

**University of Miami
Student Division
of the
Federal Bar Association**

CONSTITUTION

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PREAMBLE

We, the executive officers of the University of Miami School of Law Student Division of the Federal Bar Association's South Florida Chapter, do hereby enact these By-laws for the governance of this organization. This Student Division will be comprised of students and therefore, it shall be understood that it is not a division independent unto itself. The Miami Law Student Division is a division of the South Florida Chapter, which, in turn, is a division of the Federal Bar Association National Chapter.

ARTICLE I: General Information

Section 1: Name

The name of this organization shall be the "University of Miami Student Division of the South Florida Chapter of the Federal Bar Association," but shall be recognized by the University as the "Federal Bar Association Student Division" or "FBA Student Division."

Section 3: Objective

The goal of this organization is to further the objectives of the Federal Bar Association as set forth in Article III of the Federal Bar Association's Constitution; to serve as the national representative of the Federal legal profession amongst the University of Miami's student body; to promote the sound administration of justice; to enhance the professional growth and development of the students aspiring to Federal practice; to promote high standards of professional competence and ethical conduct in the Federal legal profession; to promote the welfare of potential Federal practitioners as well as attorneys and judges employed by the Government of the United States; to provide meaningful services for the welfare and benefit of the members of the Federal Bar Association; to provide quality educational programs to the law students interested in Federal practice; to keep members informed of developments in their respective fields of interests; to keep members informed of the affairs of the Association, to encourage their involvement in its activities and those of the Federal Bar Association and the South Florida Chapter, and to provide members opportunities to assume leadership roles; to promote professional and social interaction among law students and federal practitioners.

Section 2: Location

The organization shall be located at and is affiliated with the University of Miami School of Law, in Coral Gables, Florida. The organization will work directly with the South Florida Chapter.

Section 4: Governance

In addition to these By-laws, the Constitutions of the Federal Bar Association and the Federal Bar Association South Florida Chapter are hereby adopted and incorporated herein by reference insofar as they may be applicable to the business of the Student

Division and shall prevail over these By-laws in the event of a conflict therewith, except as to the fiscal year. These By-laws may not conflict with the University of Miami Student by-laws. These By-laws shall take the place of any and all previous By-laws, and all amendments thereto, which are hereby annulled and set aside.

ARTICLE II: Membership

Section 1: Membership Criteria

- a) Members must be currently enrolled in the University of Miami School of Law, or, in the case of alumni members, an alumnus of the University of Miami School of Law.
- b) In good academic and financial standing with the University of Miami School of Law.
- c) Exemplary character, including but not limited to, integrity, sincerity, and honesty.
- d) Members must have enrolled for Associate Membership and paid annual student dues to the Federal Bar Association.¹

Section 2: Student Members

Members shall be those Law School students seeking to advance their interests in federal law. Membership to any Student Division of the Federal Bar Association is limited to any law student actively enrolled in an accredited law school and not admitted to the practice of law before a federal court or a court of record in any of the several states, commonwealth, territories, or possessions of the United States or in the District of Columbia.

Student members are responsible to notify the Secretary of the Student division of his/her name and address as a new member as soon as dues are paid online at the Federal Bar Association's website.

Section 3: Alumni Members

Alumni members shall remain as non-voting members. Alumni members shall be encouraged to participate as guest speakers, panelists, and generally to assist the student members as practicable from time to time.

Section 4: Removal of Members

Removal of a member from the Student Division shall commence when any member of the Student Division in good standing, including any member of the Executive Board, initiates a motion for removal. There will be a discussion limited to five (5) minutes

¹ Any student experiencing undue financial hardship who is unable to pay the annual \$30 law student dues shall meet with the President of the Student Division to create a payment plan or alternative resolution. No student will be deprived membership of the Student Division solely because of the inability to pay the annual dues.

among the members regarding the merits of a removal motion. Member's comments shall be directed through the Vice-President of Administration. The member being removed shall be allowed to speak for no more than three (3) minutes in his/her defense. After discussion, the membership shall vote on the motion.

ARTICLE III: Executive Council Structure

Section 1: Executive Board

An egalitarian Executive Board shall head the Society. The elected Executive Officers of the Student Division's Executive Board shall consist of:

- President
- Vice-President of Administration
- Vice-President of Marketing
- Secretary
- Treasurer

Section 2: Duties of the Executive Officers

President

The President shall act in such a manner as to adhere to the principles, philosophy, and programs of the Society, and shall exhibit the leadership skills necessary to assure the success of ventures undertaken by the Student Division. The President shall be chief spokesperson and coordinator for all Student Division's affairs. The Presidents will maintain regular correspondence with the President of the South Florida Chapter of the Federal Bar Association. The President shall preside over, maintain order, and set the agenda for all meetings of the Society. The President shall attend all Inter-Club Council ("ICC") meetings or designate a representative to attend in his/her place. The President shall be accountable for his/her action to the Student Division's membership. The President shall serve as the Student Division's delegate before the South Florida Chapter, the Federal Bar Association, and before other Student Divisions. The President will establish the policy of the Student Division. If the President wishes to create one or more elective position(s), these By-Laws must be amended to reflect such changes and subsequent elections must be held to fill any new position according to the procedures outlines in these By-Laws. Should the need arise for new committees to be established to help execute the objectives of this Student Division, they shall be created by the President on a temporary and as needed basis made up of student members of the Student Division.

Vice-President of Administration

The Vice-President of Administration's main purpose is to maintain compliance with the University of Miami's school-wide procedures and protocol. The Vice-President of Administration shall render assistance to the President as may be required. It shall be the Vice-President of Administration's duty to fill the vacancy when the President of the organization is absent, and preside over meetings in the President's absence. The Vice-

President of Administration is required to reserve rooms and other spaces as necessary for all meetings and events coordinated by this Student Division. The Vice-President of Administration will work closely with the Events department at the University of Miami for all functions hosted by the Student Division on campus. The Vice-President of Administration will work closely with the Treasurer to keep track of all expenditures involved in meetings and functions hosted by this Student Division. For all student activities fairs and other school-wide functions the Vice-President of Administration will organize all necessary fulfillments required for this Student Division to secure representation. The Vice-President of Administration will be responsible for organizing annual elections for the Student Division and sending election results to the school's administrator.

Vice-President of Marketing

The Vice-President of Marketing shall be the marketing representative for this Student Division. The Vice-President of Marketing will work closely with the President and Secretary to help disseminate essential information to students through creative means. The Vice-President of Marketing will be responsible for preparing flyers and appropriate marketing schemes for all meetings and events coordinated by this Student Division. The Vice-President of Marketing will be responsible for all social media outlets developed by the Student Division and provided by the University of Miami, including but not limited to, Facebook, Twitter, Orgsync, and Google pages. The Vice-President of Marketing will apprise the Student Division of all South Florida Chapter and National Federal Bar Association events and opportunities for which students may participate.

Secretary

The Secretary shall be responsible for recording and maintaining the minutes of all meetings. The Secretary shall have the preceding meeting minutes available to the membership within one (1) week after said meeting. The Secretary shall disseminate imminent Society requirements as stipulated by the By-laws, or as directed by the President. The Secretary shall be responsible for maintaining the Student Division's calendar of events, and communicating to the membership of the Student Division meeting times, and other related announcements as from time to time may be necessary, via e-mail or such other method as the Secretary deems necessary. The Secretary will also be responsible for communicating such announcement to the Res Ipsa, The Hearsay, and other such publications of the Law School as may be deemed necessary of the Executive Board. The Secretary shall in the absence of the President and Vice-Presidents perform the duties of the President.

Treasurer

The Treasurer shall be the chief custodian of the Student Division's funds. The Treasurer shall collect all dues as established by the Executive Board. The Treasurer shall keep the financial records of the Student Division, and an accounting of all receipts. The

Treasurer shall attend all necessary training provided by the University of Miami necessary to fulfill the role of Treasurer.

ARTICLE IV: Elections and Voting

Section 1: Nominations

A nominee for an elected office must be a member in good standing. Candidates may nominate themselves by giving a written letter of intent to the current President or Secretary no later than one (1) week prior to the election. Nominations will also be accepted at the election meeting.

Section 2: Elections

Executive Officers shall be elected during the Spring Semester, at least four (4) weeks before the last day of classes of the Spring semester, by a closed ballot simple majority vote of the membership in good standing. The term of office begins immediately upon becoming elected and continues until new candidates are elected the following year. The date of election must be made known to the general membership, no later than (2) weeks prior to the election. At that time, the Secretary is required to make a public notice of the elections (i.e. by email and flyer positing on campus) and distribute by email to members a description of positions to be filled. Each newly elected officer is required to meet with the former officer, who held his/her position, within two (2) weeks of his/her appointment to discuss the role and expectations.

Section 3: Election Procedures

At the election meeting, each candidate shall be given an opportunity to speak to the Society. Speeches will be limited to three (3) minutes, followed by a two (2) minute question and answer period. Competing candidates will then be asked to leave the room, at which time the membership will discuss each candidate's qualifications and vote.

Section 4: Voting

Every member of the Society will cast a vote using pen and paper, and hand their votes to the Executive Board. The Secretary will total the votes. All candidates must be elected by majority vote. If a first ballot is not reached, the two (2) candidates receiving the most votes will advance to a second ballot, in which the candidate receiving the majority of the votes shall be elected to that position. Candidates not elected to their position of choice will be allowed to "slide down." For example, an unsuccessful candidate for President may "slide down" and run for Vice-President of Administration. Candidates will only be allowed to slide down twice, but may upon motion by any member in good standing and approved by the majority of the membership be nominated for subsequent positions.

Nominations for elected positions shall take place no later than two (2) weeks prior to the date of elections. The Secretary shall submit absentee ballots to the Dean of Student's

Office no later than one (1) week prior to the date of elections. The Secretary shall also submit to the Dean of Student's Office a list of the active members of the Society so as to ensure only active members of the society vote in elections. Upon receipt of an absentee ballot, the member shall sign his/her name on the list submitted to the Dean of Student's Office to ensure that active members vote only once.

In no case shall the number of votes cast exceed the number of active members. If there should be any discrepancy between the number of votes cast and the number of active members, the election will be invalidated and a new election shall be held within two (2) weeks.

Section 5: Proxy Voting

All proxy votes should be delivered to the Dean of Student's Office no later than noon of the day on which elections are held. Absentee or proxy ballots will be made available to members at the Dean of Student's Office one (1) week prior to the day of elections.

Section 6: Vacancies

If an Executive Board position becomes vacant during the Fall or Spring Semesters, an emergency meeting will be called where both nominations and a vote will be taken to fill the vacancy. If a vacancy occurs after spring break, but prior to the Spring elections, the President shall decide whether the circumstances warrant a special election. If the Presidency is left vacant, the Vice-President shall act as President until such time as elections can be held.

Section 7: Removal of Executive Member

Removal of an Executive Board member shall be initiated by a motion of the Executive Board and follow the procedure outlined in the preceding clause except that Executive Board members shall only be removed by a two-thirds (2/3) vote of the active members present.

The membership of the Society, including the member or Executive Board member, shall be notified at least forty-eight (48) hours previous to any meeting in which a removal motion will be considered.

Section 8: Emergency Meetings

In the event of an emergency meeting, the Secretary shall notify the membership of the Society at least forty-eight (48) hours prior to the time of said meeting.

ARTICLE V: Meetings

Section 1: General Meetings

The President shall at least twice per semester, or more frequently as the President deems necessary will call meetings. The President shall preside over the meetings, set the agenda for the meetings, and control discussion of agenda items.

Section 2: Quorum

There must be at least a majority of the Executive Board (at least three) present to constitute a quorum. Quorum must be met within thirty (30) minutes of the communicated meeting time.

Section 3: Conduct

Discussions shall be conducted in a professional and civil manner respecting the comments and suggestions of the members. Members will, at all times, conduct themselves in accordance with the provisions set forth in the Honor Code.

Section 4: Voting Eligibility

All members shall be considered in good standing and who have successfully met the membership qualifications are eligible to vote. [Please see Article II for membership criteria].

Section 5: Excused Absences

The Executive Board may excuse absences only when the member has made a good faith effort to communicate their absences will be evaluated and approved by the Executive Board on the basis of good faith.

ARTICLE VIII: Constitutional Amendments and By-Laws

Section 1: Amendments

The Constitution and By-Laws of the Society may be amended from time to time, as deemed necessary by the student membership. A two-thirds (2/3) majority vote by the student membership in good standing shall be required for any amendments to the Constitution or By-Laws.

Section 2: By-Laws

The By-Laws of the Society shall be recorded and kept by the Secretary.

Section 3: Effect

The provisions contained herein shall be effective immediately. Provided, however, that nothing shall affect the rights of an elected officer.

As created on February 18, 2013.

Renee Kramer
Acting-President