

**DADE COUNTY BAR ASSOCIATION
UNIVERSITY OF MIAMI STUDENT CHAPTER
UNIVERSITY OF MIAMI SCHOOL OF LAW**

CONSTITUTION

ARTICLE I: NAME AND AUTHORITY

Section 1

Name

This Association shall be known as the Dade County Bar Association University of Miami Student Chapter [hereinafter "DCBA UMSC"]. Correct listing throughout Constitution

Section 2

Authority

This Constitution regulates the DCBA UMSC, and the DCBA UMSC executive board. It is the intent of this instrument to guide DCBA UMSC and to supplement the purpose, duties, and rights stated in the Dade County Bar Association By-Laws[hereinafter the "DCBA By-Laws"].

This Constitution was approved by the DCBA Board of Directors on June 3, 2009.

At any time and without prior notice the DCBA, by action of its Board of Directors, may revoke the DCBA UMSC's right of association. In the event of a revocation, the DCBA UMSC must speedily deconstruct the student association.

Section 3

Governing Body

The governing body of the DCBA UMSC shall be the Executive Board. The Executive Board shall adopt and maintain Bylaws and Policies and take such other actions as are necessary for the welfare of DCBA UMSC.

The Executive Board shall be responsible for executing DCBA UMSC policies, decisions, and mandates, while overseeing the day to day affairs of DCBA UMSC.

The DCBA, through the DCBA Board of Directors may instruct the DCBA UMSC Executive Board to take any action it thinks proper, and the DCBA UMSC Executive Board will take that action promptly.

ARTICLE II: PURPOSE

The purpose of DCBA UMSC shall be to bring about a union of law students at the University of Miami School of Law and to:

- encourage UM student participation in the DCBA during law school and afterwards;
- utilize the collective resources of DCBA UMSC and the DCBA to improve the quality of legal education and effectuate goals of the DCBA;
- initiate and encourage the mutually beneficial relationship between the DCBA and UM law students;
- help to foster a sense of community among legal professionals and law students working in Miami;
- provide greater opportunity for employment and networking for DCBA UMSC students;
- articulate and promote the professional needs and goals of DCBA UMSC law students;
- foster and encourage professional competence;
- promote legal awareness in Miami-Dade County; and.
- utilize the collective resources of the member chapters to effectuate the goals of the DCBA as expressed in the Bylaws of the DCBA

ARTICLE III: MEMBERSHIP

Section 1

Composition

DCBA UMSC shall be composed of paid Student members of the DCBA from the University of Miami School of Law

Section 2

Membership

A. Eligibility for Membership

All matriculating law students at the University of Miami School of Law may be members of DCBA UMSC

B. Classifications of Membership

- i. Active membership is defined to be all members that have fulfilled the application process and payment of dues for that fiscal year, which entitles them to all rights and privileges of DCBA UMSC defined herein.
- ii. Inactive membership shall consist of any member that does not fulfill the dues requirement.
- iii. Individual membership: For the purposes of voting, running for any office, being appointed to any office, and participating in DCBA UMSC events, an individual member is any law student who is a active member of DCBA UMSC and is in academic good standing at University of Miami School of Law.

Section 3

Rights

- i. Active members shall have the right to attend meetings, participate in programs, vote, and run for executive board offices.
- ii. Inactive members may attend meetings and programs of DCBA UMSC, but may not vote or hold office
- iii. Associate members may attend DCBA UMSC meetings, participate in DCBA UMSC programs, but may not vote nor seek an office.

Section 4

Duties

Each member shall regularly participate in the activities of DCBA UMSC.

In order to activate membership, as stated in Article III, Section 2(b), each member shall complete a membership application and remit it with payment of dues to the DCBA.

Dues shall be submitted no later than October 1st the current academic year. The amount of dues required of DCBA UMSC shall be determined by the bylaws of the DCBA.

ARTICLE IV: STANDING COMMITTEES

The following shall be standing committees of the DCBA UMSC: Elections Committee, Fundraising Committee, Community Service Committee, Membership Committee, Mentorship Committee, and Grievance Committee.

ARTICLE V: EXECUTIVE BOARD

Section 1

Composition

The following may be the officers of DCBA UMSC:

- President
- Vice President
- Secretary
- Treasurer
- DCBA Liaison

Section 2

Appointment

The DCBA UMSC Executive Board shall have the authority to appoint any staff persons in order to effectuate the goals and policies of DCBA UMSC. The President may appoint non-voting officers (for example: Fundraising Chair, SBA Liaison, and Parliamentarian):

All appointments must be ratified by three-fourths ($\frac{3}{4}$) vote of the elected officers of the Executive Board. Appointees shall have no voting rights on the Executive Board.

Section 3

Meeting Attendance

- i. DCBA UMSC Executive Board members must attend each Executive Board meeting.
- ii. In order to remain an Executive Board member, board members must be present at the majority of Executive Board meetings unless otherwise agreed upon by the Executive Board.
- iii. Any removal or impeachment of a board member will be governed by the DCBA UMSC Bylaws.

Section 3

Elections

- i. Election of Officers: Executive Board members shall be elected by a majority of the voting members at the DCBA UMSC voting meeting. Such elections will be coordinated by the Election Committee and must occur no later than the first week in April of the current school year.
- ii. Term: The officers shall serve in office for a term of one (1) year. A term of office shall commence May 1 and shall terminate April 30 of the following year.
- iii. Transition: There shall be a mandatory transitional meeting of the current and newly elected Executive Board members at the conclusion of the current school year

ARTICLE VI: VOTING

Section 1

Apportionment

Each member shall have one (1) vote for the purpose of election of DCBA UMSC officers and to enact all other issues submitted to vote.

Section 2

Proxy

[Intentionally Omitted]

Section 3

Absentee Ballots for Elections of Officers

- i. Members that cannot attend the DCBA UMSC voting meeting, and thus, vote in the election of officers, must submit a legitimate reason to the Secretary.
- ii. Upon determination that a member's reason for non-attendance at the voting meeting is legitimate, the Executive Board shall issue the member an absentee ballot.
- iii. Members permitted to vote by absentee must submit their vote to the Elections Chairman one (1) week prior to the DCBA UMSC voting meeting.
- iv. The absentee ballots will be prepared in advance with the names of the prospective candidates and the positions for which they are running.
- v. The ballots must be turned in by the member requesting it.
- vi. The DCBA UMSC Academic Advisor must certify the absentee ballots.

ARTICLE VII: AMENDMENTS

Section 1

Adoption

The following method will be used to adopt and ratify all amendments to the Constitution:

- i. Proposed amendments will be placed first on the agenda and submitted to the Executive Board for consideration.
- ii. During the meeting each proposal may be discussed and debated. After fifteen (15) minutes, the President may end the debate. Debate shall not last longer than one (1) hour.
- iii. Debate may also be closed by a motion from the floor, after which, the proposal will be presented for vote in its final form.

- iv. The Secretary shall prepare a report of all passed amendments set forth in their final form and distribute it to the voting delegates at the final plenary session.
- v. At the final plenary session, the President shall call for the ratification vote on each proposed amendment in accordance with the appropriate standard. Ratification shall require a majority vote of all Executive Board members and Constitution Committee & Bylaws members.
- vi. Amendments shall take effect immediately after ratification.

Section 2

Constitution Amendments

Adoption of additions and/or repeals to this Constitution require a two-thirds (2/3) vote of the active members present. The DCBA Board of Directors must also approve the addition or repeal.

Section 3

Bylaws Amendments

Adoptions of additions and/or repeals to these bylaws may be made by a majority vote of the active members present.

**DADE COUNTY BAR ASSOCIATION
UNIVERSITY OF MIAMI STUDENT CHAPTER
UNIVERSITY OF MIAMI SCHOOL OF LAW
BYLAWS**

CHAPTER I

ARTICLE I: ENTITIES OF DCBA UMSC

Section 1

Executive Board

The elected Executive Board shall be the managing directors for the general operation of DCBA UMSC consistent with the provisions of the Constitution and Bylaws.

- i. The Executive Board shall consist of the officers and representatives elected by DCBA UMSC members, which are the President, Vice President, Secretary/Treasurer, and DCBA Liaison, and appointed members of the DCBA UMSC Executive Board.
- ii. The Executive Board shall meet at regularly scheduled intervals and take such action as is appropriate to carry out the directions and decisions of DCBA UMSC.
- iii. The Executive Board shall take such actions as are appropriate for the efficient operation of DCBA UMSC so long as such actions are not inconsistent with, nor prohibited by the DCBA UMSC Constitution and Bylaws, the University of Miami School of Law Inter-Club Council [hereinafter "ICC"], or the DCBA Policies and By-Laws.
- iv. The Executive Board shall make timely distribution of policies of DCBA UMSC as well as program directives and operational guidelines established by the ICC Policies and Procedures Manual for use in regulating and conducting business of DCBA UMSC.

Section 2

Authorized Members

DCBA Student members are the duly authorized membership of DCBA UMSC for whom DCBA UMSC and its organizational entities exist to support and nurture.

An Associate Member shall be approved for membership and inducted by the Chapter. They are entitled to affiliate with DCBA UMSC, but shall be ineligible for elected or appointed office in DCBA UMSC.

An individual shall be limited in their membership rights and privileges without being afforded due process with respect to allegations made against them.

An individual shall be in good standing as a member by paying DCBA UMSC Chapter dues for the given fiscal year.

ARTICLE II: BYLAWS

DCBA UMSC shall have the right to adopt Bylaws for the regulation of affairs so long as such Bylaws are not inconsistent with, nor prohibited by, the Policies and By-Laws of the DCBA.

ARTICLE III: VOTING

Section 1

Apportionment

Each member shall have one (1) vote for the purpose of election of DCBA UMSC officers and to enact all other issues submitted to vote.

Section 2

Absentee Ballots for Elections of Officers

- i. Members that cannot attend the DCBA UMSC voting meeting, and thus, vote in the election of officers, must submit a legitimate reason to the Secretary.
- ii. Upon determination that a member's reason for non-attendance at the voting meeting is legitimate, the Executive Board shall issue the member an absentee ballot.
- iii. Members permitted to vote by absentee must submit their vote to the Elections

- Chairman one (1) week prior to the DCBA UMSC voting meeting.
- iv. The absentee ballots will be prepared in advance with the names of the prospective candidates and the positions for which they are running.
 - v. The ballots must be turned in by the member requesting it.
 - vi. The DCBA UMSC Academic Advisor must certify the absentee ballots.

CHAPTER II: OFFICERS

ARTICLE I: ELIGIBILITY FOR OFFICE AND TERMS OF OFFICE

Section 1

Elected Officers

The officers: President, Vice President, Secretary/Treasurer, and DCBA Liaison. These officers shall be elected at each academic year voting meeting, and may not succeed themselves in their respective office after service of two (2) successive full terms. The elected officer must be an active member as defined by Article III of the DCBA UMSC Constitution.

Section 2

Appointed Officers

The offices of SBA Liaison and Membership Chairperson may be appointed by the President with the advice and confirmation of the Executive Board before the conclusion of each academic year voting meeting or as soon as possible thereafter.

ARTICLE II: DUTIES OF OFFICERS

Section 1

President

The President shall be the Chief Executive of DCBA UMSC, Presiding Officer and Chairman of the Executive Board. It shall be the duty of the President to:

- i. Exercising general executive authority over the business and activities of DCBA UMSC;
- ii. Order the disbursement of the funds of DCBA UMSC as and to sign checks whenever necessary;
- iii. Require periodic written reports from each of the elected Executive Board Members giving an account of their respective works for the proceeding quarter and their plans and/or program for the ensuing quarter. A digest of these reports, with such comments as the President deems expedient, shall be forwarded to each Executive Board Member;
- iv. Provide documentation to the Executive Board (i.e. receipts, etc.) for all non-budgeted expenditures;
- v. Set and implement administrative procedures for the efficient operation of DCBA UMSC;
- vi. Provide information regarding the state of DCBA UMSC to the Members;
- vii. Recommend appointments for SBA Liaison and Membership Chairperson.
- viii. Appoint other such officers as provided for in the Constitution and Bylaws;
- ix. Name Committees and appoint the Chairpersons, Vice Chairpersons and members of the committees;
- x. Represent DCBA UMSC at relevant conferences and meetings that occurs within or outside the University of Miami School of Law if such conference or meeting will benefit DCBA UMSC;
- xi. Implement DCBA Mandated Projects;
- xii. Performing such other functions and duties as the ICC may provide; and
- xiii. Performing such other functions and exercising such further duties as assigned by the Policies and/or By-Laws of the DCBA.
- xiv. Regularly report to the DCBA regarding the status and activities of DCBA UMSC.

Section 2

Vice President

The Vice President shall be the second in order of leadership of DCBA UMSC and shall:

- i. Assist the President in carrying out responsibilities and duties set for in Section 1 of this chapter;
- ii. Preside over general membership meeting and Executive Board meetings in the absence of the President;
- iii. Perform such duties as are assigned by the President and the Executive Board;
- iv. Exercise coordinating supervision over the activities of all standing committees, see that these committees are functioning, and provide the President and/or the Executive Board with a periodic report of the progress and work being performed by the several committees; and
- v. Convene at least one joint meeting of all committee chairmen for the purposes of coordination and clarification of the activities that each committee is pursuing.

Section 3

Secretary/Treasurer

At this time the duties of a secretary and a treasurer shall be confirmed into one individual acting as Secretary/Treasurer. The Executive Board may make this position two separate positions by amending the bylaws.

Secretarial Duties:

- i. Keep strict record of the proceedings of the Executive Board and to send a report of same to each Executive Board member within seven (7) days after the close of and Executive Board Meeting and to file a copy of the report with the official records of DCBA UMSC, and to give a copy of the report to the designated person within the DCBA;
- ii. Keep an accurate history of DCBA UMSC covering the period of his or her term of office and, upon leaving office, to disseminate the document to the newly elected Secretary;
- iii. Cause the creation of and maintain such system of records and documentation as might be required to ensure the efficient operation of DCBA UMSC;
- iv. Perform other secretarial duties of the Executive Board at the direction of the President;
- v. Maintain a list of all members in DCBA UMSC;
- vi. The Secretary, under the advice of the Executive Board, may use a standard form to collect information from members regarding their suggestions, interests, and ideas for DCBA UMSC.
- vii. Maintain a list of all officers in DCBA UMSC; and
- viii. Act as an alternate signatory when necessary.

Treasurer Duties:

The Treasurer shall be the Chief Financial Officer of DCBA UMSC. It shall be the duty of the Treasurer to:

- i. Receive and account for all funds of DCBA UMSC;
- ii. Provide regular accurate reports of the financial status of DCBA UMSC to the Executive Board and to the Secretary, who will give the reports to the designated person within the DCBA;
- iii. Disburse the funds of DCBA UMSC on order from the President and to countersign such all disbursed checks;
- iv. Become and remain bonded for the duration of the term; and
- v. Submit a final written comprehensive report to the Executive Board prior to or during the last General Meeting.

Section 7

DCBA Liaison

It shall be the duty of the DCBA Liaison to:

- i. Disseminate any and all information from the DCBA to the DCBA UMSC Executive Board and DCBA UMSC members; and
- ii. Communicate with the DCBA any concerns, comments, or suggestions DCBA UMSC may have.
- iii. Establish a relationship with the DCBA designated staff member.

ARTICLE III: APPOINTED OFFICERS

Section 1

The DCBA UMSC may appoint officers as needed and enumerate their duties.

ARTICLE IV: SUCCESSION AND REMOVAL OF OFFICERS

Section 1

President Succession

In the event of death, disability, or vacation, the succession to the President shall be:

1. Vice President
2. Secretary
3. DCBA Liasion

The remaining members of the Executive Board shall meet to elect a chief executive officer until the academic year voting meeting, if none of the above is available to serve.

Section 2

Other Officer Succession

In the event of the disability, death, vacation, or inability of other officers to properly perform their respective duties, the President, by and with the confirmation of the Executive Board, shall appoint a successor.

Section 3

Officer Removal

Executive Officers may be removed from office for cause subject to the discretion of the Executive Board and two-thirds (2/3) affirmative vote

Section 4

Grounds for Removal

Failure to perform the duties of the office as prescribed in this Constitution and Bylaws, or engaging in conduct detrimental to the well-being of DCBA UMSC shall constitute grounds for disciplinary action.

Section 5

Disciplinary Proceeding

Recommendation: An Executive Board member or any member may submit to the Executive Board a written recommendation that an officer be disciplined for conduct described in Section 4 of this Article.

Hearing: The Executive Board, acting on such recommendation, voting by a simple majority may call a hearing on the merits of the recommendation at the next regularly scheduled executive board meeting or at a special meeting to determine whether there are grounds for disciplinary action against the officer in question. Such officer shall be given reasonable, written notice and an opportunity to defend him/herself at said hearing. A report will be generated documenting the hearing meeting.

Discipline: If grounds for disciplinary action exist, censure or impeachment or any other measure as deemed reasonable by the Executive Board shall be appropriate against the officer in question.

Censure: Censure shall be in order upon two-thirds (2/3) vote of the Executive Board.

Section 6

Impeachment

Impeachment: Impeachment is in order upon a two-thirds (2/3) vote of the Executive Board or a two-thirds (2/3) vote of the General Membership.

ARTICLE V: REMOVAL OF APPOINTED OFFICERS

In the event that any member of a committee or authority, or any person appointed by the President to perform services for DCBA UMSC shall become incapacitated, or should resign before expiration of their term of office, or if they fail to perform their duties in a manner satisfactory to DCBA UMSC, the President, by and with the consent of the Executive Board, shall appoint a successor for such disabled or resigning member for the unexpired term of said member. In the case of disability, the Executive Board shall

determine when the disability begins and ends.

CHAPTER III: DCBA UMSC CHAPTER AFFAIRS
ARTICLE I: MEETINGS

Section 1

General Membership Meetings

- i. There shall be at least six (6) DCBA UMSC general meetings per year.
- ii. General meetings shall be open to all active, inactive, and associate members of DCBA UMSC.

Section 2

Executive Board Meetings

- i. There shall be at least four (4) Executive Board Meetings per semester.
- ii. Executive Board meetings shall be open to Executive Board members, University of Miami School of Law Dean of Students, DCBA UMSC Advisors, and committee chairs.
- iii. At the President's discretion, an Executive Board Meeting shall be closed to University of Miami Dean of Students and committee chairs

ARTICLE II: DUES

DCBA UMSC dues shall be the Student membership fee in the DCBA.

ARTICLE III: FINANCIAL AFFAIRS

Section 1

Bank Account

The Treasurer and the President may maintain a dual signature account with the University of Miami School of Law Budget Office. The Executive Board may also grant signing authority (in conjunction with either the Treasurer or President) to the Vice President.

ARTICLE IV: STANDING COMMITTEES

Section 1

Authorization

DCBA UMSC may establish and maintain the following standing committees: Examples of committees include: Elections, Grievances, Membership, and Mentorship. When deemed necessary, new subcommittees shall be established. Each retiring committee chairperson is charged with the duty to turn over all committee documents to his or her successor.

Section 2

Regulations

The President with the consent of the Executive Board thereof shall appoint the Committees and Chairpersons.

Standing Committees shall be composed of not less than three (3) members.

Section 3

Duties of Standing Committees

The duties of Standing Committees shall be enumerated by the Executive Committee at the time of their creation.

ARTICLE VI: AMENDMENTS TO BYLAWS

These Bylaws may be amended by a two-thirds (2/3) vote of the Executive Board and are subject to review and approval by the DCBA Board of Directors.

ARTICLE VII: PARLIAMENTARY AUTHORITY

Section 1*Robert's Rules of Order*

The rules contained in the current edition of Robert's Rules of Order Newly Revised, shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with the Constitution and Bylaws and any special rules of order DCBA UMSC may adopt.

ARTICLE VIII: CURRENT GOALS**Section 1**

The current goals of the DCBA UMSC are as follows:

- i. Increase UM student membership in the DCBA.
- ii. Increase UM student awareness about DCBA events and activities.
- iii. Encourage the DCBA to include students in events through:
 - a. Volunteering,
 - b. Mentorship
 - c. Student Pricing, and
 - d. Other forms of involvement.