Elections Committee.

Article V

Section 1. The Student Bar Association Career Services Board shall be responsible for the communication of job information to the members of the Student Bar Association from the Career Services Office and shall take primary responsibility for the facilitation of communication between members of the Student Bar Association and the Career Services Office.

Section 2. The Student Bar Association Career Services Board shall consist of a Chairperson and two members elected from each class. The Chairperson of the Career Services Board shall be a member of the rising third-year class elected in the spring semester at the time of school-wide office elections and shall take office at the next meeting of Student Bar Association Senate. Rising second- and third-year members shall be elected in the spring semester at the time of class-wide office elections and shall take office at the next meeting of the Career Services Board. First-year members shall be elected in the fall and shall take office at the next meeting of the Career Services Board. In the event of resignation or removal from office of the chairperson, the Student Bar Association Senate shall appoint a third-year Board member to fill the chairperson's unexpired term and replace that person with a third-year student from the appointed chairperson's section.

A. The Chairperson of the Career Services Board shall perform such duties as may be necessary and proper to the exercise of the foregoing powers and all duties of the Career Services Board Chairperson as set forth in the Student Bar Association Bylaws.

Article VI

Section 1. The Judicial power of the Student Bar Association shall be vested in one Student Honor Court.

Section 2. The Student Honor Court shall consist of a Chief Justice, Prosecutor, Assistant Prosecutor, Defense Counsel, Assistant Defense Counsel, and four Associate Justices from each class. The Chief Justice, Prosecutor, and Defense Counsel shall be members of the third year class elected by the student body at large in the spring semester at the time of school-wide office elections and shall take office immediately upon election. The Student Honor Court Assistant Prosecutor and Assistant Defense Counsel shall be elected in the spring semester at the time of school-wide elections and shall take office immediately upon election. Rising second and third year Associate Justices shall be elected in the spring semester at the time of class-wide office elections and shall take office immediately upon election. First year Associate Justices shall be elected in the fall semester and shall take office immediately upon election. In the event of resignation or removal from office of any Student Honor Court Officer, the Student Bar Association Senate shall appoint someone to fill the unexpired term.

Section 3. The Student Honor Court shall:

- A. With subsequent approval by the Student Bar Association Senate, promulgate rules governing student conduct in matters relating to the Law School which the Court deems appropriate for achieving the objectives of the Constitution. These rules shall be known as the Honor Code. The Honor Code shall be the basis of jurisdiction for all succeeding Student Honor Courts unless amended by them and the amendments approved by a three-fourths vote of the Senate.
- B. Determine disciplinary and punitive measures for violations of this Constitution or the Honor Code. These Disciplinary Sanctions shall be the basis of jurisdiction for all succeeding Student Honor Courts unless amended by them.
- C. Guarantee that due process requirements of notice; opportunity to answer those charges; and to obtain witnesses to testify on his or her behalf will be afforded any student who is accused of violating the Constitution or the Honor Code. Should there be probable cause that there has been a violation of this Constitution or the Honor Code formal charges must be brought before the Student Honor Court and a formal hearing must be held at which the accused may be represented by a legal counsel or advisor of his or her own choosing. The Honor Court shall enter a finding of guilty of such violation by a unanimous vote of those Justices trying the case.
- D. Interpret this Constitution and any rules established hereunder by any Student Bar Association governing body.

- E. Direct the Student Bar Association Secretary to publish and distribute to all entering students the Honor Code created by the Student Honor Court.
- F. With the approval of three-fourths of the Senators of the Student Bar Association Senate, adopt rules for its procedure in conducting trials, investigations and voting on any given issue. These Rules of Procedure shall be binding on succeeding Student Honor Courts unless amended by them and the amendments approved by a three-fourth vote of the Senate.
- G. Render advisory opinions at the request of any Student Bar Association elected officer, Law School faculty member, or petition from ten students of the Law School.
- H. The Court shall make and preserve a true record of all Student Honor Court Proceedings.
- I. Be responsible for the dissemination and collection of faculty evaluations for the purpose of insuring honesty and integrity in these procedures.

Section 4. The Chief Justice of the Student Honor Court shall:

- A. Call sessions of the Student Honor Court upon his or her initiative or whenever three Justices or the Student Honor Court Prosecutor so requests. For the purpose of conducting business, a quorum shall consist of nine Justices.
- B. Instruct the incoming Chief Justice on all matters pertaining to the leave of Student Honor Court Chief Justice before leaving office.
- C. Preside over the Student Honor Court.

Section 5. The Student Honor Court Prosecutor shall:

- A. Act as an officer of the Student Bar Association Court, and at the direction of the Court prosecute any alleged violation of this Constitution or the Honor Code. In the event of trial, he or she shall defend this Constitution and the Student Bar Association Honor Code, and shall be responsible for presenting a case in chief against the accused.
- B. Perform such duties as may be necessary and proper to the exercise of the foregoing powers and all duties of the Prosecutor as set forth in the Student Bar Association Bylaws.

Section 6. The Student Honor Court Assistant Prosecutor shall:

- A. Act as an officer of the Student Honor Court and shall assist the Prosecutor in carrying out his or her duties pursuant to the provisions of Article VI, Section 5 of the Constitution.
- B. Perform such duties as may be necessary and proper to the exercise of the foregoing powers and all duties of the Assistant Prosecutor as set forth in the Student Bar Association Bylaws.

Section 7. The Student Honor Court Defense Counsel shall:

- A. Act as an officer of the Student Honor Court and defend or assist in the defense of any Student accused of a violation of this Constitution or the Honor Code.
- B. Perform such duties as may be necessary and proper to the exercise of the foregoing powers and all duties of the Defense Counsel as set forth in the Student Bar Association Bylaws.

Section 8. The Student Honor Court Assistant Defense Counsel shall:

- A. Act as an officer of the Student Honor Court and shall assist the Defense Counsel in carrying out his or her duties pursuant to the provisions of Article VI, Section 7 of the Constitution.
- B. Perform such duties as may be necessary and proper to the exercise of the foregoing powers and all duties of the Assistant Defense Counsel as set forth in the Student Bar Association Bylaws.

Section 9. The Student Bar Association Chief Justice, Associate Justices, Prosecutor, Assistant Prosecutor, Defense Counsel and Assistant Defense Counsel shall not appoint summer replacements. The business of the Student Honor Court during the summer term is to be conducted according to the provisions of Chapter 19 of the Law Student Honor Code.

Article VII

Section 1. The Student Bar Association Executive officers shall consist of a President, Vice President, Treasurer and Secretary. The Student Bar Association President and Vice President shall be members of the rising third year class. The Student Bar Association Executive Officers shall be elected in the spring semester at the time of school-wide office elections and shall take office at the next meeting of the Student Bar Association. In the case of resignation or removal from office of any executive officer, except the Student Bar Association President, the Student Bar Associate President, the Student Bar Association Senate shall appoint someone to fill the unexpired term. Executive officers shall not vote in matters before the Senate, except the President in case of a tie.

- A. The Student Bar Association President shall:
1. Lead the Student Bar Association in achieving the objectives of this Constitution.
 2. Enforce the Constitution and all legislation of the Student Bar Association Senate and decisions of the Student Honor Court.
 3. Call emergency meetings of the Student Bar Association Senate.
 4. Preside over the Student Bar Association Senate.
 5. Vote during Student Bar Association proceedings only in the case of a tie.
 6. Assist the Student Bar Association Treasurer in preparing a Student Bar Association budget annually and in presenting such budget before the Student Government Association Financial Affairs Committee and Student Bar Association Senate.
 7. Instruct the incoming Student Bar Association President on all matters pertaining to the office of President before leaving office.
 8. Delegate such of his or her duties to the Vice President as may be necessary in the administration of the responsibilities of his or her office.
 9. Perform such duties as may be necessary and proper to the exercise of the foregoing powers and all duties of the President as set forth in the Student Bar Association Bylaws.
 10. Attend every regularly scheduled meeting of the Student Bar Association Senate.

- B. The Student Bar Association Vice President shall:
1. Assume the responsibilities of Acting President in the absence of the President, and in the event of permanent absence or resignation of the Student Bar Association President for any reason, assume the office of President.
 2. Instruct the incoming Student Bar Association Executive Vice President of all matters pertaining to the office of Vice President before leaving office.

3. Perform such other duties as may be necessary and proper to the exercise of the foregoing powers and all duties of the Vice President as set forth in the Student Bar Association Bylaws.
4. Attend every regularly scheduled meeting of the Student Bar Association Senate.
5. Act as the Student Bar Association President's designee and attend every meeting of any University of Alabama Student Government Association committee or board, Council of Presidents, or Coordinating Council for Student Organizations where Student Bar Association representation is either required or requested.

The Vice President shall vote where applicable at such meetings on behalf of the Student Bar Association and its President; however, the Student Bar Association President shall have continuing authority to attend and vote at any such meeting at the President's discretion.

The Vice President shall be responsible for knowing the time and location of such meetings where Student Bar Association representation is required or requested.

C. The Student Bar Association Treasurer shall:

1. Collect and disburse funds of the Student Bar Association as directed by the Senate.
2. Keep a permanent record of all financial matters of the Student Bar Association.
3. Render an account of current finances to the Student Bar Association Senate upon request.
4. Compile and post in a public place in the Law Center a financial statement of all Student Bar Association operations upon order of the Student Bar Association Senate.
5. Advise the Student Bar Association Senate and committees on financial matters.
6. Assist in procuring funds to support Student Bar Association activities from the local community, charitable foundations, and from any other available source.
7. Appoint no more than two Assistant Treasurers with Student Bar Association Senate approval to assist with the duties of the office of Student Bar Association Treasurer.

8. Supervise all money collection from students related to any Student Bar Association function or activity, including, but not limited to, Homecoming and Law Week ticket and T-shirt sales and class composite photograph sitting fees. However, the Homecoming and Law Week chairperson for his or her respective function shall maintain primary responsibility for locating student workers to sell and collect money for tickets and T-shirts.
9. Present records to the Incoming Student Bar Association Treasurer and President at the end of each administration and instruct the incoming Treasurer on all matters pertaining to the office of Student Bar Association Treasurer before leaving office.
10. Have the authority to charge an amount no greater than the maximum amount allowed by law to individuals whose checks are returned to the Treasurer due to insufficient funds.
11. Perform such other duties as may be necessary and proper to the exercise of the foregoing powers and all duties of the Treasurer as set forth in the Student Bar Association Bylaws.
12. Attend every regularly scheduled meeting of the Student Bar Association Senate.

D. The Student Bar Association Secretary shall:

1. Keep a journal of the meetings of the Student Bar Association Senate and post the minutes of each meeting in the Law School upon approval of the minutes by the Senate. The minutes shall include a list of those Student Bar Association Senators present at the meetings and those absent.
2. Publish annually this Constitution, all Student Bar Association Senate by-laws and the Honor Code and take responsibility for their distribution to all entering students. All Bylaws passed, amended, or repealed by the Student Bar Association Senate shall be posted in the Law School within three full class days after such action has been taken, and shall remain posted until consolidated and distributed under Part 3 of this subsection.
3. Maintain a permanent record of all legislation, business, Bylaws, and correspondence of the Student Bar Association.
4. Except in the case of emergency meetings, post in a prominent public place, the date of the next Student Bar Association Senate meeting not later than forty eight hours before the meeting is to be held.

5. Instruct the incoming Student Bar Association Secretary of all matters pertaining to the office of Secretary before leaving office.
6. Perform such other duties as may be necessary and proper to the performance of the foregoing powers and all duties of the Secretary as set forth in the Student Bar Association Bylaws.
7. Attend every regularly scheduled meeting of the Student Bar Association Senate.

Article VIII

- Section 1.* The election of a Representative to the American Bar Association Law Student Division shall be held in the spring semester during the general election of class-wide offices.
- Section 2.* The Representative shall be elected to serve a two year term.
- Section 3.* The Representative shall be a rising second-year student at the time of the school-wide election.
- Section 4.* The Representative shall be required to make oral or written reports to the Student Bar Association Senate upon request of a Senator or Executive Officer.
- Section 5.* The Representative may appoint a class representative who will assist with membership recruitment and publicity concerning American Bar Association activities.

Article IX

- Section 1.* The Student Bar Association Senate shall remove by three-quarters vote any Student Bar Association Executive Officer, Justice, Senator, Career Services Board Member, Prosecutor, Assistant Prosecutor, Defense Counsel, or Elections Committee Member who behaves in a manner inconsistent with his or her responsibilities under this Constitution.
- Section 2.* The basis of removal of any elected Student Bar Association officer or senator shall be the substantial violation of any provision of this Constitution or the neglect or refusal to perform the responsibilities and duties of a Student Bar Association office. Two absences per semester from regularly scheduled Student Bar Association meetings which are deemed unexcused by the Student Bar Association Secretary shall constitute neglect to perform the duties of the Student Bar Association office and shall make that senator or officer subject to sanctions provided in Article IX, Section 1 of this Constitution.

- Section 3.* Due process requirements of notice, of opportunity to hear the charges, and of opportunity to answer those charges and to obtain witnesses to testify on his or her behalf, shall be guaranteed to any Student Bar Association officer or senator charged with a violation of this Constitution or neglect of the duties of his or her office. However, failure or refusal of an officer to accept notice, to attend a hearing, or to participate therein does not bar removal.
- Section 4.* In the case of removal of any Student Bar Association elected officer or senator, formal charges of violation or neglect of duty must be brought before the Student Bar Association Senate and a formal hearing must be held at which the accused is represented by a legal counsel or advisor of his or her own choosing. The person so charged shall have ample opportunity afforded to prepare to answer each charge and to obtain witnesses to testify on his or her behalf. In the case of a violation of the Student Bar Association Senate Attendance Policy, notice shall consist of an announcement of the hearing at a regularly scheduled Student Bar Association meeting one week prior to the Student Bar Association vote on the violation. The Student Bar Association Senate shall enter a finding of guilty of such violation by a three-quarter vote of those senators trying the case. All appeals from a decision of the Student Bar Association Senate shall be to the Office of the Dean of the Law School.
- Section 5.* In the case of removal of Student Bar Association President or Vice President the Chief Justice of the Student Honor Court shall preside over the Senate.
- Section 6.* In the case of removal from office of any elected Student Bar Association officer, with the exception of the Student Bar Association President and the chairperson of the Career Services Board, whose succession is provided for elsewhere, the Student Bar Association Senate shall appoint someone within two weeks to fill the unexpired term.

Article X

- Section 1.* Eligibility to vote in Student Bar Association elections is governed by Article II, Section 3, of this Constitution.
- Section 2.* Each member of the Student Bar Association shall be eligible to be a candidate for a Student Bar Association office except where otherwise provided by this Constitution. No student shall be a candidate for more than one office at any spring or fall general election. No student shall hold more than one Student Bar Association office at any one time. For purposes of this subsection, the Senators representing the Law School on the University of Alabama Student Government Association shall be considered Student Bar Association officers. Only votes for officially declared candidates shall be valid.
- Section 3.* All Student Bar Association elections shall be by secret ballot.

Section 4. A general election, run-off election, or special election shall be conducted by the Student Bar Association Elections Committee.

Article XI

Section 1. The Student Bar Association Adviser will be a faculty member who is appointed by the Dean of the School of Law.

Article XII

Section 1. Parliamentary procedure of the Student Bar Association shall be governed by *Robert's Rules of Order*.

Article XIII

Section 1. Amendments to this Constitution shall be proposed by a majority of the Student Bar Association Senate or by petition of twenty percent of the students of the Law School, which petition shall be filled with the Student Bar Association Secretary.

Section 2. The Student Bar Association Elections Committee shall set a date for the ballot for ratification of the proposed amendment.

Section 3. Amendments shall be ratified by secret ballot of the students of the Law School. The vote necessary for ratification shall be two thirds of the number of students voting. The amendments shall take effect immediately upon approval, unless otherwise specified by the amendment.

Section 4. Notice of a ballot to amend this Constitution shall be given by the Student Bar Association Elections Committee two weeks before the vote is taken. The amendment as proposed by a Student Bar Association Senate or by petition shall be posted in a public place in the Law Center with notice of the date on which the ballot will be taken.

Section 5. Any amendment to this Constitution shall be incorporated into the text of this Constitution and shall be valid as to all intents and purposes as part of this Constitution.

*Ratified and approved March 30, 1976

*Ratified and approved, as amended to create the office of Vice President for Financial Affairs and to amend the duties of the Executive Vice President, by the requisite vote of the Law School Student Body, Tuesday, April 11, 1995.

*Ratified and approved, as amended to eliminate the office of Vice President for Financial Affairs and to amend the duties of Executive Vice President, by the requisite vote of the Law School Student Body, Monday, April 14, 1997.

***Ratified and approved, as amended to hold elections for the positions of Student Bar Association Executive Officers one week prior to general elections for other senate positions and to provide for the office of Assistant Defense Counsel by requisite vote of the Law School Student Body, February 12, 1998.**

***Ratified and approved in its entirety, by requisite vote of the Law School Student Body, February 29, 2000.**

***Ratified and approved, as amended to elect Student Bar Association Senators, Honor Court Associate Justices, and Career Services Representatives from each class at large, rather than by section, by requisite vote of the Law School Student Body, Spring 2003.**