

**CONSTITUTION  
OF THE  
UNIVERSITY OF MIAMI SCHOOL OF LAW  
FEDERALIST SOCIETY**

**Prologue**

The University of Miami School of Law Federalist Society (hereinafter "UMFS") is a conservative student organization organized in accordance with the regulations of the University of Miami School of Law. The UMFS honors, respects and supports the Constitution of the United States of America.

**Article I**

**Section 1 - Purpose**

The purpose of the UMFS is to foster critical thought and debate about the application of conservative principles to the law. The UMFS embraces the principle that the state exists to preserve freedom, that the separation of governmental powers is central to the integrity of the Constitution of the United States of America, and that it is emphatically the province and duty of the judiciary to say what the law is - not what it should be. The UMFS seeks both to promote an awareness of these principles and to further their application through its activities. This entails reordering priorities within the legal system so as to place a premium on individual liberty, traditional values and the rule of law. It also entails restoring recognition of these norms among lawyers, judges, law students and professors.

**Section II - Membership**

Membership in the UMFS is open to any student at the University of Miami School of Law as well as any interested faculty or administration member. "Active members" are those that are current on their dues.<sup>1</sup>

**Section III - Faculty Advisor**

The Faculty Advisor of the UMFS shall be a faculty member of the University of Miami School of Law. In the absence or unavailability of a suitable Faculty Advisor, the UMFS may turn to a suitable member of the legal profession outside the School of Law.

**Article II**

**Section I - Officers**

The UMFS shall have the following officers: President, Vice President,<sup>2</sup> Secretary, and Treasurer.

**Section II - Duties**

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<sup>1</sup> Effective the 2011-12 Academic year, per the Dean of Students, UMFS, along with most other student organizations, is no longer allowed to collect dues. This section should now be interpreted as dues paid to the national organization.

<sup>2</sup> By the authority granted in Art. VI, § 1, the positions of Vice-President for Internal Affairs and Vice-President for External Affairs were merged at the Spring 2010 election meeting.

The UMFS Officers shall have the duties described below and any other duties that the President shall from time to time decide is expedient for the UMFS.

- A. President - The President shall be chief executive of the UMFS. He or She shall call and preside over all UMFS meeting and Executive Board meetings. He or She shall supervise all club activities. The President shall have veto power concerning UMFS expenditures which can be overturned by two thirds of all active UMFS members. He or She shall serve as a liaison to any such other organizations as the Executive Board deems necessary to assist him in fulfilling the duties of his or her office.
- B. Vice President - The Vice President shall assist the President and shall preside in case of the President's absence or disability. He or She shall rule on all matters of parliamentary procedure. He or She shall reserve rooms for UMFS meetings. He or She shall maintain all official records of the UMFS, including a mailing list of all members and any historical records. He or She shall supervise the committees assigned to him or her through their respective chairpersons. He or She shall serve, in addition to the President, as liaison to the national Federalist Society organization, other Federalist Society chapters, the local lawyers chapter, and other University of Miami School of Law student organizations.
- C. Secretary - The Secretary shall take minutes of all UMFS meetings, maintain all UMFS correspondence, and notify UMFS members of upcoming meetings. The Secretary shall notify members of upcoming meetings in any manner the Executive Board may deem appropriate, including posting notice of such on the bulletin board, and using posters, notices, or other communications.
- D. Treasurer - The Treasurer shall be responsible for the finances of the UMFS and shall present and supervise the budget. He or She shall be responsible for any fund raising activities and for the collection of UMFS dues.

### **Section III - Eligibility**

Any active member as of the last meeting prior to the Annual Meeting shall be eligible to run for any office of the UMFS.

### **Section IV - Vacancies in Office**

In the event that the President is unable to fulfill his or her term for any reason, the Vice President shall automatically assume the office of President. In the event that any other officer is unable to fulfill his or her term for any reason, an election for that office shall be held during the next regularly scheduled UMFS meeting following the vacancy. New officers shall serve until the UMFS Annual Meeting in April. During the vacancy, the office may be filled on an interim basis by the Executive Board.

## **Article III**

### **Executive Board**

The members of the Executive Board shall be the four elected officers and the chairpersons of the committees. The Executive Board shall administer all routine business of the UMFS.<sup>3</sup> A majority vote of the active UMFS members is sufficient to overturn a decision of the Executive Board with the exception of determinations regarding annual dues.

## **Article IV**

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<sup>3</sup> Per the school-wide dues changes, *supra* note 1, the provision giving the UMFS Executive Board power to determine dues is stricken.

### **Section I - Committees**

The Executive Board shall, as the need arises, establish committees consisting of active UMFS members at large to administer the various functions of the UMFS. The President shall appoint Committee Chairpersons with the approval of the Executive Board. The Treasurer shall chair any committee formed concerning the finances of the UMFS.

### **Section II - Responsibility**

All committee chairpersons shall be immediately responsible to either the Vice President at the President's discretion depending on the purpose of the committee. The Vice President shall coordinate the committees assigned to him or her and shall assign to the committees any responsibilities delegated by the Executive Board.

## **Article V**

### **Section I - Annual Meeting**

The Annual Meeting shall be held in April of each year. The Treasurer shall report the status of the budget at that time. Officers for the next year shall be elected at this meeting. The newly elected officers shall assume their responsibilities May 1.

### **Section II - Elections**

UMFS elections shall proceed as follows:

- A. Nominations for UMFS officers shall be opened by the President at the last meeting prior to the Annual Meeting. The Secretary shall post notices announcing the Annual Meeting and open nominations on appropriate bulletin boards around the campus, through email to active members, and the UMFS website. Any active member interested in elective office must notify the current President by the stated deadline, and must be verified by the Treasurer as an active member as of the last meeting prior to the Annual Meeting.
- B. The President shall prepare ballots with candidates' names, organized by the office they seek. Nomination from the floor shall only be allowed for candidates on the ballot.
- C. All candidates on the ballot shall have an equal amount of time to make campaign speeches. The President shall time each speech.
- D. Each person desiring a ballot must first be verified by the Treasurer as an active member as of the last meeting prior to the Annual Meeting before receiving a ballot. No proxies shall be allowed, and any member arriving after the commencement of campaign speeches may not vote for that office. All voting shall be by secret ballot. All voting for the office of President shall take place before speeches and voting for the office of Vice President, and so on. Each candidate who does not receive a sufficient number of votes to win a particular office shall be eligible to be nominated from the floor for any of the remaining offices. The President shall excuse the candidates before each vote to allow the members to discuss the candidates' merits.
- E. The president and two active members, selected by those attending the meeting, shall tabulate the ballots. No write-in candidates shall be allowed. For any office for which there are two or fewer candidates, the race is decided by a plurality. If there are more than two candidates for an office, a simple majority must be achieved. Absent a majority, a runoff election shall be conducted between the top two recipients. In the event of a tie, the President shall cast the deciding vote.
- F. No candidate for office shall preside over an election meeting or participate in the counting of ballots.

## **Article VI**

### **Section I - Amendments**

Any active member of the UMFS may propose amendments to this Constitution. Amendments shall take effect upon ratification by two-thirds of the active members. Proposed amendments to this Constitution shall be distributed to active members at least one meeting prior to voting on the proposed amendment.

### **Section II - By-Laws**

Any active member of the UMFS may propose the creation of by-laws and amendments to by-laws as deemed necessary by the UMFS. By-laws and amendments to by-laws shall take effect upon approval of a majority of the active members. By-laws shall not conflict in any way with any express provision, policy or procedure of this Constitution.

## **Article VII**

### **Parliamentary Authority**

The rules contained in the most recent edition of Robert's Rules of Order, Newly Revised shall govern the UMFS in all cases to the extent that such do not conflict with any express provision, policy or procedures of this Constitution.

## **Article VIII**

### **Ratification and Effective Date**

This Constitution shall take effect immediately upon ratification by two-thirds of the active members present at a meeting called for this purpose. Each active member of the UMFS may receive a copy of the Constitution as well as any amendment or by-laws subsequently adopted in accordance with Article VI.