CHAPTER ONE
SBA GENERAL BYLAWS

PREAMBLE

We, the members of the Student Bar Association, in order to represent the students of the University of Miami School of Law in a more viable way, do hereby establish the following Bylaws for the Student Bar Association of the University of Miami School of Law.

I. Title - General Bylaws
II. Legislative History

A. History of all legislation should be recorded by the Senate Clerk at the end of each Article in the SBA Constitution and Bylaws in order to reflect the date of passage, as well as the Senate Reference Number of the bill, amendment, initiative, or referendum in which it was passed. The history should also show all legislation that has been both enacted and that added or subtracted language from the Article by Senate Reference Number.

III. Constitutional Conformity
A. The SBA General Bylaws shall not conflict with the SBA Constitution.
B. These Bylaws shall take effect at the first SBA Senate meeting immediately after the Spring 2003 SBA General Elections.

IV. Oath of Office Act
A. As mandated by the SBA Constitution, all SBA officers shall be required to take the Oath of Office.
B. No SBA official shall be required to take any oath which would violate any personally held moral intent.
C. The SBA Supreme Court Chief Justice or, in the absence of the Chief Justice, the Senior Associate Justice, shall administer the Oath of Office to the SBA President, Vice-President, the Speaker of the SBA Senate and the Vice-Speaker of the SBA Senate. The administration of the Oath shall take place during the Presidential Inauguration Ceremony.
D. The SBA Supreme Court Chief Justice shall administer the Oath of Office to all other SBA Executive Board Members and Statutory Executive Officers.
E. The SBA Speaker of the Senate or, in the absence of the Speaker, the Vice Speaker, shall administer the Oath of Office to all members of the Senate. The administration of the Oath shall take place at the start of the new SBA Senator’s first Senate meeting.
F. The oath shall be as follows:

“I do solemnly affirm that I will, to the best of my ability, preserve, defend, and enforce the provisions of the Constitution and Bylaws
of the SBA of the University of Miami School of Law. I solemnly affirm that I will exercise utmost care to uphold the good name of our school. I also solemnly affirm that I will diligently, faithfully, and conscientiously perform all my duties as an officer of the SBA of the University of Miami School of Law.”

V. Code of Ethics
A. Purpose
To establish guidelines to ensure that the highest ethical and moral behavior is displayed by all officers of the SBA’s executive, legislative and judicial branches.

B. Applicability
1. The following code shall apply to all officers of the SBA Executive Branch, Legislative Branch, Judicial Branch, and other SBA administrative entities.

C. Definitions

1. SBA officers, for the purpose of the Code of Ethics, shall be defined in the following manner:
   a. Executive Branch – Shall include the SBA Executive Board, Executive Cabinet and any other executive support staff, as defined by the Constitution and Bylaws.
   b. Legislative Branch – Shall include the SBA Senators, officers of the Senate, and any other legislative support staff, as defined by the Constitution and Bylaws.”
   c. Judicial Branch – Shall include the SBA Justices, officers of the Court and any other judicial support staff, as defined by the Constitution and Bylaws.
   d. Other SBA Entities – shall include the Election Commission, all Senate and student committees, and any other ad hoc or standing department of the SBA.
2. The various terms which are incorporated in the SBA Code of Ethics shall be defined in the following manner:
   a. Bribery – The corrupt payment, receipt, or solicitation of a private or public favor for official action, positions or awards of prestige, or personal gain.
   b. Benefit – To take advantage of the official capacity of their office for their own personal gain or advantage, including any act beneficial to any person in whose welfare he/she is interested.
   c. Corruptly – To participate in any activity done with a wrongful intent and for the purpose of obtaining, or receiving compensation for, any benefit resulting from some act or omission of a public servant which is inconsistent with his or her duties.
   d. Endorsement – To actively publicly support a student candidate for the SBA Executive Board or Senate.
   i. Activities of Endorsement – Shall be defined as, but not limited to, the following:
      A. Sending e-mails of endorsement or posting any endorsement messages on the internet.
      B. Distributing or posting fliers aimed to endorse a candidate.
C. Oral announcements endorsing a particular candidate in a public forum.
D. Organizing social events to endorse a candidate.
e. Extortion - The act of obtaining property, information or services through the use of actual, perceived, or threatened force, violence, fear, or under color of official light.
f. Frivolous – Lacking a reasonable legal basis or merit.
g. Gross Mismanagement - The conscious or unintentional mishandling of monetary funds which far exceeds any reasonable and prudent standards and amounts to more than a harmless error.
h. Harm - To participate in any malicious act.
i. Slander – Oral defamation. The speaking of false and/or malicious words concerning another, thereby resulting in injury to that person’s reputation or character.

D. Ethical & Statutory Grounds for Sanctions
The following grounds may be taken into account for a Motion of Censure or a Motion for Impeachment but are not, alone, dispositive in removing an SBA officer. Furthermore, charges for sanctions are not exclusively limited to the grounds provided in this section. The SBA Senate shall have the authority to weigh any evidence to determine the validity of a motion of sanction and all SBA officers shall be afforded due process in defending such motions. There shall be general grounds for the SBA Senate to invoke sanctions, which shall apply to all members of the SBA branches, and Specific grounds which shall apply exclusively to members of a particular branch.

1. General Grounds for Sanctions
a. Evidence that an SBA official engaged in voter or election fraud.
b. Evidence that an SBA official engaged in an act of extortion.
c. Evidence that an SBA official committed bribery or accepted a bribe.
d. Evidence that the SBA Official failed to fulfill the duties of his/her office as defined by the SBA Constitution, SBA General Bylaws, SBA Election Bylaws, or any other governing provision of the SBA.
e. The use of threats, or physical violence against a SBA Executive Officer, Senator, SBA Candidate, Supreme Court Justice, or student during an Executive Board meeting, Senate meeting, SBA Supreme Court hearing, Student Organization meeting, or any other public forum.
f. Evidence that the executive officer withheld information from the SBA Senate which compromises the integrity and credibility of the organization.
g. Evidence that an SBA official deliberately authored and/or sponsored a frivolous Motion to Censure or Motion to Impeach, against another SBA Official.
h. Evidence that an SBA official committed perjury during a hearing of the SBA Supreme Court or any investigative committee of the SBA Senate.
i. Evidence that an SBA official aided, advised, procured, or induced another to act in violation of the SBA Constitution or any of the SBA Bylaws.
j. Evidence that a SBA Official has been convicted of a felony or a misdemeanor under state or federal law. The burden shall be on the accusing senator(s) or on the Senate ad hoc investigative committee to prove that the accused SBA Official was convicted of a felony or misdemeanor while serving his term of office. Mere or pending charges against a SBA official shall be insufficient grounds for sanctions.

k. Any other violation of the SBA Constitution, SBA General Bylaws, SBA Election Bylaws, or governing law of the SBA.

2. Specific Grounds for Sanctions
   (a) Executive Branch
      i. Evidence of gross mismanagement of SBA funds.
      ii. Slandering another SBA Executive Officer, Senator, SBA Candidate, Supreme Court Justice, or student during an Executive Board meeting, Senate meeting, SBA Supreme Court hearing, Student Organization meeting, or any other public forum.
      iii. Evidence that the executive officer engaged in an activity which constitutes an endorsement of a SBA candidate for the Executive Board or the Senate, as defined by this Chapter of the SBA General Bylaws.
   (b) Legislative Branch
      i. Failure to represent to the best of his/her ability the views of his/her constituents.
      ii. Failure to serve on at least one SBA Committee and perform such other duties as enumerated in the Bylaws. This rule does not apply to the Speaker of the Senate.
      iii. Obtaining an excessive amount of unexcused absences, as determined and set by the Senate.
      iv. Evidence of deliberating, knowingly and maliciously slandering a fellow Senator, or student, during a Senate meeting.
   (c) Judicial Branch
      i. Failure to uphold the integrity and independence of the judiciary.
      ii. Evidence of a gross failure to be impartial and unbiased in executing the duties of his/her office.
      iii. Failure of a judicial officer to recuse him/herself from a case or controversy in which he has direct and substantial involvement or personal gain, or any other conflict of interest.
      iv. Evidence that the judicial officer disclosed or used, for any purpose unrelated to judicial duties, nonpublic information, such as deliberation discussions, acquired in a judicial capacity.

E. Honor Code Violations
1. Evidence that a SBA Official has been convicted of violating the University of Miami School of Law Honor Code may be taken into account for a Motion of Censure or a Motion for Impeachment. The burden shall be on the accusing senator(s) or on the Senate ad hoc investigative committee to prove that the accused SBA Official was convicted by the UM Honor
Council for violating the Honor Code. Mere or pending Honor Code charges against an SBA Official shall not serve as sufficient grounds to invoke sanctions.

2. Any SBA official who is expelled from the law school, as a result from an Honor Council hearing/investigation, shall automatically be expelled from the SBA and forever banned from serving in any SBA branch. The expelled officer’s position shall be considered vacant and shall be filled according to the SBA Statutory Bylaws.

VI. Line of Succession
A. The president shall serve as the chief officer of the SBA. In the event that the President is incapacitated or otherwise unable to carry out his or her duties, a line of succession shall be established. All officers and members of the SBA, as defined by the SBA Constitution and the General Bylaws, shall recognize the authority of this provision. The line of succession shall be as follows:
1. SBA Vice President
2. SBA Speaker of the Senate
3. SBA Secretary
4. SBA Treasurer
5. SBA ABA Representative
6. SBA Vice-Speaker of the Senate
7. The Dean of the Senate (the Senator with the most seniority)

B. In the event that there are no SBA Executive Board Members and no current serving Senators, a special election shall be held to fill all of the vacancies.

VII. Vacancies
A. Resignations
1. Executive Branch
a. All members of the Executive Board, Cabinet and the executive staff may resign their position only by writing a letter of resignation.
b. All letters of resignation must be submitted to the SBA President. In cases where the SBA President resigns, the President shall submit his/her letter to the SBA Vice President and the Speaker of the Senate.
c. In the event that there is a vacancy on the SBA Executive Board, the Senate shall have the power to call for a special election to fill the vacancy.
d. The SBA President shall have the power, with the advice and consent of the Senate, to fill the Executive Board position during the interim, until the special election is called.
e. If no special election is called then the Interim Executive Board Member shall continue to serve for the remainder of the vacating Executive Board Member’s term.
f. All Interim-Executive Board Members shall have the same rights, duties, authority and responsibilities as a duly elected Executive Board Member.

2. Legislative Branch
a. Upon the creation of a vacancy in the Senate, the Senate shall fill the vacancy by a special election only.
b. When the SBA Senate holds a special election to fill a Senate seat, then that election shall be administered according to the SBA Election Bylaws.

3. Judicial Branch
a. All SBA Supreme Court Justices and judicial staff may resign their position only by writing a letter of resignation.
b. All letters of resignation, by a Supreme Court Justice, must be submitted to the SBA President, and a copy forward to the SBA Chief Justice (or the Senior Associate Justice if the Chief is unavailable).

B. Transferring SBA Officials
1. An SBA Executive Board position shall be declared vacant if the incumbent Executive board transfers to another school or otherwise doesn’t return to the University of Miami School of Law.
2. A SBA Senate seat shall be declared vacant if a Senator transfers to another school or otherwise doesn’t return to the University of Miami School of Law.
3. A Supreme Court seat will also be declared vacant if a Justice transfers to another school or otherwise doesn’t return to the University of Miami School of Law.

C. Non Accepting Senators
A. Any Senate seat left open after a general election due to a non-accepting write-in winner or a lack of a validly declared candidate shall be considered vacant.

D. Replacement of SBA Officials and Filling Vacancies
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1. Executive Branch
a. In the event that there is a vacancy on the SBA Executive Board, the Senate shall have the power to call for a special election to fill the vacancy.
b. Any special election should follow the SBA election bylaws.
c. The SBA President shall have the power, with the advice and consent of the Senate, to fill the Executive Board position during the interim, until the special election is called.
d. If no special election is called then the Interim Executive Board Member shall continue to serve for the remainder of the vacating Executive Board Member’s term.
e. All Interim-Executive Board Members shall have the same rights, duties, authority and responsibilities as a duly elected
Executive Board Member.
f. In the event that there is a vacancy on the SBA Executive Cabinet, which does not involve a constitutional or statutory executive officer, the SBA President shall have the exclusive power to fill the vacancy.

2. Legislative Branch
a. Upon the creation of a vacancy in the Senate, the Senate shall fill the vacancy by a special election. The Senate may, by 2/3 vote, forego a special election for a nomination process.
b. If the Senate elects to fill the vacancy by nomination, then the SBA shall give public notice of the vacancy and accept applications for no less than two weeks, the application period shall continue until one does. All applicants must meet the requirements of the position they seek.
c. The Speaker of the Senate shall nominate the most appropriate applicant to fill the vacancy. If there is only one applicant, the student shall be automatically nominated. Nominees shall then be confirmed by a 2/3 vote of the Senate.
d. In the event the Senate rejects the nominee, the Senate Chair shall then nominate another applicant. If there was only one applicant, the application process shall be repeated.
e. If the SBA Senate chooses to hold a special election to fill a Senate seat, then any special election shall follow the SBA election bylaws.

3. Judicial Branch
a. In the event that there is a vacancy on the SBA Supreme Court, the SBA President shall appoint a replacement with the advice and consent of the SBA Senate as outlined in the SBA Constitution and Bylaws.

VIII. Method of Impeachment
A. Application of Removal Power
(1) All SBA Executive Board members, Senators, Election Commission members and Supreme Court Justices are subject to impeachment and removal from office.

B. Method of Impeachment
(1) The following impeachment procedure shall be adhered to for the impeachment of all appointed and elected SBA officials for constitutional, statutory, or ethical code violations:
(a) The accusing party brings a complaint to the attention of any three SBA Senators.
(b) The three senators then submit a memo to the SBA Speaker of the Senate with wording similar to "______ holding the office of "______ " has been accused of "______ ".
(c) The Speaker of the Senate shall be held responsible for bringing to the floor of the Senate the creation of an unbiased/impartial ad-hoc investigative committee that will be composed of five members from the Senate elected by the Senate. The authors/sponsors of the charges, the Speaker of the Senate and the Vice Speaker of the Senate cannot sit on the ad-hoc investigative committee.
(d) The ad-hoc investigative committee shall set a date for the hearing and give notice to the accused of the proceedings within 14 calendar days from the filing of the charges. That notification must be written via certified mail.
(e) The speaking rights of the accused must be comparable to those of a member of the ad-hoc investigative committee. The accused has a right to procedural objections and to speak in turn. The accused does not have a right to make a motion, except for a motion to quash.

(f) The ad-hoc investigative committee shall give a report to the Senate within ten school days. The committee shall have the power to find the charges groundless or valid. If the committee finds that the charges are groundless then the impeachment process stops. If the ad-hoc investigative committee finds that the charges are valid, then a full Senate hearing shall follow.

(g) The ad-hoc investigative committee shall make all of its final recommendations, for its report to the full Senate, by majority vote of the committee members. The ad-hoc investigative committee may recommend the following:

1.) the impeachment charges be dropped,
2.) the charges be commuted to the lesser offense of Censure; or
3.) move for Articles of Impeachment, in the form of a resolution, be drawn up.

(h) In the Senate, the accused must be allowed speaking time after the author/sponsor of the resolution. The accused must have been given advance notice of Senate consideration. Either the accused or his representative, but not both, will have speaking rights to address the Senate. The accused will be afforded first place on the speaking list after the author/sponsor of the impeachment resolution and is given the last word after the question has been called.

(i) A two-thirds vote of all Senators present and voting shall be needed to recommend impeachment of the individual. If so, from that point on the individual shall be tried by the SBA Supreme Court which shall determine if that individual shall be removed from office.

(j) If the individual is a SBA Supreme Court Justice, then he shall be tried by the SBA Senate. The Senate shall have the final say on whether a SBA Supreme Court Justice is removed.

(k) In the event of an impeachment trial, either the SBA Attorney General or any of the three SBA Senators, who sponsored the Motion to Impeach, shall represent the interest and the will of the SBA Senate and prosecute the impeached officer before the SBA Supreme Court. The impeached official shall have the right to represent himself before the Supreme Court or to choose to have a SBA Senator or any SBA member (as defined in Article II of the SBA Constitution) to defend him.

(l) The SBA Senate shall have the power to establish procedures, in the SBA Supreme Court Bylaws for the SBA Supreme Court to follow in conducting a removal trials.

C. Removal

1. As stated in the Constitution, the power of impeachment shall vest solely in the SBA Senate. The power of Removal shall vest in the SBA Supreme Court, except in cases where a SBA Supreme Court Justice is the subject of impeachment. In such cases, the power of removal of a SBA Supreme Court Justice shall vest in the SBA Senate.
2. Once a SBA official is removed from office, his/her seat and position shall automatically be considered vacant.
3. Any SBA official who is impeached and subsequently removed from office can never hold a SBA Office position again.

IX. CENSURING OF SBA OFFICERS
A. Purpose
To establish an alternative process by which the Senate may choose to use, in lieu of impeachment and removal, to discipline a member of the Executive Branch, Legislative Branch, and the Judicial Branch for violating the SBA Constitution and/or SBA Bylaws.
B. Power of Censure
The power of censure shall be vested in the SBA Senate. The SBA Senate shall have the power to censure any officer and members of the Student Bar Association for violating the SBA Constitution, SBA Statutory Bylaws, or any other act or resolution of the SBA Senate:
C. Applicability
The following code shall apply to all officers and members of the SBA Executive Branch, Legislative Branch, Judicial Branch, and other SBA administrative entities.
D. Method of Censure
1. The following procedure shall be adhered to for the censure of all appointed and elected SBA officials for constitutional, statutory, or ethical code violations:
   (a) Any student may brings a complaint to the attention of any SBA Senator. Or where the SBA Senator is the complaining party, he/she shall bring the complaint, directly, to the attention of the SBA Speaker of the Senate.
   (b) The Senator then submits a written Motion of Censure to the SBA Speaker of the Senate with wording similar to "_____" holding the office of "______" has been accused of "______".
   (c) The Speaker of the Senate shall be held responsible for bringing the Motion of Censure to the floor of the Senate. Once on the Senate floor, the Senate may determine that there is sufficient evidence to vote on the Motion to Censure or it may determine that there is insufficient evidence to immediately vote on the Motion to Censure and authorize the creation of an unbiased/impartial ad-hoc investigative committee that will be composed of five members from the Senate elected by the Senate. The authors/sponsors of the charges, the Speaker of the Senate and the Vice Speaker of the Senate cannot sit on the ad-hoc investigative committee.
   (d) If an ad-hoc investigative committee is formed, it shall set a date for the hearing and give notice to the accused of the proceedings within 7 calendar days from the filing of the charges. That notification must be written via certified mail or e-mail.
   (e) The speaking rights of the accused must be comparable to those of a member of the ad-hoc investigative committee. The accused has a right to procedural objections and to speak in turn. The accused does not have a right to make a motion, except for a motion to quash.
(f) The ad-hoc investigative committee shall give a report to the full Senate within ten school days. The committee can find the Motion to Censure to be groundless or valid. The committee, by majority vote, may recommend that the complaint be dismissed and the power of censure not be invoked.

(g) Once the ad-hoc investigative committee gives its report to the Senate, the SBA Senate shall immediately address the Motion of Censure at the next regularly scheduled SBA Senate Meeting. The Speaker of the Senate must immediately inform the accused officer about the SBA Senate Meeting where the Motion of Censure will be voted on. The accused must have been given advance notice of Senate consideration.

(h) If the accused officer or his/her designated representative is present, the Speaker of the SBA Senate will afford him/her equal speaking time as the author/sponsor of the Motion. Either the accused or his representative, but not both, will have speaking rights to address the Senate. The accused will be afforded first place on the speaking list after the author/sponsor of the Motion of Censure and is given the last word after the question has been called.

(i) A majority vote of all Senators present and voting shall be needed to invoke the power of Censure on the SBA officer.

E. Remedies of Censure
1. All SBA officials and members who are censured shall be NOT be removed from office for the offense(s) listed in the Motion of Censure which the SBA Senate approved.
2. All approved Motions of Censure shall be recorded and made public by the Clerk of the SBA Senate or (if the Clerk is not available) by the designee of the SBA Speaker of the Senate. Copies of the Motion of Censure shall be maintained by the SBA Senate Clerk, the SBA Historian and the Dean of Students Office.

X. Anti-Discrimination Act
A. No SBA official, employee, branch, agency, or affiliated group shall practice unlawful discrimination as defined in this Chapter. Unlawful discrimination shall serve as grounds for impeachment.

B. Unlawful discrimination shall be defined as the differential treatment of a student solely on the basis of race, creed, color, religion, sex, age, sexual orientation, national origin, marital status, parental status, disability, personal wealth, or any combination thereof. Discrimination shall further be defined as the denial of due process or the infringement of the substantive rights of any student.

XI. Sunshine Act
A. Codification of Minutes
1. The Clerk of the Senate shall record and transcribe the minutes of all SBA Senate meetings. Minutes of each meeting shall be presented to the Senate in subsequent meetings for adoption.
2. The SBA Secretary shall record and transcribe the minutes of all SBA Executive Board meetings. Minutes shall be maintained in binders and made accessible to all students.
3. The Clerk of the SBA Senate shall continuously maintain a binder accessible to all students containing all legislation passed in the Senate during his/her term. The SBA Speaker of the Senate and SBA Secretary share ultimate responsibility to see that this task is completed.
4. Copies of all SBA documents shall be given to the SBA Historian, who shall collect such documents for the purpose of historical preservation.

B. Public Records
1. All SBA records shall be open for a personal inspection of any person and those in charge of such records shall not refuse this privilege to any person.
2. SBA Records shall refer to all material, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business by any committee, division, or similar structure of any SBA.
3. All SBA officers having custody of SBA Records shall permit them to be inspected and examined at reasonable times during normal operating hours and be monitored by that officer, and allowed to be copied thereof on payment of any appropriate fees, if any. These fees shall not exceed the actual cost of duplication and/or printing of the material requested.
4. The SBA Supreme Court shall have the power to issue injunctions to enforce the purposes of this “sunshine” provision upon the application of any individual.

C. Meetings
1. Excluding where meetings are in executive session, all meetings of the SBA Senate, SBA Senate committees, SBA Executive Board, SBA Executive Cabinet, committees of the Executive Branch, Election Commission, and other SBA Committee meetings shall be open to all students to observe.
2. All meetings where there is an appropriation of SBA funds or meetings where policies affecting the student body may be set shall be open to public attendance.
3. The SBA President shall ultimately be responsible for enforcing this provision, as it pertains to the executive branch, and for providing adequate notice to the public for all meetings of the executive branch.
4. The Speaker of the SBA Senate shall ultimately be responsible for enforcing this provision, as it pertains to the legislative branch, and for providing adequate notice to the public for all meetings of the legislative branch.
5. The SBA Chief Justice shall ultimately be responsible for enforcing this provision, as it pertains to the judicial branch, and for providing adequate notice to the public for all meetings of the judicial branch.
6. All SBA members and members of the Law School Faculty and Administration shall have the right to attend SBA Senate meetings.

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XII. SBA Committees
A. There shall be SBA Committees that are part of the SBA Executive branch. The purpose of SBA Committees is to carry-out programs established by the SBA Senate and to assist the Executive Board.

B. SBA Committees are open to all SBA members. Members and Chairs of SBA Committees are recruited and nominated by the SBA Vice-President, and appointed by majority vote of the SBA Executive Board. Individual SBA Committee Chairs may be held by two SBA members as Co-Chairs (Co-Coordinators and Co-Directors where applicable). The Vice-President shall oversee all SBA Committees.

C. Ad hoc SBA Committees may be established as necessary by the Executive Board to carry out SBA Senate legislation.

D. Standing Committees

1. SBA Senators must serve on at least one of the following standing Senate committees:
   a. Budget and Finance Committee shall meet with the Treasurer regularly throughout the term to create a per-semester budget and any amendments to the budget as may be deemed necessary. The Committee must ensure that the budget is balanced at the end of each semester; any overlay has been prepared for.
   b. Social and Philanthropy Committee shall meet regularly to plan social activities for members of the student body and create philanthropic opportunities for the SBA to give back to the community.
   c. Constitution and ByLaws Committee shall meet with the Supreme Court and the Election Commission regularly to ensure that the Constitution and ByLaws, including Election ByLaws remain up-to-date. The Committee shall also serve as the safeguard and consultant for the Senate Rules and ByLaws during senate debate.

2. The following standing committees may be utilized or lay dormant during any given term of the SBA. In the alternative to one of the permanent committees, an SBA Senator must serve on at least one of the following standing committees:
   a. Barristers Ball Committee
   b. Jobs Committee
   c. Academics Committee
   d. Campus Life Committee

XIII. Faculty Committees

A. Student members on Faculty Committees are nominated by the SBA President, subject to confirmation by a 2/3 vote of the Senate.
B. Faculty Committees that presently provide student representation include: Admissions, Academic Affairs (Student Life) Appointments, Academic Standards, Curriculum, Disabilities, Law Review, and Graduation Speakers. The SBA shall be committed to the goal of student representation on all Faculty Committees.

XIV. Other External Committees

A. External committees include:
1. The Advisory, Supervisory, and Disciplinary Committees of the University of Miami Campus Sports and Recreation Department;
2. The Academic Affairs, Student Life, Master Planning, and Parking Appeals Committees of the University of Miami Board of Trustees;
3. The Dade County Young Lawyers Division Representative; and
4. The Tutorial Ombudsman and Tutorial Concerns Committee

B. Law student members on External Committees are nominated by the SBA President, subject to confirmation by a 2/3 vote of the Senate, unless an alternative procedure is stipulated by the external body.

C. The ABA/LSD Representative shall appoint ABA/LSD positions and the Directors and Coordinators of ABA/LSD programs, including the Junior ABA/LSD Representative, the Work-A-Day Project Coordinator, and the Volunteer Income Tax Assistance (VITA) Project Director.

XV. Other
A. Bylaws shall be renumbered and re-lettered where appropriate to provide for the proper sequence of numbers and letters.

CHAPTER TWO
SBA ELECTION BYLAWS
2017

I. Purpose
1. The following election bylaws are designed to offer the students at the University of Miami School of Law a fair means of electing Student Bar Association (SBA) Senators and Officers each year and deciding referendum issues as they occur.

II. Student Bar Association Election Commission
1. Purpose
1. The Student Bar Association Election Commission (hereinafter “Election Commission”) exists solely to oversee, in a fair, impartial and unbiased manner, the General and Special Elections according to the Student Bar Association Constitution and Statutes, and to oversee the filling of all student-elected positions throughout the year as needed according to the SBA Constitution and Bylaws.

2. The Election Commission may only assume additional responsibilities not contained in these bylaws with the explicit consent of the SBA Senate.

2. Composition and Selection

   1. The Election Commission shall be comprised of five members consisting of the SBA Supervisor of Elections (Supervisor), the Deputy Supervisor of Elections (Deputy), and three Election Commissioners (Commissioners).

   2. All members of the Election Commission must be members of the Honor Council during their tenure.

3. Confirmation and Appointment

   1. All members of the Election Commission shall be nominated by the SBA President and confirmed by a two-thirds (2/3) majority of the SBA Senate.

   2. The SBA President shall introduce his or her nominees through a Senate bill that complies with all regulations stipulated in Chapter Four (4) of the SBA Bylaws.

   3. The Election Commission nominees shall be considered by the Senate in the form of a consent item in the agenda of the first Senate session of the Fall Semester.

   4. Every Election Commission nominee must be present at the Senate meeting where they are being considered for confirmation.

   5. Any member of the Senate may move to remove one or more nominees from the consent agenda.

   6. A motion to remove a nominee from the consent agenda must be approved by a simple majority of the voting members present.

   7. If a nominee is removed from the consent agenda, the Senate shall immediately commence a confirmation hearing.

   8. After the hearing is concluded, the Senate may move to vote confirm the nominee in question via a two-thirds (2/3) vote.

   9. Confirmed Election Commission Members shall be entitled to serve in their appointments for a term lasting one academic year.

III. Supervisor of Elections

   1. The Supervisor of Elections (hereinafter “Supervisor”) shall:

        1. Be a member of the Honor Council
2. Serve as the Chair of the Election Commission
3. Enforce the SBA Election Bylaws and Election Rules Packet
4. Be responsible for the administration of all SBA Elections
5. Supervise and direct the Election Commission or support staff for legal and efficient completion of elections
6. Have the power to investigate all campaign violations
7. Have the power to select additional staff members when necessary to ensure legal and efficient execution of elections
8. Have the power to investigate all alleged violations of the SBA Election Bylaws and Election Rules Packet. This investigative power shall adhere to the limitations as set forth in these statutes
9. Have the power to make rulings on violations of the campaign rules by the candidates and assess penalty points accordingly. However, all rulings by the Supervisor can be overturned by a four-fifths (4/5) vote of the Election Commission
10. Ensure, in the event of a paper ballot election, that a member of the Election Commission shall be present at the counting of votes during all elections to moderate and verify results and to announce the results of SBA elections in the case only that he/she cannot be present
11. Inform the SBA President, SBA Speaker of the Senate, and Dean of Students of all election results
12. Submit for review and approval the Election Commission’s Election Rules Packet to the SBA Senate by the second meeting of the Fall semester. In the absence of minimum quorum of the SBA Senate, the Election Rules Packet shall be final
13. Inform all candidates of the election dates at least two weeks prior to the date of the election

IV. Deputy Elections Supervisor

1. Deputy Elections Supervisor (hereinafter “Deputy”) shall:
   1. Be nominated by the President
   2. Serve as one of the other four members of the Commission apart from the Supervisor
   3. Serve as the Vice-Chair of the Election Commission
   4. Serve no more than one academic year term of office
   5. Have the power to investigate all campaign violations
   6. Assist the Supervisor in administering all SBA Elections
7. Assist the Supervisor in enforcing the SBA Election Bylaws, the Election Rules Packet, and any other SBA or I.C.C. rules and regulations as they pertain to the SBA Election process

2. In the event the Supervisor resigns or is removed from office or is otherwise unable to fulfill the duties of his/her office, the Deputy shall serve as Acting-Supervisor until such a time as the Senate confirms the President’s nominee to fill the Supervisor’s vacancy.

V. Election Commissioners

1. In addition to the Supervisor of Elections, there shall be four Election Commissioners (hereinafter “Commissioners).

2. The Commission shall have the power to investigate all campaign violations and fulfill other obligations set forth in these Bylaws.

VI. Duties

1. The Election Commission shall:
   1. Submit suggested changes in the statutes to the SBA Senate that may be needed to amend the Election Bylaws
   2. Submit the Election Rules Packet for approval to the SBA Senate before the second SBA Senate meeting of the Fall semester, including the election calendar and relevant filing periods
   3. Determine the method of campaigning for each election period
   4. During the candidate information sessions, the Election Commission shall provide candidates with written documentation in the form of the Election Rules Packet, which must contain the permitted campaigning methods, types of violations, and any other necessary information as it pertains to the campaign process
   5. Provide information and notification of elections and qualifications through the mandatory candidate meetings, global e-mails, SBA Hearsay, and any other methods it sees fit
   6. Determine and organize, when necessary, any candidate debate for any elected SBA position
   7. Promote elections campus-wide with election awareness initiatives, events, promotions, and programs
   8. Provide an SBA standardized ballot form (paper or computerized) to be used for all elections and to create a random method for selecting the order in which the candidates’ names appear on the ballot
   9. Obtain verification of the qualifications of all candidates/officers-elect
   10. Ensure that all candidates are notified of all rules concerning campaigning
11. Hold at least two (2) mandatory information meetings before every filing period begins. Attendance at one of these meetings shall be required. Attendance records to these meetings shall be kept and made available to any student upon request.

12. Determine penalties for election rule violations, which shall be used as basis to issue sanctions against candidates who violate the Election Rules Packet. The Supervisor shall have the power to assess violation penalties against a candidate, but the violation assessment must be approved by a four-fifths (4/5) vote of the Election Commission. Should the Election Commission decide that the campaign violation charges are not valid, then no points shall be assessed.

13. Conduct disqualification hearings for candidates who have violated any election bylaws or campaign rules.

14. Declare that a candidate has been disqualified via a unanimous vote (5/5).

VII. Staffing and Ballot Counting
1. All SBA elections shall be supervised by the Election Commission.
2. In the event of a situation where there is evidence that the election results may have been unduly tainted before counting of the ballots has taken place, no SBA officer shall have the power to suspend counting of the SBA Election results.
3. The Election Commission shall proceed with counting the ballots, but it shall have the power to withhold the election results pending a final review of the evidence by its members.

VIII. Election Commission Open Public Provisions
1. All meetings of the Election Commission shall be open to the public, excluding violation hearings. It shall be the responsibility of the Supervisor to ensure that all candidates receive sufficient and proper notice of all Election Commission meetings.
2. The Election Commission shall hold a hearing within forty-eight (48) hours from the time it is notified of a party’s decision to appeal a Supervisor’s decision concerning a candidate’s election violation.
3. A formal meeting must take place in order for penalties to be levied against a candidate.

IX. Campaign Violation Complaint Procedures
1. The complaint must be made in writing to the Supervisor within twelve (12) hours of the occurrence of the violation.
2. After receiving the complaint, the Supervisor shall have twenty-four (24) hours to issue a decision that may include penalties.

3. The Supervisor shall have the power to summon the involved parties for meetings in person or via phone in order to better determine a course of action.

4. Once the complaining party receives notice of the Supervisor’s decision, the party has six (6) hours to notify the Supervisor that it will appeal the decision. If no appeal is filed with the Supervisor within the six-hour (6) period, the Supervisor's decision shall be final.

5. Once the Supervisor is notified of the complaining party’s decision to appeal, the Supervisor and the Commission will have forty-eight (48) hours to reach a final decision.

6. The Commission shall have the power to summon the involved parties to an Appeal Hearing in order to better determine a course of action.

7. All members of the Election Commission shall be present and voting for all appeal hearings convened by the Supervisor, unless the involved parties waive their right, in writing, to a hearing with the full Commission. Members unable to be physically present at these hearing may participate by phone or other electronic means approved by the Supervisor.

8. Within the mandated forty-eight (48) hour period, four-fifths (4/5) of the Commission must decide whether to uphold the Supervisor’s decision, amend it, or overturn it.

9. All decisions issued by the Election Commission are final.

X. Election Commission Code of Ethics and Removal

1. All members and staff of the Election Commission are to be impartial and unbiased in executing their duties. They must not display any acts of favoritism or provide substantively unfair advantages to any particular candidate.

2. No Election Commission member or staff shall be a candidate for office during his or her tenure.

3. No Election Commission member shall accept money, positions, awards, or any other form of compensation from a SBA candidate or his/her supporters.

4. Violation of the Election Commission Code of Ethics by members and staff of the Election Commission shall serve as grounds for removal.

5. The SBA Senate shall have the power to remove any member of the Election Commission by a two-thirds (2/3) vote for cause due to violation of these Bylaws or the Election Commission Code of Ethics.

6. Once removed, the Election Commission member is officially suspended from their duties.
7. Any member of the Election Commission can resign from their position before he/she graduates. A resignation must be submitted in writing to the Supervisor.

XI. Filing & Declaring Candidacy
1. Students may only file as a candidate for an SBA position, be it executive or legislative, only after the election for such position has been announced per these bylaws and the Election Rules Packet and only after the student has attended an information session set up by the Election Commission.
2. Following the end of the filing period, all students running for an SBA position, both formally declared and write-in, shall be bound equally to the SBA Election rules and regulations.
3. Upon filing, the candidate must read the SBA Constitution and Election Rules Packet and sign a statement of understanding and agreement to abide by both documents.

XII. Campaigning
1. Campaigning for all SBA positions, Referenda, Initiatives, and Constitutional Amendments shall take place within a reasonable time after the filing period has ended.
2. The campaigning period shall last one calendar week beginning at 7:00 AM on the first day of campaigning and ending at the time at which voting has ended.
3. Candidates and their supporters have the right to campaign by whatever means they deem appropriate, subject to any restrictions placed on such activity by the SBA Constitution, Bylaws, and Election Rules Packet.
4. No campaign may allow supporters to conduct activity that violates local, state, or federal law.
5. In the event that the Election Commission determines that restrictions on supporter activity may be necessary, the Election Commission may establish any such necessary restrictions by a four-fifths (%) vote
6. For the purpose of determining violations and penalties, the Commission may determine if any act by any candidate constitutes campaigning before the official start of the campaign period via a four-fifths (4/5) vote.
7. No member of the Election Commission or Honor Council shall campaign for or against any candidate, any Initiative, Referendum, or Constitutional Amendment.

XIII. Election Violations
1. Scope
1. Any penalties assessed for violating these Bylaws and/or the Election Rules Packet Code shall not preclude subsequent investigation by the University of Miami School of Law Honor Council.

2. All candidates, as well as sponsors of Initiatives, Referenda, or Constitutional Amendments, shall be responsible for enforcing all campaign rules for their supporters.

2. Violations
1. Each occurrence, event, or time that violates the Election Bylaws or Election Rules Packet shall constitute a violation.

2. The severity of violations of these Bylaws and/or the Election Rules Packet shall be assessed by the Election Supervisor and/or the Election Commission.

3. Upon a four-fifths (%) vote of the Election Commission, additional violations may be put in place, provided that the new rule is explicitly provided with written notice to the candidates.

4. Upon a unanimous (5/5) vote of the Election Commission, any candidate or initiative may be disqualified from any SBA Election.

5. If a candidate commits an act that is later determined to constitute a violation that was not previously provided to the candidates, then that candidate shall not be found guilty or liable for the violation.

6. Violations include but are not limited to:
   a) Bringing false or malicious charges against another candidate or party
   b) Utilizing libelous, defamatory, and false material against others
   c) Knowingly providing false information during a debate
   d) Defacing or damaging University election related material or candidate election material
   e) Campaigning prior to the designated campaign period
   f) Performing an activity that would place another candidate or party in violation.

XIV. Voting
1. Voting for SBA elections shall be done through an online system supported by the University or through a system of paper ballots.

2. For purposes of online voting, the Supervisor shall be the official student contact with the University of Miami Administration or any other appropriate authority.

3. No student may attempt to view another student’s online ballot.

4. Senators, Officers, and others may be called on to assist in administering the voting as needed, providing the Election Commission establishes adequate measures to protect the integrity of the election. No candidate may administer the balloting. Individuals staffing the election table shall not discuss candidates or ballot issues with voters.
5. Candidate names shall appear on the ballot in random order.
6. Ballots shall contain the names of all registered candidates and space for write-ins.
7. In the event of prolonged technical failure, or in the absence of any appropriate online system supported by the University, the Supervisor may decide to hold paper balloting. Any such decision must be ratified by a three-fifths (3/5) majority of the Election Commission and, in the event of a prolonged technical failure, must not be made before all best efforts have been made to correct the failure.
8. In the event of a breach of security or lost data within the online system used, the Election Commission shall have the authority to determine whether to re-run the election. Any such decision must be made by a unanimous (5/5) vote of the Election Commission within twenty-four (24) hours of notification of the breach or loss of data.
9. Paper balloting shall be governed as follows:
   1. The Election Commission shall inform all potential voters that there will be paper balloting.
   2. The Supervisor shall create a ballot with space for all potential votes. The ballot shall include space for the student to write his/her name.
   3. There shall be a list of all registered candidates in a viewable area for voters.
   4. All ballots must be filled out in person at the voting table, in the presence of an Election Commissioner or support staff member.
   5. A ballot shall be given to a voter only after the voter has shown the Election Commissioner or support staff member his/her valid ID and only after the voter signs his/her name on the master list of students.
   6. All completed ballots must be placed and kept in a secure container. Under no circumstances may blank ballots be left in the open or be accessible to anyone other than the Election Commissioners or support staff.
   7. Before tabulating the votes, the Commission shall match every ballot with a student’s signature on the master list of students. Any ballots that do not match the master list of students, and all other additional ballots, must be destroyed and will not be counted.
   8. Students who are part of the LLM program, JD/LLM program, JD/MBA program, or any other joint degree program that still requires taking law school classes, shall have the opportunity to vote during SBA elections.

XV. Election Results
1. Ballots shall be automatically tabulated by the online system. The Dean of Students or its designee will receive the results and the Supervisor shall verify the results. The Dean of Students or its designee and the Supervisor shall count write-in votes with the Commission. Once all the results have been verified, the Supervisor shall sign them and publicly post them.

2. In the event of a paper ballot election, the counting of the ballots must be done in a place on campus. No member of the Election Commission shall have the power to turn away observers of the count unless it has been conclusively established that the observer(s) has attempted to taint the results of the count.

3. In the event of paper ballots, the Election Commission shall hand-count the ballots. Each ballot count must be reviewed by at least three (3) Commissioners.

4. Upon request, any student may review a printed copy of the results, in the presence of the Dean of Students or its designee. No student shall mark or tamper with the printed copy in any way.

5. Where voters can select more than one candidate for a position (i.e. Senate seats), ballots selecting less than the maximum selections are counted. Ballots selecting more than the maximum will not be counted for that office.

6. There should never be more ballots cast than students who sign the voter rolls. If this occurs, the Election Commission shall determine the appropriate action.

7. The posting of the election results shall be governed as follows:
   1. The official election results shall be posted in the Student Lounge at, but not earlier than, 12PM on the day following the election.
   2. In the event of a paper ballot and upon a three-fifths (3/5) vote of the Election Commission, this time may be extended. Candidates must be informed of any change in the deadline for the posting of election results.
   3. If the legitimacy of the election or referendum is being questioned, then the words “UNDER REVIEW” shall appear underneath the posted results.
   4. If there is no review, or if the review has been satisfied, then the word “FINAL” shall appear underneath the posted results.
   5. If the election or referendum is found to be invalid, the word “INVALID” shall appear underneath the posted results, and the reason shall be given, listing no particular student’s name.
   6. If there is a runoff, the word “RUNOFF” shall appear and the date(s) and time(s) announced.
   7. The signature of the SBA President shall ratify the results of the election.
   8. The results must be posted for five (5) days.

XVI. Polling Hours
1. If conducted online, balloting for Fall and Spring general elections shall take place over a two-day period from 9:00 AM of the first day to 11:59 PM of the second day.
2. If conducted by paper, balloting for Fall and Spring general elections shall take place over a two-day period from 9:00 AM to 5:00 P.M. on both days.
3. Runoff and special elections shall be governed as follows:
   1. Balloting shall ordinarily take place over a two-day period, from 9:00 AM of the first day to 11:59 PM of the second day.
   2. The Election Commission may, by majority vote, decide to shorten the polling hours for special elections or elections involving paper ballots, but may not have fewer than five (5) polling hours.

XVII. Initiatives, Constitutional Amendments, and Referendums
1. All petitions to directly place an Initiative, Constitutional Amendment, or a Referendum on the ballot must be submitted to the Election Commission no later than three weeks prior to the date of scheduled election.
2. All parties interested in filing a petition shall obtain a petition registration form from the Election Commission. If in the event the Election Commission is not active, then the Senate shall have the responsibility of assuring that petitions are made available to the campus.
3. The Election Commission shall have the responsibility of certifying the signatures on the petition to verify that the names listed are students and that the number of signatures match the necessary percentage of the student population to be placed on the ballot.
4. The Election Commission shall have five (5) school days to certify the petition.

XVIII. Write-In Candidates
1. Write-in candidates are subject to the same penalties as other candidates for campaign violations. It is up to the discretion of the Election Commission to apply the Election Rules Packet to a write-in candidate
2. Should a candidate win an election as a write-in candidate, the Election Commission reserves the right to hold a mandatory meeting with the elected candidate prior to swearing in. The purpose of this meeting is to discuss the responsibilities of serving on the Student Bar Association.
3. A write-in candidate must have over five (5) votes to be eligible to win a position.
4. Only current Miami Law students may win a write-in candidate seat.

XIX. Runner-Up
1. If a candidate chooses not to serve on the Student Bar Association, resigns during his/her term, or transfers out of the law school, the Election Commission has the discretion to offer the position to the runner-up candidate from the same election that the resigning candidate participated in.

2. In the event there is no runner-up, or the runner-up elects not to serve on the Student Bar Association, and the position is vacant, the SBA Senate retains the option to hold a special election.

XX. Running as a Ticket

1. Candidates may run as a ticket but must notify the Election Commission.

2. Candidates running as a ticket must submit separate filing paperwork. Each candidate on the ticket must attend an information session.

3. Running as a ticket is strictly for campaign purposes. Each candidate’s votes will still be tabulated individually.

CHAPTER THREE
SBA EXECUTIVE BYLAWS
PREAMBLE

The following rules and procedures are enacted in accordance with Article III of the SBA Constitution. In creating these Bylaws, the SBA Senate wishes to establish the authority of the SBA Executive Branch and expresses its intent that the SBA Executive Branch is limited to only those powers granted to it by the SBA legislative branch via the SBA Constitution and associated Bylaws. Such powers may be amended or removed at a future date through appropriate Constitutional and/or Bylaw amendment(s).

I. Title – Executive Bylaws

II. Constitutional Conformity

A. The SBA Executive Bylaws shall not conflict with the SBA Constitution.

B. These bylaws shall take effect at the first SBA Senate meeting immediately after the Spring 2003 SBA General Elections.

III. Executive Branch Act

A. The Executive Branch shall be composed of all executive offices outlined in the SBA Constitution and the SBA Executive Branch Bylaws. The power of the Executive Branch shall be vested in the SBA President.

B. The Executive Branch shall be responsible for the enforcement and execution of the SBA Constitution & Bylaws.

IV. Purpose
A. To clearly state the powers and limitations of the SBA Executive Branch, as it regards to the formation of the Executive Cabinet.

B. This act shall take effect at the first SBA Senate meeting, immediately following the Spring 2003 SBA Elections.

V. Executive Cabinet Act
A. Power of Formation
1. The power to form the SBA Executive Branch shall vest exclusively in the General Student Body. The President, Vice President, Treasurer, Secretary, ABA Representative, and Historian shall all be elected by popular vote. The president shall have the power to appoint current law students to his cabinet. Once such appointments first occur, then the president has exercised his/her cabinet formation power.
2. Within the first two months of assuming office, the President must inform the full Senate of the size of his/her cabinet. If, later during the year, the President deems that additional cabinet positions are necessary, then the President shall inform the full Senate of his appointment before he/she makes the appointment official.
3. The Senate shall have the power to approve the SBA President’s executive cabinet nominations only where a particular cabinet level position has an advise and consent provision, clearly stated, in these Bylaws. All other cabinet positions shall not require Senate approval.
4. Should a vacancy occur on the executive board it shall be the responsibility of the SBA President to present a nominee to the Senate for confirmation as outlined in the SBA General Bylaws. Two-thirds vote of the Senate members present and voting shall be required to confirm an Executive Board vacancy.
6. If an Executive Cabinet has been formed, it must meet at least once a month after its formation.
B. Executive Cabinet Composition
1. Once a cabinet is formed, it shall include, but not be limited to, the following constitutional and statutory officers of the SBA: President, Vice-President, Secretary, Treasurer, ABA Representative, Historian, Attorney General, Social Events Coordinator, Dean’s Cup Coordinator and Chief of Staff. The President shall have the authority to include or exclude all other executive appointments from his/her cabinet.

VI. Statutory Executive Officers
The following Executive Cabinet positions shall be considered Statutory Executive Officers:
A. Chief of Staff
The Chief of Staff shall:
1. Serve as the SBA President’s main executive assistant and shall execute any discretionary task for the SBA President or SBA Vice President.
2. Be a member of the SBA Executive Cabinet and he/she shall be appointed by the SBA President.
3. Oversee the progress and completion of projects of the executive cabinet, under the direction of the SBA President.
4. Be responsible for developing a policy of operation for the SBA Executive Branch.
5. Assist the SBA President and Vice President by screening and making preliminary recommendations of candidates for Presidential appointments.
6. Use the media resources to inform and educate the Student Body of Student Government's activities.
7. Oversee all public relations activities for the Executive Branch.
8. Maintain strong lines of communication between the SBA Executive Branch and other entities within the Student Bar Association.
9. Work, in conjunction with the SBA Secretary, to inform the press of the actions of the SBA.

B. Attorney General

The Attorney General shall:
1. Represent the interests of the Student Bar Association, before the SBA Supreme Court, in all cases in which a SBA branch, affiliated agency, or student organization is a party.
2. Be a member of the SBA Executive Cabinet. He/she shall be appointed by the SBA President with the advice and consent of the SBA Senate.
3. Conduct systematic, continuous, and tenacious study of all SBA Bylaws for the purpose of reducing inconsistencies and improving clarity. He/she shall submit a report, each semester, to the SBA Speaker of the Senate and the Chair of the Constitution and Bylaws Committee, detailing any inconsistencies within the Student Body Statutes for the purpose of revision.
4. Provide the SBA President and any other Executive Board member procedural opinions on the SBA Constitution or bylaws. These opinions shall have no legal binding effect.
5. Be thoroughly familiar with the Bylaws of the SBA Supreme Court.

C. Dean’s Cup Coordinator

The Dean’s Cup Coordinator shall:

1. Organize all SBA social activities and events related to Dean’s Cup.
2. Work with the appropriate SBA Senate committee.
3. Be a member of the SBA Executive Cabinet. He/she shall be appointed by the SBA President with the advice and consent of the SBA Senate.
4. Submit to the SBA Treasurer and the Senate Budget & Finance Committee any budget requests related to Dean’s Cup.

5. This act and the duties therein shall take effect at the first SBA Senate meeting after the Spring 2004 SBA Elections.

VII. Executive Veto Power
A. The SBA President may veto any Senate appropriation bill, proposed amendment to the SBA Bylaws, resolutions, and any other Senate legislation, excluding amendments to the SBA Constitution or referendums, but must do so within 48 hours following the end of the Senate meeting in which the legislation was enacted. Legislation is considered final if not vetoed during that period of time.
B. If vetoing a piece of legislation, the SBA President shall notify the Speaker of the SBA Senate in writing within the 48 hour period and also post that writing on the SBA office door.

VIII. Emergency Executive Powers Act
A. Whenever the SBA President transmits to the Speaker of the SBA Senate and the Dean of Students Office, his/her written declaration that he/she is unable to discharge the powers and duties of his/her office, and until he/she transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.
B. Whenever a two-third majority of the SBA Executive Board members, during an emergency meeting of the Executive Board, transmits to the Speaker of the SBA Senate their written declaration that the President is unable to discharge the powers and duties of his/her office, the Vice President shall immediately assume the powers and duties of the office as Acting President. Whenever an emergency meeting of SBA Executive Board convenes for the purpose of this section, the meeting shall be held in executive session and the President shall be permitted to vote on the issue. Before the Speaker receives the written declaration, the Executive Board members who advocate in favor of transferring Executive power to the Vice-President shall take their written declaration to the Office of the Dean of Students for verification. If a majority of a panel of the deans agree that there were sufficient grounds to transfer power to the Vice President, then they shall defer to the judgment as stated in the declaration, and the Executive Board shall proceed to transmit the declaration to the Speaker of the SBA Senate.
C. Thereafter, when the President transmits to the Speaker of the SBA Senate his written declaration that no inability exists, he/she shall resume the powers and duties of his/her office unless the Vice President and/or a majority of the SBA Executive Board transmit within four days to the Speaker of the Senate their written declaration that the President is unable to discharge the powers and duties of his office. Thereafter, the matter shall be referred to and adjudicated by a panel of the Office of the Dean of Students.

IX. Other
A. Bylaws shall be renumbered and relettered where appropriate to provide for the proper sequence of numbers and letters.

CHAPTER FOUR
SBA LEGISLATIVE BYLAWS
PREAMBLE

We, the members of the Student Senate, in order to represent the students of the University of Miami School of Law in a more viable way, do hereby establish the following Bylaws for the Senate of the University of Miami School of Law

I. Title - Legislative Bylaws
II. Constitutional Conformity
A. The SBA Senate Bylaws shall not conflict with the SBA Constitution.
B. These Bylaws shall take effect at the first SBA Senate meeting immediately after the Spring 2003 SBA General Elections.

III. Definitions
A. Vote of the Senate: Requires a simple majority of Senators present to pass the given Motion. A tie vote fails.
C. Two-thirds vote of the Senate: A vote that requires at least two-thirds of the Senate membership, present & voting, to pass the given Motion.
D. Main Motion: Main Motions shall be defined as Bills, Resolutions, and Acts.
E. Quorum: A simple majority of all Senators installed must be present in order to conduct official Senate business.
F. Majority: half, plus one.
G. Executive Session: A session of the Senate that is closed to the public and that only Senate members and Senate Support Staff may attend and/or be present.

IV. Meetings of the Senate
A. Call to Order
1. The Speaker, or the Vice-Vice Speaker in his absence, shall call all Senate meetings to order within fifteen (15) minutes of the time for which they are scheduled. Quorum must be present for the meeting to begin.
2. If neither the Speaker, nor the Vice-Speaker in the absence of the Speaker, calls the meeting to order during the first fifteen minutes and quorum is present, the meeting may be called to order by the Dean of the Senate or the Senior most Senator.

V. The Student Voice in the SBA Senate Meetings
A. The Senate shall promulgate the necessary rules and procedures to permit members of the student body to address the Senate or one of its standing, ad hoc, or special committees on Calendar items as part of the regular order of Senate or committee meetings, except for the first and last meetings of the regular session of each semester. The period set aside by the Senate for student comments shall be officially referred to as "Student Comments."

B. The Senate shall set aside a no more than ten minutes for Student Comments. Student Comments shall be included at the beginning of all meetings in the Senate Calendar and any other agenda.

C. For the purpose of this act, a student does not require a majority vote of the Senate or committee to comment on a calendar item, but shall make comments adhering to the rules and procedures of the SBA Senate.

D. Individual students may have time restrictions placed upon their comments, and may be deemed out of order by the Senate Chair when appropriate.

E. The Senate reserves the right by majority vote to extend allotted time. Time will expire in complete if no student has the floor and no other student is requesting the floor upon a majority vote of the Senate to conclude Student Comments.

F. In the occurrence that time is not extended and there are students remaining to speak, students may submit a written report of his/her comments, being no more than 500 words, to the Speaker of the Senate and ask for it to be forwarded to all Senators. Students who did not attend the most recent meeting during the student comments period, and those who had an opportunity to address the Senate or chose not to, do not have a right to submit written reports.

G. The Senate shall advertise the opportunity for student comments in the SBA Hearsay and the suggestion box whenever possible via the announcement of meetings.

H. Elected and appointed members of SBA Executive, Legislative, or Judicial branches, including all Support Staff and Cabinet Members, may not be recognized to obtain the floor for comments during Student Comments, except to directly answer questions.

VI. Attendance

A. At minimum, Senators are required to attend SBA Senate meetings and serve on at least one committee.

B. If a Senator is unable to attend a Senate meeting, he/she shall notify the SBA Speaker of the Senate prior to the meeting, in writing, to request an excused absence.

C. An excused absence shall be granted by the Speaker except in extraordinary circumstances.

D. Senators shall accrue no more than three unexcused absences during one semester or four absences in total. Three or more unexcused absences are grounds for impeachment.

E. The dress code for all scheduled meetings shall be business attire. The Speaker shall have the power to enforce the dress code.
VII. Quorum
A. A Senate meeting may not begin unless there is a quorum present.
B. Once the meeting begins, only Senators may question the presence of quorum.
C. A Senator may question the presence of quorum at any time. A call for quorum does not require a second. If a Senator questions the presence of quorum, the Speaker must immediately precede to call the roll and verify a quorum. Until quorum is verified, no business shall be conducted, and no vote shall be announced. If a Senator questions whether a quorum is present and the presiding officer attempts to ignore the request, any business the Senate attempts to conduct is not official and not binding. If quorum is verified, then business shall proceed.
D. If there is not a quorum, then the meeting is immediately adjourned.

VIII. Agenda
A. The Agenda for all regularly scheduled meetings shall be in the following order: Call to Order, Student Comments, Executive Officer Reports, Committee Reports, Old Business, New Business, Announcements, and Adjournment.
B. All reports shall be subject to a 5-minute maximum time limitation. Extensions on time may be granted on the floor by a majority vote of the Senate.
C. To place an item on the agenda under New Business, two copies of all proposed legislation must be submitted, one to the SBA Speaker of the Senate or his/her designee and the other to the SBA Senate Parliamentarian (via e-mail in an attachment in Microsoft Word or Word Perfect format 72 hours before each regularly scheduled Senate meeting. Items shall be placed on the agenda in the order that they are submitted. Items that are not on the agenda may be introduced at the meeting during New Business after actions on agenda items are complete.
D. Once submitted all legislation becomes property of the SBA. Any amendments to the legislation must follow the amendment procedures in this Chapter. Withdrawals must follow the withdrawal provisions in this Chapter.
E. All acts, bills, resolutions, and motions that are placed on the agenda must have the name of the sponsor. The sponsor must have the authority as described in Article IX of this Chapter to introduce legislation in the SBA Senate.
F. The Speaker, or his/her designee (Parliamentarian), shall give each piece of legislation a Senate Reference Number as described in Article IX of this Chapter.
G. The agenda shall be completed by the Speaker, or his/her designee, and distributed to all SBA members.
H. Under the direction of the Speaker, the Senate Parliamentarian may prepare agenda packets for the meetings consisting of the agenda, the legislation listed on the agenda, minutes from previous meetings requiring approval, and any prepared reports. Agenda packets shall be distributed to SBA Senators and Senate Support Staff, and copies to the Executive Officers in
attendance. Additional copies shall be placed in the SBA files and made available upon request to any SBA member.

I. All items that are on the agenda or introduced under New Business, and that are not considered or acted upon by the Senate, shall automatically be placed on the next meeting's agenda under Old Business. Items shall be considered in the same order under Old Business as they would under New Business.

**IX. Legislation**

A. All legislation shall be introduced in writing, unless the urgent nature of the legislation requires immediate action and it is approved by the Speaker.

B. It shall be the duty of the SBA Parliamentarian of the Senate to work with the SBA Historian to maintain a permanent record of all legislation considered by the Senate. An archive of all legislation shall be created and kept including all legislation whether or not enacted, including the vote tally, roll call if applicable, any amendments, committee reports, executive veto messages, or any other pertinent information as to the history of the legislation.

C. Types of Legislation

1. **Resolutions** - Resolutions shall be formal expressions of the opinion or will of the Senate. Resolutions shall be adopted by majority vote of the Senate. Resolutions are advisory in nature and contain limited authority.

2. **Bills** - Bills shall be legislative proposals to adopt statutory amendments and revisions and other legislative acts and proposals as provided by law. Upon passage, Senate Bills shall be binding in nature upon the SBA.

3. **Constitutional Amendments** - Constitutional Amendments are legislative proposals to amend the SBA Constitution. Constitutional Amendments shall require a two-thirds vote of the Senate for passage, and then shall appear on the ballot of the next regular election for ratification. Constitutional Amendments shall only have binding effect if the Constitutional Amendment is approved by both the SBA Senate and the Student Body.

4. **Referenda** - Referenda shall be any legislation brought by the SBA Senate to a vote of the entire Student Body that is not a Constitutional Amendment. Referenda shall only have binding effect if the Referendum is approved the SBA Senate and the Student Body.

5. **Appropriations Bills** - Appropriations Bills shall be legislative proposals that request disbursement of SBA funds for a particularly stated purpose within the bill. Upon passage the appropriations bill shall allow for the spending of funds.

D. Substantive Requirements for Legislation

1. All legislation shall be submitted in twelve (12) point Times New Roman font.

2. Each bill, resolution, amendment, or referendum that deletes text from the statutes, rules of procedure, or constitution shall include the text to be deleted either by including the entire text to
be stricken or by designation by use of strikethrough, except when deleting entire articles. Legislation deleting entire articles must include the article number and the article title.
3. Each bill, resolution, amendment, or referendum that adds language to any currently enacted legislation shall show the additions in italics.
4. Each bill, resolution, amendment, or referendum that adds a new clause, article, or chapter without affecting any language of currently enacted legislation shall occur in normal font.
E. Format of Legislation
1. Senate Reference Number - As prescribed in Chapter 4, Article VIII, Section 4 of the Constitution: The Speaker, or his designee, shall give each piece of legislation a term number in the sequence they are proposed and considered. The Senate Reference Number (“SRN”) shall have 3 parts: the nature of the legislation, the Senate session identification, and a draft appearance number.

a. Nature of the Legislation - Resolutions shall be assigned the prefix "RS". Senate Bills shall be assigned the prefix "SB". Constitutional Amendments shall be assigned the prefix "CA". Referendum shall be assigned the prefix “RF”. Appropriations shall be assigned the prefix “AB.”
b. Senate Term Number - The letters indicating the nature of the legislation shall be immediately followed by a hyphen and then the term number of the Senate. The term number shall be reassigned yearly after each regular spring election and the inauguration of the new Senators. The term number shall be counted retroactively from the 1996-97 term when the Constitution was reenacted serving as the 1st Senate of the Student Bar Association.
c. The Senate Legislative Session Identification - Immediately after the term number shall appear the session identification. There shall be two sessions in each Senate term. The session identification shall:
   i. Indicate “A” for the first session beginning with the new term of the Senate in the spring and ending with the dismissal for summer break.
   ii. Indicate “B” for the second session beginning with the first meeting after summer break and ending at the end of the Senate term in the spring.
d. Draft Appearance Number - Following the Term and Session Identification shall be a hyphen followed by the draft appearance number. The Appearance number shall be assigned by the Clerk of the Senate, or in his/her absence the presiding officer of the Senate. Each legislative session the numbers shall be distributed starting with “01” for
each of the types of legislation. No two pieces of legislation shall be given the same Senate Reference Number. If a piece of legislation is withdrawn and then resubmitted, then it shall be issued a new SRN.

2. Subject and title
A. The subject of each piece of legislation shall be briefly expressed in its title. If any Bill covers more than one of statutory article within any chapter, it shall be defined as an Omnibus Bill. A two-thirds (2/3) vote is required for final passage of an Omnibus Bill.

3. Legislative Intent
a. All legislation shall have a statement written by the primary sponsor stating the purpose and intent of the legislation consisting of no more than 100 words.
b. This statement of "legislative intent" shall be attached to the Bill when delivered to the Student Body President for approval and/or veto.

4. Affected Statutes or Amendments
a. The legislation should list all parts of the SBA Constitution and Statutory Bylaws that would be substantively affected by the passage of the current piece of legislation
b. There is no need to show the effect based solely on the sequencing of already enacted legislation

5. Effective Dates
a. The date in which the legislation shall become active shall be listed in a separate heading under the legislative purpose, and not to appear in the text of the legislation. Legislation that does not note an effective date will take immediate effect unless it is clearly against the intentions of the legislation.
b. Constitutional Amendments shall contain an effective date, but cannot take effect until ratification by the Student Body.

6. Enacting Clauses
a. Resolutions: There shall be an enacting clause on every resolution proposed by the SBA Senate. It shall read: “Be it resolved by the Student Bar Association Senate that:”
b. Bills: There shall be an enacting clause on every bill proposed by the SBA Senate. It shall read, "Be it enacted by the Student Bar Association Senate that:”
c. Constitutional Amendments: There shall be an enacting clause on every Constitutional Amendment proposed by the SBA Senate. It shall read, “Be it amended upon ratification by the Student Body that:”
d. Referenda: There shall be an enacting clause on every Referendum proposed by the SBA Senate. It shall read, “Be it referred to the Student Body that:”
e. **Appropriations Bills:** There shall be an enacting clause on every appropriations bill proposed by the SBA Senate. It shall read, "Be it appropriated by the Student Bar Association Senate that:"

7. **Authors, Sponsor, and Co-Sponsors**

A. Any type of legislation may be authored by any currently enrolled student of the University of Miami School of Law, but it must be sponsored by a voting member of the SBA Senate, who shall be the primary sponsor. No bill, resolution, Constitutional Amendment, referenda, or appropriations bill, shall be placed on the calendar or heard by the Senate if the legislation does not have a primary sponsor. Additional sponsors may be added to the legislation and shall be known as co-sponsors. Legislation in newspapers, Senate Journals, and Calendars should denote both the primary sponsor and co-sponsors. Only the primary sponsor will be allowed to give opening unless they yield this right to a co-sponsor or the author.

B. SBA Senate Committees may also sponsor and/or author legislation. If a Committee is the sponsor, then the Committee Chair shall serve as the primary sponsor for purposes of presentation. The Chair however may delegate this authority to any other member of the Committee.

C. Any Senator by motion may add his/her name as a co-sponsor to any legislation under consideration.

F. On the first presentation the legislation shall be presented to the full Senate by its primary sponsor; in his/her absence the legislation may be presented by any listed co-sponsor. In the case of a committee sponsor, the legislation shall be presented to the full Senate by the chair; in his/her absence the legislation may be presented by any member of the committee. If no co-sponsor is listed, is present, or chooses not to speak on the legislation, then the legislation must be deferred to the next regular meeting as New Business, unless deemed to be of an urgent nature by the Speaker. After the first presentation, the Speaker may recognize discussion on the legislation, but he/she shall not recognize a Motion to Vote until the next regularly scheduled SBA Senate Meeting. The Speaker shall either entertain a Motion to Defer until the next meeting or a Motion to Defer to the appropriate Committee.

G. In cases of emergencies or circumstances of an urgent nature, any Senate Committee Chair may move to suspend the rules and to bypass a second reading and allow a vote on the legislation during the same meeting if:

1. The moving Senate Committee Chair obtains a two-thirds (2/3) majority vote to suspend the rules;
2. The legislation concerns the SBA (1) Budget, (2) Bylaws, or (3) the Constitution; and
3. Has been recommended for passage by the appropriate oversight committee.
H. Deferring to Committees

1. If the legislation is a proposed appropriation bill, then the bill shall be deferred to the Budget and Finance Committee. If the legislation is a proposed Constitutional Amendment or Bylaw revision or addition, then the bill shall be deferred to the Constitution and Bylaws Committee.

2. The appropriate committee shall include one of the following recommendations in its committee report:
   a. Recommend Passage
   b. Recommend Passage in Amended Form
   c. Recommend Defeat
   d. No Recommendation
   e. Recommend Postponement

I. On the second presentation, the legislation shall be presented by its primary sponsor, in his/her absence the legislation may be presented by any listed co-sponsor. If no co-sponsor is listed, is present, or chooses not to speak on the legislation, then the legislation must be deferred to the next regular meeting unless deemed to be of an urgent nature by the Speaker. The sponsor of each piece of legislation shall first have up to five minutes to explain his legislation. The sponsor may defer only technical questions about the legislation to the author, if the author is present.

J. After the sponsor has finished reading and explaining the legislation, legislation that was deferred to a committee shall have the Committee Chair or his/her designee from the committee read the committee report. Committee representative shall also have up to five minutes to explain the committee recommendation.

K. Despite the committee's recommendation, the sponsor of the legislation shall have the right to make changes and to accept friendly amendments before the legislation is brought to a vote by the Senate.

L. All legislation that has not been passed by the Senate by the end of the Legislative sessions (the dismissal for summer break and the end of the Senate term in the spring) is deemed dead. Dead legislation must be re-filed and issued a new Senate Reference Number for further consideration. Constitutional Amendments and Referenda that have been approved by the Senate and are awaiting a ballot shall still remain viable.

M. Withdrawal of Legislation

1. At any time until the legislation has either passed or failed, the sponsor, and only the sponsor, of legislation may withdraw the legislation from consideration by the Senate.

2. Once withdrawn, legislation must be resubmitted as new legislation and assigned a new Senate Reference Number for further consideration.
3. In cases of exigency, legislation is deemed to rectify the emergency, and the sponsor seeks to withdraw the legislation, any Senator may move to call the legislation to question and block the withdrawal by a 2/3 vote of the Senate.

N. Legislative Restriction Act
1. All members of the SBA shall be allowed to introduce for first reading, as a primary author of a bill, a maximum combination of four Senate bills, Constitutional Amendments, and/or referendum for the purpose of revising or adding to the SBA Bylaws or Constitution per Senate to be of an urgent nature. Appropriation Bills, Resolutions, and Senate Bills that are not Bylaw revisions shall not be restricted.

X. Questions & Debate
A. After the committee makes its recommendation, up to five minutes shall be set aside for questions and answers. Senators shall retain their right to make motions and amendments in accordance with Robert's Rules of Order when they have the floor.
B. If there has been no debate on a motion, a motion to Move the Previous Question shall require a unanimous consent.
C. The Senate may limit the numbers of those debating or the length of debate in accordance with Robert's Rules of Order, or in the discretion of the Speaker.
D. The Speaker shall recognize Senators for open floor debate, and only whenever necessary for decorum use the method of alternating between Pro and Con speakers.
E. The Speaker should believe in good faith that all Senators are aware of the text of the measure prior to the vote. Upon the request of any member, the Speaker may read all or any part of a measure before a vote.

XI. Amendments
A. All legislation as described in Article IX of this chapter may be amended according to Robert’s Rules of Order.
B. Any currently enrolled student of the University of Miami School of Law may author an amendment to legislation, but it must be sponsored by a voting member of the SBA Senate or by a committee of the SBA Senate.
C. Amendment Form
1. Whenever possible Senators shall propose amendments that substantively alter the proposed legislation in writing.
2. Oral amendments that substantively alter the proposed legislation on the floor of the Senate during debate shall be recorded by the SBA Parliamentarian, and then read out-loud to the entire Senate.
3 Amendments that correct spelling, grammar, and/or syntax without altering the intent or meaning of the legislation may be made in an oral motion on the Senate floor, and do not require a reading by the Senate Parliamentarian.
4 Each amendment shall include the following:
a The Senate Reference Number of the legislation to be amended shall be noted on the proposed amendment.
b The Speaker, or his/her designee, shall assign each amendment a number beginning with one (1) in the sequence in which they are proposed.
c Each amendment shall clearly state the language in the proposed legislation that is to be altered or deleted by the amendment and any new language, if applicable, to be inserted into the legislation.
d New language shall be identified by being written in italics, and deleted language shall be identified by being written with a strikethrough.
D The Senate Clerk shall note on the amendment whether the amendment was adopted or failed and include the vote tally and roll call if applicable.
E As a ministerial duty, the Presiding Officer and the Senate Clerk shall affix their signatures to all amendments that are adopted by the Senate.
F Sponsor Acceptance
1 The sponsor of the proposed legislation shall be given the opportunity to accept or reject any proposed amendment to the proposed legislation.
2 If the sponsor accepts the amendment, the amendment shall be incorporated into the language of the legislation and shall be noted on the amendment in accordance with the provisions of this article.
3 If the sponsor rejects the amendment, it shall be noted as such on the amendment. The amendment shall proceed to Questions & Debate and Voting in accordance with the provisions of this chapter. If the amendment receives a majority vote of the Senate, then the amendment shall be incorporated into the language of the legislation. If an amendment fails to receive a majority vote of the Senate, the amendment fails and the Senate shall proceed back to consideration of the legislation unless further proposed amendments remain to be considered.
G Copies of all proposed amendments, whether adopted or failed, shall be included in the legislative archive in accordance with the provisions of this chapter.
H Amendments to a proposed amendment shall proceed through the process outlined in this article.

XII. Voting
A. Upon a motion by any two Senators and immediately prior to the vote on proposed legislation, the Parliamentarian of the Senate shall read the legislation in full before the entire Senate.
B. All motions in the Senate require a simple majority vote unless otherwise specified in the SBA Constitution, Bylaws, or Robert's Rules of Order.

C. There shall be no voting by proxy or conference call. However, in exceptional circumstances where the Speaker has called an emergency meeting to order and it is impossible for the Senate to meet quorum, voting by conference call will be allowed. Voting on any substantive matter during the conference call must be conducted via roll call to ensure the required majority is recorded.

D. Senate votes shall normally be conducted by hand vote. If two Senators, or the Speaker, request a roll call vote, the Speaker shall conduct a roll call vote. A request for roll call may be made before or after a hand vote providing it is made within fifteen minutes following the announcement of the vote result. All votes of the Senate shall be recorded in the minutes.

E. Secret ballot shall only be permitted when the Senate is in Executive Session.

XIII. The Executive Veto

A. Enrolled Copies

1. Bills shall be enrolled before being sent to the Executive for approval.

2. An Enrolled Bill must have been duly introduced and enacted by the Senate. Attached to the passed written copy of the legislation shall be written information regarding the Bill’s title, date of introduction, dates of referral to Senate committee(s), recommendations of the committee(s), name of author(s), primary sponsor, and co-sponsor(s), the numerical designation of the Bill, the affected legislation, the effective date, and the legislative intent.

3. The enrolled copy shall provide a place for the signature of the Senator presiding over the meeting when the legislation is enacted and the Clerk of the Senate shall affix their signatures to the legislation. The Clerk and presiding Senator must sign their names to the legislation as a ministerial duty.

4. There shall be a place provided for the signature of the Student Bar Association President for his/her designee for their approval or veto.

5. Within 48 hours from the end of the SBA meeting where legislation is passed, the Clerk of the Senate must submit the copy with a time dated signature to the SBA archives to be signed by the presiding Senator and then the SBA President

   B. The SBA President may veto any Senate appropriation bill as SBA Statutes Chapter 3, Article VII allows.

   C. If the SBA President exercises his/her veto, he/she shall notify the Speaker of the SBA Senate in writing within the 48-hour period and it shall be distributed in the Hearsay. The 48 hours shall begin to be counted from the time that the necessary time
dated signatures of both the Senate Parliamentarian and Senator presiding over the meeting in which the legislation was passed have been affixed to the enrolled copy.

D. Bills not acted upon within the 48 hour period shall be treated as approved

E. Vetoed legislation shall automatically be placed by the Speaker on the agenda at the very next Senate meeting under the title "Special Order" before Executive Officer Reports, Committee Reports, Unfinished Business, New Business, and Announcements. The President is recommended to deliver an oral justification of veto to the Senate at its next regularly scheduled meeting.

F. Legislation requiring a majority vote shall require a two-thirds vote of the Senate to override a veto. If the vetoed legislation is overridden, the legislation is considered final and cannot be vetoed again.

G. Legislation requiring a two-thirds majority vote may not be vetoed except for Omnibus Bills.

H. If a vetoed bill is amended on the floor of the Senate during the reconsideration of the bill, that bill will be considered new legislation and must return to the beginning of the legislative process.

XIV. Removal from the Ballot

A. Any Constitutional Amendment that has been passed by the SBA Senate and is awaiting ratification by the Student Body may be removed from the ballot by a vote of the SBA Senate.

B. Any Referendum that has been referred by the SBA Senate and is awaiting approval of the Student Body may be removed from the ballot by a 2/3 vote of the SBA Senate.

C. Removal from the ballot must occur at least 2 weeks before the vote of the student body is to occur.

D. Student produced initiatives may not be removed from the ballot by the SBA Senate.

E. If two or more Constitutional Amendments awaiting ratification by the Student Body are in conflict with each other, then any Senator may force the Senate to reconsider each Amendment to alleviate the conflict by removal of one or more of the Amendments from the ballot.

XV. Senate Committees

A. All Senators must serve on at least one committee. That committee may be a Senate Committee, SBA Committee, Faculty Committee, or other external committee. The Senate shall have the following standing Senate Committees:
1. **SBA Senate Constitution, Bylaws, & Rules Committee** – shall be the committee that will be responsible for reviewing all bills regarding amendments to the SBA Constitution and SBA Statutory Bylaws and for issuing recommendations as to the legislation’s passage. This committee shall also be responsible for issuing recommendations regarding amending any other rule governing the operation of the SBA Senate. The membership of this committee shall be limited to Senators, as voting members, and the SBA Parliamentarian, who shall serve on an ex-officio basis only.

2. **SBA Senate Budget and Finance Committee** - shall be the committee that will be responsible for reviewing all legislation regarding appropriations and budget expenditures, which require the SBA Senate’s approval, and for issuing recommendations as to the legislation’s passage. This committee shall ultimately be responsible for creating the SBA fiscal budget. It shall have the power to accept the SBA Executive Branch’s budget or to reject, in its entirety or amend in part, the budget proposal. The membership of this committee shall be limited to Senators, as voting members, and the SBA Treasurer or another designee by the SBA President, who shall serve on an ex-officio basis only.

3. **SBA Senate Social & Philanthropy Committee** – shall be the committee that will be responsible for organizing all social and philanthropic activities, in which the SBA is the official sponsor or where the SBA Senate is involved. Such social activities shall include, but not be limited to, Beer at the Rat, SBA sponsored parties, picnics, charity events, food drives, etc. The membership of this committee shall be limited to Senators, as voting members, and the SBA Social Events Coordinator or another designee by the SBA President, who shall serve on the committee on an ex-officio basis only.

4. **SBA Judicial & Executive Appointment Committee (JEAC)** – Shall be the committee that will be responsible for reviewing all judicial and executive nominees that the SBA President nominates to either the SBA Supreme Court, Executive Cabinet or to the Election Commission. The committee members shall interview the nominees and ask probing questions to determine if the nominee is, in their judgment, qualified to be appointed to the position which they have been nominated to serve. The committee shall make a recommendation to the full Senate at its meeting where confirmation of the nominee is scheduled to take place. The committee’s membership shall be appointed by the Speaker of the SBA Senate and limited to Senators, as voting members.

B. Senate Committees are a part of the legislative branch. They propose legislation to the Senate on matters relevant to the committee. The Senate may commit legislation to a Senate Committee for recommendations. Senate Committees may also investigate and provide oversight reports to the Senate on matters relevant to the Committee to insure that Senate legislation is executed according to Senate guidelines. The Senate may empower Senate committees with other duties.

C. The Senate may create ad hoc Senate committees when necessary, which may or may not be enumerated in the secondary standing committees referenced in the preamble.
D. Senate Committees are open to all SBA Senate members for membership. Committee members are appointed by the Speaker.
E. Senate Committee Chairs and Vice-Chairs are appointed by the SBA Speaker of the Senate.
F. The size of all committees shall be determined by a simple majority vote of the Senate.

XVI. Parliamentary Procedure
A. Except where otherwise stated in the SBA Constitution or Bylaws, the rules of procedure in all SBA meetings shall be governed by Robert’s Rules of Order as published in the latest edition of Robert’s Rules of Order, Newly Revised.
B. Any deviation from these procedures shall require a two-thirds vote of the Senate to Suspend the Rules.
C. The Speaker shall provide Senators with copies of the SBA Constitution and all SBA Bylaws at the beginning of each Senate term.
D. The Speaker has final authority to decide procedure, unless overridden by two-thirds majority of the Senate.

XVII. Speaking Privileges
A. All individuals must be recognized by the Speaker in order to address the SBA Senate unless according to Robert’s Rules of Order such privilege is a matter of right.

XVIII. Executive Session
A. The SBA Senate shall have the power to enter into executive session under the following circumstances:
   1. When faculty and administrators are present at a SBA Senate Meeting.
   2. During the confirmation process of judicial nominees or executive appointments, or the election of Senate officers.
   3. Whenever the Senate deems it necessary, in order to address a very delicate and controversial situation as defined by the Senate.
B. A three-fourth vote of the present and voting members of the Senate shall be required in order to invoke the Senate’s power of Executive Session.

XIX. Election of Senate Officers
A. Following the annual Spring election, at the first meeting of the new Senate, the Senate shall elect a Speaker and a Vice-Speaker by written ballot with a simple majority of the whole Senate required to elect.
B. The whole Senate, for the exclusive purpose of electing a Speaker and Vice-Speaker at the first meeting of the new Senate, shall consist of the outgoing Senators (excluding the Senators who have been elected to an Executive Board position) and the newly sworn Senators.
C. Should the Senate fail to elect a Speaker and a Vice-Speaker, the Dean of the SBA Senate shall serve as the Interim-Speaker.
D. In the event that the Senate fails to elect a Speaker and Vice Speaker and the Dean of the Senate is acting as the Interim-Speaker, the next most senior Senator shall become the interim-Vice Speaker until an election can be held.
E. If a new Speaker is elected, but at that time no Vice Speaker is elected, then the next most senior member (below the Dean of the Senate) shall serve as the Vice Speaker.

XX. Vote of Confidence
1. All elected officers in the Senate shall be subject to an automatic Vote of Confidence at the first SBA Senate meeting of the Fall and Spring terms.
2. Each elected Senate officer shall have up to five minutes to offer any justification for his/her retention.
3. After the elected Senate officer gives his/her initial justifications, the Senators who opposes the retention of the officer shall have up to five minutes to speak. Then any Senators in favor of retention shall have up to five minutes to speak.
4. No member of the SBA Executive branch, Judicial branch, or any other non-Senator, may offer an opposition or public support of a Senate officer during the vote of confidence process.
5. After the Senate members have debated the issue of retention, the officer shall have the final five minutes to address any concerns or make any final statements.
6. Once the elected Senate officer concludes his/her final words, then the Senate members shall proceed to vote to retain the officer. A two-thirds majority, of the senate members present and voting, shall be required to remove an elected officer of the Senate. If the Vote of Confidence is at least two-thirds in the negative, then elections shall be held for the Senate leadership position in question.

XXI. The Speaker of the SBA Senate
A. The Senate shall be chaired by a Senator, selected by the Senate from its body, who shall serve as chair for a term of up to one year.
B. The Speaker of the Senate shall:
1. Shall be the Chair of the SBA Senate, as defined in the SBA Constitution.
2. Preside over Senate meetings.
3. Have all the rights of the floor and of membership.
4. Vote last or abstain on Senate business.
5. Have final authority in the Senate on procedure.
6. Appoint standing and/or ad hoc committees of the Senate as the President Pro-Tempore or the Senate may deem necessary for the functioning of the Senate, subject to the Bylaws.
7. Have the authority to appoint or remove a Senate Parliamentarian, Senate Clerk, and/or any other persons necessary for the functioning of the Senate.
8. Be the administrative head of the Senate and its appointed personnel.

XXII. The Vice Speaker of the SBA Senate
A. There shall be a Vice-Speaker of the SBA Senate, selected by the Senate from its body, who shall serve for a term of up to one year.

B. Shall be the Vice-Speaker of the SBA Senate, as defined in the SBA Constitution.

C. The Vice-Speaker shall preside in the Speaker’s absence.

D. If the Speaker is unavailable then the Vice-Speaker shall assume the responsibilities of the Speakership, until such time when the Speaker is available.

E. In the event of a vacancy in the Speakership, the Vice-Speaker shall assume the duties and powers of the Speaker and a new Speaker shall be elected at the next Senate meeting. In the event of a vacancy in the Vice-Speakership, a new Vice-Speaker will be elected at the next Senate meeting.

F. The Vice-Speaker shall retain Senate membership and all rights thereof.

XXIII. The SBA Parliamentarian

A. There shall be a Parliamentarian, who shall be a non-senator, appointed by the Speaker, who shall serve for a term of one year or until replaced by the Speaker.

B. The duties of the Parliamentarian shall include, but be limited to:

1. Shall advise the Senate Speaker on matters of parliamentary procedure using the SBA Senate Bylaws and Robert's Rules of Order.
   a. In the event there is a question regarding parliamentary procedure, the Parliamentarian shall be the ultimate authority on interpretation of Robert's Rules of Order.

2. Assist the Speaker of the Senate in organizing, implementing, and evaluating Student Government Orientations and Leadership Workshops.

3. Give each new Senator a Parliamentary Procedure Information Packet to be developed with the Senate President.

4. Educate the Senate on parliamentary procedure.

5. The Parliamentarian shall have no vote.

6. The Parliamentarian shall work collectively with the Speaker to update the upcoming meeting’s Agenda.

The Speaker maintains the duty to update the Agenda regarding E-Board announcements and old business that was not addressed from the previous meeting.

The Parliamentarian, should one be appointed, shall be in charge of maintaining all agenda items and committee reports to be placed on the upcoming meeting agenda. All Senate reports are due to the Parliamentarian no later than 3 days before the next scheduled meeting. All legislation is due no later than 48 hours before the next meeting.

C. The Parliamentarian may issue to the Senate, in an advisory capacity, opinions on the legality of Senate actions and procedure and on Constitutional interpretations, with other such duties as delegated by the Speaker, not in conflict with the SBA Constitution. With the understanding that
there can be reasonable differences of opinion in interpreting parliamentary procedure, the SBA Constitution, and SBA Bylaws, advisory opinions of the Parliamentarian are not binding.

**XXIV. The Clerk of the SBA Senate**

A. There shall be a Clerk of the Senate, who shall be a non-senator, appointed by the Speaker of the Senate, who shall serve for a term of one year or until replaced by the Speaker.

B. Duties

1. The Clerk shall organize and maintain Senate Records including minutes, attendance rolls, roll call votes, records of the Legislative Branch, and other materials as required or delegated by the Speaker. The Clerk shall make necessary copies and assist Senators and SBA members who request information about SBA rules, records, or legislation.

2. The Clerk shall assemble agenda packets prior to Senate meetings and provide Senate minutes to the Speaker for Senate approval on a timely basis.

3. The Clerk shall notify Senators of Senate meetings.

4. The Clerk shall have no vote.

5. The Clerk shall perform such additional duties as the Speaker of the Senate shall request, not in conflict with this Constitution.

**XXV. The Dean of the SBA Senate**

A. The Dean of the Senate shall be the Senator with the most seniority and who has served in the Senate the longest.

B. The Speaker and the Vice-Speaker of the Senate shall not be eligible to be the Dean of the Senate. If the Speaker or Vice-Speaker resigns, declines re-election, or is defeated for re-election and he/she has the most seniority, then he/she shall be the Dean of the Senate.

C. If there is more than one senator who has served the longest, the Dean position shall go to the Senator who obtained the highest number of votes from the last SBA General Election.

D. If a senator leaves the SBA Senate for any reason, but returns to the Senate, he/she shall maintain his/her seniority.

E. The Dean of the Senate shall:

   1. Be the third in the line of the leadership of the Senate.

   2. Assume the duties of the Speaker, if in the event that the Speaker and the Vice-Speaker are unavailable, until an election for a new Speaker and Vice-Speaker can be held.

**XXVI. The Administrator of the SBA Senate**

A. There shall be an Administrator of the Senate, who shall be a non-senator, appointed by the Speaker of the Senate, who shall serve for a term of one year or until replaced by the Speaker.

B. Duties
1. Serve as the SBA Speaker’s main administrative assistant and shall execute any discretionary task for the Speaker.
2. The Senate Administrator shall have no vote.
3. Oversee all public relations activities for the Senate.
4. Oversee the progress and completion of projects of the Senate, under the direction of the Speaker.
5. Be responsible for developing a policy of operation for the SBA Legislative Branch.
6. Perform such additional duties as the Speaker of the Senate shall request, not in conflict with this Constitution.
7. The Senate Administrator may receive a stipend, not exceeding $400 per year (or $200 per Semester) for the successful completion of his/her duties and/or services. The SBA Senate shall have the discretion not to fund the position in the annual SBA Fiscal Budget.

**XXVII. The SBA Senate Reporter**

A. There shall be a SBA Senate Reporter, who shall be a non-senator, appointed by the Speaker of the Senate, who shall serve for a term of one year or until replaced by the Speaker.

B. Duties

1. Serve as the SBA Speaker’s junior administrative assistant and shall execute any discretionary task for the Speaker.
2. The Senate Administrator shall have no vote.
3. Organize and distribute a report on the events which occur at the SBA Senate meetings for the purpose of publication in the law school’s official newspaper and/or other student publications.
4. Perform such additional duties as the Speaker of the Senate shall request, not in conflict with the Constitution.

**XXVIII. Judicial & Executive Appointment Confirmation Act**

A. The SBA President shall inform the Speaker of the SBA Senate that he/she has a judicial/executive nomination to fill a vacancy and request that it be placed on the Senate agenda. This request must be in writing or in the form of an e-mail message.

B. The SBA President shall submit this request in a timely fashion, before the submittal deadline for items to be placed on the agenda.

C. At the SBA Senate meeting, the Speaker shall recognize the SBA President, during New Business, who shall announce the name of his nominee and request that the nomination be deferred to the SBA Senate Judicial and Executive Appointment Committee (JEAC). The Speaker shall then formally call for the JEAC to meet and the nomination shall be deferred to the JEAC.

D. The SBA President shall submit to the JEAC Chair enough copies of the nominee's resume and application for the full Senate. The resumes shall be submitted in a sealed envelope signed on the seal by the SBA President and the nominee and remain sealed until the JEAC meets with
the nominee. The Chair shall open the envelope at the meeting in the presence of the nominee and distribute the resumes to the committee members. At the conclusion of the meeting, all copies of the nominee’s resume shall be placed in a sealed envelope, signed on the seal by the JEAC Chair and the nominee and shall remain sealed until the next regularly scheduled Senate meeting. The envelope shall be opened at the meeting by the Speaker in the presence of the nominee and distributed to the full Senate. At the conclusion of the vote, all copies of the resume shall be returned immediately to the nominee. Resumes shall make no reference to the nominee’s GPA or class rank. The nominee, at his/her discretion, may submit up to two (2) letters of recommendation, one (1) of which shall be from a faculty member.

E. The JEAC shall schedule at least one meeting with the judicial nominee to ask several in depth questions of him/her. The JEAC shall set this meeting sometime between the end of the SBA Senate meeting where the SBA President announce the nominee and before the following regularly scheduled meeting of the SBA Senate convenes. After questioning the nominee, the JEAC shall prepare to deliver a report to the SBA Senate, recommending either rejection or confirmation of the judicial/executive nominee. The contents and final recommendation of the report shall not be disclosed to any non-JEAC member, except the Speaker, until the report is delivered to the floor of the Senate, at its next regularly scheduled meeting.

F. If the JEAC fails to meet and interview the nominees, within the aforementioned specified timeframe, then the Senate shall have the power, by two-thirds vote, to bring the nominations directly to the floor of the Senate.

G. At the next regularly scheduled meeting, the President shall formally present his nominee to the members of the SBA Senate. All copies of his resume are to be collected by the Speaker and destroyed after the total confirmation process is concluded.

H. The president shall then explain why he/she selected the individual in question to be his/her judicial or executive nominee and address questions as to why he/she believes that the nominee is qualified.

I. After the SBA President has presented his nominee, the nominee will have up to five minutes to address the Senate and to answer any questions that the Senate members may have. Only Senators shall pose questions to the nominee.

J. The Senate members shall limit their questions to the nominee’s past professional and academic experiences, his/her judicial ideology, philosophy on issues relating to law and government, and any other issue regarding his/her effectiveness as a member of the judicial branch or as an executive appointment. No questions shall be posed solely on the basis of a nominee’s race, sex, religion, ethnic background, sexual preference, or specific questions regarding the nominee’s G.P.A.

K. After the nominee’s time has expired, the SBA Senate shall move into executive session and exclude all non-Senate members and non-legislative staff from the room. All executive session discussions shall be off the record and confidential. If any member violates the confidentiality
provision, then that may constitute grounds for impeachment. If any member of the legislative staff violates the confidentiality provision, then that may constitute grounds for dismissal.

L. Before discussion of the nominee starts, a representative from the JEAC shall have five minutes to deliver the committee report. The JEAC Chairman or his designee shall indicate whether the JEAC approves or disapproves of the judicial or executive nominee and address questions posed by the other members of the Senate.

M. The members shall have a maximum of twenty minutes to discuss and deliberate confirming the nominee. If necessary, any member can motion to extend the time for an additional ten minutes. A two-thirds vote of the present and voting members of the Senate shall be required to extend time.

N. After deliberations, the members shall vote in secret ballot to confirm the nominee. A simple majority vote of the present and voting members of the Senate shall be required to confirm any statutory executive officer nomination. A two-thirds vote of the present and voting members of the Senate shall be required to confirm any nominee to the SBA Supreme Court or on the Executive Board.

XV. Other

A. Bylaws shall be renumbered and relettered where appropriate to provide for the proper sequence of numbers and letters.

CHAPTER FIVE
SBA JUDICIAL BYLAWS

PREAMBLE
The following rules and procedures are enacted in accordance with Article V - Judiciary which states that the SBA Senate may create Bylaws concerning Supreme Court procedures that are consistent with the SBA Constitution. In creating these Bylaws, the SBA Senate wishes to guard against the abuse of judicial authority and expresses its intent that the Supreme Court is limited to only those powers granted to it by the SBA legislative branch via the SBA Constitution and associated Bylaws. Such powers may be amended or removed at a future date through appropriate Constitutional and/or Bylaw amendment(s).

I. Title- Judicial Bylaws

II. Constitutional Conformity
A. The SBA Judicial Bylaws shall not conflict with the SBA Constitution.

III. Definitions
A. Certiorari: An extraordinary writ issued by a superior court, at its discretion, directing the lower court, petitioner or other entity to deliver the record in the case for review.
B. **Contempt:** Punishable conduct that defies the authority and dignity of a court or legislature and interferes with the administration of justice.
C. **Injunction:** A court order commanding or preventing an action.
D. **Mandamus:** A writ issued by a superior court to a lower court, commission, or a government officer to compel a lower court or a government officer to perform mandatory or purely ministerial duties correctly.
E. **Prohibition:** An extraordinary writ issued by a court to prevent a lower court or commission from exceeding its jurisdiction or prevent a non-judicial officer or entity from exercising its power.
F. **Quo Warranto:** A common law writ used to inquire into the authority by which a public office is held or a franchise is claimed.
G. **Sua Sponte** – Without prompting or suggestion; on its own motion.
H. **Subpoena:** A writ commanding a person to appear before a court or other tribunal, subject to a penalty for failing to comply.
I. **Writ:** A court written order, in the name of a state or other competent legal authority, commanding the addressee to do or refrain from doing some specified act.

**IV. Judicial Branch Act**
A. The Supreme Court shall consist of one Chief Justice and four Associate Justices appointed by the SBA President with the advice and consent of two-thirds of the SBA Senate members.
B. **A member of the Supreme Court must be classified as a student enrolled in a degree**
C. A maximum of three (3) Associate Supreme Court Justices shall be from the same graduating class.

D. A member of the Supreme Court may not serve on the Court and simultaneously as a member of the SBA Executive Board, SBA Senate, or the Student Honor Council.

E. The SBA Supreme Court shall meet regularly, at least once a month. The Chief Justice of the Court shall be responsible for setting up this meeting.

F. After the retiring Justices have graduated, their seats shall be considered vacant. The SBA President, in the Fall shall advertise applications to the student body and conduct interviews for the purpose of compiling a list of replacements for the graduated Associate Justices and the Chief Justice of the Supreme Court. Applications must be advertised for at least seven school days. For every judicial vacancy, the SBA president shall have a “backup” nominee, which may
serve as the President’s secondary nomination choice should his/her primary nomination choice be denied.

G. The SBA President shall present his nominations to the SBA Senate. The SBA President shall have the responsibility to ensure that all vacancies (due to the previous Spring graduation of the retiring justices) are filled on the SBA Supreme Court before the end of the Fall Semester.

H. If the number of justices on the court is below the minimum for the SBA Supreme Court to function, then the SBA President shall have fourteen calendar days, from the date of when the last justice resigned, graduated, or otherwise left the court, to present a judicial nominee to the SBA Senate for confirmation. Failure to present a nominee within this timeframe would constitute dereliction of executive duties and grounds for ethical sanctions.

I. If the Senate rejects a nominee, the SBA President shall have an extension period of seven days to present another nominee. The President shall be allowed only one automatic extension.

J. Should the Senate reject his/her nominee, after the SBA President has used his automatic extension, then the President must request that the Senate grants an additional extension. Additional extensions shall be granted only if two-thirds majority of the Senate, present and voting, agrees on such action. Should the Senate deny an additional extension, then the SBA President can not be considered to have failed in his/her duty to fill the Supreme Court vacancies. Moreover, no Senator shall be allowed to invoke a Motion of Impeachment against the President if an additional extension has been denied.

K. The confirmation of all SBA Supreme Court Justices shall follow the Judicial and executive appointment process as outlined in Chapter Four of the SBA Statutory Bylaws.

L. A nominee to the Supreme Court is required to be in good standing to qualify for nomination and must not be on academic/disciplinary probation at the time of his appointment nor at any time during his/her entire term in office.

M. All petitions submitted for review to the SBA Supreme Court must be made in accordance with all procedures established by the SBA Constitution and the SBA Statutory Bylaws.

V. Powers of the SBA Supreme Court

A. Judicial Review

1. The SBA Supreme Court will have the power to hear all judicial cases when a simple majority of the appointed, confirmed justices are present.
2. The Supreme Court does not have *sua sponte* powers to review any action of the SBA. Any review must follow a valid action before the court pursuant to the prevailing rules for bringing such action of petition.
3. The SBA Executive Branch shall enforce and respect all decisions, writs and orders of the SBA Supreme Court.

B. Jurisdiction
1. As outlined in Article V., Section 2 of the SBA Constitution, the authority of the Supreme Court shall extend to all judicial cases arising under the SBA Constitution, the SBA Bylaws, ICC Bylaws, official actions of elected and appointed SBA Officers, and any matters delegated to the Court by the SBA Senate. The Supreme Court shall not hear any cases involving any issues not directly related to the aforementioned areas.
2. The Court shall have the authority over all alleged Financial Bylaws violations, including, but not limited to holding those individuals responsible for the Financial Bylaws violations personally liable.
3. The SBA Supreme Court shall have appellate jurisdiction in all cases and controversies involving decisions rendered by the ICC President and the ICC Chairman.
4. The SBA Supreme Court shall have original jurisdiction in all other cases and controversy not specified in the SBA Supreme Court’s appellate jurisdiction, excepting final decisions issued by the SBA Election Commission.”

C. Judicial Relief Powers:
1. The SBA Supreme Court shall have the power to issue writs and impose injunctive relief.
2. The writs of judicial relief for the SBA Supreme Court shall be limited to the following:
   a. Injunction
   b. Prohibition
   c. Mandamus
   d. Quo Warranto
   e. Certiorari

D. Contempt Powers:
1. The Court shall have the power to cite the defendant counsel, opposing counsel, all parties at interest, a witness, or a spectator for contempt of court and shall have the authority to cash the $50.00 bond check for any cited incident of contempt.
2. Failure to obey the notice to appear without good cause being shown, shall constitute contempt of court.
3. The Court shall have the power of subpoena over all students having interest or effect in matters before the Court. Failure to obey a subpoena shall be contempt, punishable as provided in statute.

VI. Petitioning the Court
A. Only students may file an action with the SBA Supreme Court.
B. The Chief Justice shall initially receive the filed complaint. Alternatively, the petitioner can file his/her brief with the Dean of Students Office, who shall notify and forward a copy of the complaint to the SBA Chief Justice.
C. The petitioner’s complaint shall be in brief format containing the following requirements
1. The brief must be doubled spaced and typed in 12 point Times New Roman font.
2. The full name and organizational title (if applicable) of the petitioner shall appear on the cover of the brief with the word “versus” inserted in between the full name and organizational title (if applicable) of the respondent.
3. Brief must list the names and contact information of all parties involved in the complaint and, if currently available, the contact information of the case manager(s) (a.k.a student legal representative).
4. The cause of action or relief being sought by the petitioner from the Court.
5. A factual background surrounding the request.
6. A summary of all arguments as well as the full arguments detailing the basis for the petitioner’s cause of action or relief sought.
7. A conclusion.
8. List any exhibits, sworn statements or evidence which shall aid the Court in rendering a decision.

D. The respondent’s response shall be in brief format adhering to the following requirements
   1. The Brief must be doubled spaced and typed in 14 point Times New Roman font.
   2. The full name and organizational title (if applicable) of the petitioner shall appear on the cover of the brief with the word “versus” inserted in between the full name and organizational title (if applicable) of the respondent.
   3. Brief must list the names and contact information of all parties involved in the complaint and, if currently available, the contact information of the case manager(s) (a.k.a student legal representative).
   4. Specifically respond to the cause of action or relief being sought by the petitioner from the Court.
   5. A factual background surrounding the request.
   6. A summary of all arguments as well as the full arguments detailing the basis for denying the petitioner’s cause of action or relief sought.
   7. A conclusion.
   8. List any exhibits, sworn statements or evidence which shall aid the Court in rendering a decision.

E. All Students must submit a $50.00 bond check with his/her complaint brief and response brief. Barring any citation of contempt, $50.00 bond check shall be returned to petitioner either at the end of trial or at the dismissal of the petitioner’s complaint. Upon demonstration of economic hardship, the $50.00 bond check requirement can be waived by a simple majority vote of the SBA Supreme Court Justices.

F. To hear a case, there must be at least three justices of the Court. A majority vote of the justices present on the tribunal shall be required to render a decision.
G. In matters within the Court's original jurisdiction, all SBA members shall have one full year, from the date in which the event of grievance took place, to file a complaint with the SBA Supreme Court. Any complaint, which is within the Court's original jurisdiction, that passed the statute of limitation, not will be reviewed by the Court.

H. Individuals or entities may be represented before the SBA Supreme Court by any UM law student(s) of his/her/their choosing. The names and contact information of the individual or entity’s case manager(s) must be provided to the Chief Justice within forty-eight hours after certiorari has been granted.

VII. Advisory Opinions

A. Only students may file an Advisory Opinion request with the SBA Supreme Court. No member of the faculty, staff or administration has standing to make an advisory request to the Court.

B. The Chief Justice, shall initially receive the filed request.

C. There shall be no bond check requirement for the Supreme Court to review an Advisory Opinion request.

D. The advisory opinion request shall be in brief format containing the following requirements:
   1. Brief must be doubled spaced and typed in 12 point Times New Roman font.
   2. A list of the names and contact information of all parties involved in the request.
   3. Brief must present the issue(s) or question(s) which the Court is to make an advisory opinion.
   4. A factual background surrounding the request must be included in brief.
   5. List any exhibits or evidence which shall aid the court in issuing an opinion.

E. All advisory opinions shall be considered limited (non-binding) authority.

VIII. Time Limits

The Petitioner shall file a brief to the court alleging his/her complaint(s) and serve a copy of his/her brief on the respondent(s). Once a complaint has been filed, the responding party shall have three calendar days (seventy-two hours) to submit a response brief to the Court and forward a copy of his/her brief to the petitioner.

Once a the respondent’s reply brief (or the petition has been filed, the Supreme Court shall have two calendar days (forty-eight hours) to decide whether to grant or deny certiorari. Although it is presumed that petitions filed with the Court deserve a hearing, the majority of sitting justices may sua sponte deny certiorari and effectively dismiss complaints that are without merit. Complaints without merit shall only be defined as complaints which do not have conflicting issues of facts or SBA law. Complaints where there are conflicting issues of fact and SBA law can not be considered without merit and certiorari must be granted.
Only cases where certiorari was granted shall be considered SBA case law and binding precedent. All cases which are declared without merit by the SBA Supreme Court, shall be considered non-binding authority.

If certiorari is granted, then a hearing must be held within seven calendar days after the order granting certiorari is issued. Interested parties must receive at least seventy-two (72) hours notice prior to the hearing. Within this seventy-two hours period, the Chief Justice shall schedule a pre-hearing conference with the parties and their case manager(s) for the purpose of final discovery and to resolve any further pre-hearing issues (i.e.: in camera evidence, format of hearing, etc.) Notice of hearings must be prominently posted and at least one global e-mail must go out to the campus. Hearings shall be open for the general public to observe.

VI. Hearing Procedure
The Chief Justice shall preside over all hearings of the SBA Supreme Court. In the absence of the Chief Justice, the Senior Associate Justice shall preside over the hearing.

The Chief Justice shall be responsible for insuring that no rights are violated, for maintaining order, ruling on objections, and for expediency of business before the Court.

The Chief Justice shall call the hearing to order. Afterwards, the Chief Justice shall move to hear the complaints from the parties.

The Petitioner or his designee shall address the court first and he/she shall have 20 minutes for his/her presentation and 5 minutes for hi/her rebuttal. The Petitioners shall openly and clearly present before the Court, his/her case and present any germane information, in addition to his/her brief, that he/she feels is pertinent to prove his case.

The Respondent shall or his designee shall address the Court after the Petitioner and he/she shall have 25 minutes for his/her presentation. The Respondent shall state whether he/she confirms or denies the allegations stated by the Petitioner, by presenting any information, in addition to his/her brief, that he/she feels is pertinent to his case.

Neither party shall be allowed to reference or submit any new evidence after the submission deadline. Any such action shall be deemed as contempt of Court.

Once both parties have given their presentations, the Court may extend the time limit to ask further question.

Once time has expired, the Chief Justice shall move to adjourn and retire for deliberations.
Decisions of the Court should be prominently posted within 72 hours after the close of a hearing. If that deadline ends on a weekend or school holiday, the decision shall be posted on the morning of the first week day not a school holiday. Decisions shall also be available to the general public.

VII. **SBA Supreme Court Chief Justice**
A. The Chief Justice shall be the highest office on the Court and act as the main administrator of the SBA judicial branch.
B. The Chief Justice shall be appointed by the SBA President, with the advice and consent of the present and voting members of the SBA Senate, and serve in his/her position until his/her resignation or graduation.
C. The Chief Justice of the Supreme Court shall:
   - Preside over all regular meetings of the judiciary. Presiding over the Court shall in no way restrict the voice, vote, or other privileges of a justice.
   - Running the meetings and arrange the docket for said meetings.
   - Have first speaking rights in all issues.
   - Assign majority, dissenting, and concurring opinions.
   - Create agendas for Court meetings.
   - Rule on objections.
   - Appoint committees and assign members to them.
   - Screen all press related materials and supervise the Clerk of the SBA Supreme Court.
   - Prepare and present a report on all of the Chief Justice’s activities.
   - Be the administrative head of the Court and its appointed personnel.
   - Exercise the Contempt powers of the SBA Supreme Court. A majority of the Court can overturn the Chief Justices Contempt powers.
   - Any duties deemed necessary by a majority of the Court.

VIII. **SBA Supreme Court Senior Associate Justice**
A. There shall be a Senior Associate Justice of the SBA Supreme Court who shall serve as the second highest officer of the Court.
B. The Senior Associate Justice shall be the Justice with the most seniority and who has served on the Court the longest.
C. The Senior Associate Justice of the SBA Supreme Court shall preside in the absence of the Chief Justice of the SBA Supreme Court.
D. If the Chief Justice is unavailable then the Senior Associate Justice of the SBA Supreme Court shall assume the responsibilities of the Chief Justice, until such time when the Speaker is available.
E. In the event of a vacancy in the Chief Justiceship, the Senior Associate Justice shall assume the duties and powers of the Chief Justice until a new Chief Justice is appointed by the SBA President.
F. The Senior Associate Justice shall retain Supreme Court membership and all rights thereof.
G. If there is more than one Justice who has served the longest, then seniority shall be determined by the order of confirmation by the Senate.
H. If a Justice leaves the SBA Supreme Court, but is appointed back to the Court, then he/she shall maintain his/her seniority.

IX. The Clerk of the SBA Supreme Court
A. There shall be a Clerk of Supreme Court, who shall be a non-senator and a non-executive branch member, appointed by the Chief Justice (or the Senior Justice in the absence of the Chief Justice), who shall serve until replaced by the Chief Justice or by a majority of the Justices of the Court.
B. Duties:

1. The Clerk shall organize and maintain Supreme Court Records including minutes, attendance rolls, Supreme Court decisions, complaints and responses of the parties, and other materials as required or delegated by the Chief Justice or by the Court. The Clerk shall make necessary copies and assist the Justices and SBA members who request information about SBA Supreme Court rules and records.
2. The Clerk shall assemble agenda packets prior to Supreme Court meetings and hearings, and provide minutes to the Chief Justice for Senate approval on a timely basis.
3. The Clerk shall notify the Justices of Court meetings and hearings.
4. The Clerk shall have no vote.
5. The Clerk shall perform additional duties as the Chief Justice of the SBA Supreme Court shall request, not in conflict with this Constitution.

C. Compensation

1. The Clerk may receive a stipend, not exceeding $300 per year (or $150 per semester) for the successful completion of his/her duties and/or services. The amount of the stipend shall be determined by the majority of the SBA Supreme Court Justices and administered to the Clerk by the SBA Supreme Court.
2. The stipend shall come from funds within the SBA Supreme Court budget. The SBA Supreme Court budget shall be set and approved annually by the SBA Senate.
X. Other

A. Bylaws shall be renumbered and relettered where appropriate to provide for the proper sequence of numbers and letters.

CHAPTER SIX
SBA FINANCIAL BYLAWS
PREAMBLE

(Purpose & Intent)

Upon passage of the following Financial Bylaws, the Senate declares its intention to standardize procedures dealing with all aspects of SBA spending, specifically over budgets, organization funding requests, budget and spending reports, and clarify the Constitution’s delegation of appropriation as inherently residing with the Senate. Article IV, Section 3(B) states, “The Senate shall have the following duty: 1. Appropriate funds to, and/or review expenditures of, the Student Bar Association executive, legislative and judicial branches and their agents.” Without a formal memorialization of the Senate’s Constitutional authority for these Financial Bylaws, the Executive Branch could have the ability to completely bypass the Senate with regard to any or all spending by submitting a budget for only a small part of the expected available funds, filing an unapproveable budget, or by refusing to submit a budget. As yet another alternative, the Executive Branch could have the power to spend and historically has spent SBA funds outside of budgeted measures without the reins of formal procedures or Senate approval and without Constitutional authority to act. The Treasurer under Article III, Section 2(C)(3) has the power to allocate (read: spend) fund only upon ratification of the budget. Moreover, the Treasurer and the President, while jointly authorized to sign all disbursements, may only do so after the expenditures have been duly authorized in the budget. Although the Senate formally acknowledges that the Treasurer and Executive Board the ability to propose and approve budgets, that function is clearly limited by the Senate’s ratification power. Ratification is the only way for the SBA to properly spent non-emergency funds; thus, the Constitution does not allow the Executive Branch to unilaterally spend funds in the absence of a ratified budget. Furthermore, the SBA Constitution explicitly vests within the Senate the Sole power to approve bylaws on any matter consistent with the Constitution in Article IV, Section 3(A)(4). Therefore, as these bylaws are consistent with the Constitution, within the power of the Senate to pass, and preserve and restore the balance of power within SBA, these Bylaws should be interpreted as encouraging joint and bipartisan action between the Executive Branch and the Senate first and foremost, but in the absence of agreement, the Senate, as the legislative body and has generally representing a wider array of student interests, shall have ultimate and final authority over the budgeting of SBA funds.

A. Title – Financial Bylaws

1. The SBA Treasurer shall maintain control over the budget and present budget proposals to the Senate.
2. In the unlikely event the Treasurer is absent or the position becomes vacant, the chair of the budget and financing committee shall serve as interim treasurer regarding any budget or financing concerns raised during a meeting of the SBA senate.

II. Budget Proposal

A. The SBA Treasurer shall submit the proposed budget to the Senate in any generally accepted accounting format, including the previous balance, all income, all expenditures and the current balance.

1. The proposed budget shall be for the entire fiscal year, including any income and expenditures that have already accrued and are for the same fiscal year, subdivided by category, with fiscal year totals for each category.
   
   i. Please see Appendix “A” for an example of an acceptable budget.
   
   ii. The fiscal year runs from June 1st to May 31st.

2. The Senate, when unable to accept the Treasurer’s proposed budget, has the power to pass a temporary, “emergency” budget to stay in effect until the next meeting.

3. The proposed budget shall show the previous fiscal year’s actual spending on all items, including non-budgeted items.

4. The proposed budget shall use reasonable estimates for all expected sources of income to the dollar.

5. The proposed budget is subject to review by the Budget/Finance committee, who shall meet with the Treasurer regularly to create per-semester budgets and if necessary, appropriate amendments.

III. Senate Control over Unbudgeted Funds

A. Unbudgeted Funds

1. Shall be apportioned via only the Following procedures for discretionary spending.

   a. The Senate has the authority to allocate all remaining funds as desired by either of the following two means:
i. The Senate may apportion any amount of unspent funds by a successful motion passed by a majority vote.

ii. **Student Organization request:** Any student organization or organizer may request a specific amount of remaining funds directly from the Senate by following the below outlined procedure (see Appendix B for an acceptable example):

A. Send a document via e-mail or on a paper and disk to the Treasurer by 5PM on the Monday prior to the Senate meeting you wish your request to be considered, and include:

1. The amount of funds requested;
2. The activity for which the funds are to be used;
3. The importance of the activity to the students of the University of Miami School of Law.
4. The amount of money raised from the other sources.
5. The amount of funds needed without which the event/item will not be occurring/used; and
6. A list of all other avenues by which funding was sought, how much was requested from each, and how much was received from each.

B. The SBA Treasurer must add to the top of the e-mail document two items:
   1. The amount of unspent funds currently in our account;
   2. the amount of funds recommended by the Treasurer to be given to this request.
C. The Treasurer must then get the request to all members of the Senate, either personally or by delegation to the Secretary, by 5 P.M. on the Wednesday prior to the next Senate meeting.

D. At the next Senate meeting, the requesting person/organization must present their request to the SBA Senate within reasonable time limits.
E. The Senate must vote on the measure at the meeting designated by the requesting person/organization, or no later than the second SBA Senate meeting following the request.
F. A Simple majority vote of voting (not abstaining) Senate members will pass the appropriations/allocation measure.
G. Any Senator with an upcoming excused absence may, in a signed writing, vote for, against or give the right to vote to another named Senator.
H. After passage on any such proposal, the amount passed shall be considered a “budgeted” amount and added to the fiscal budget.
I. Upon majority vote, the Senate may recall any unspent budgeted funds if notice is given to the person/organization requesting the funds (concurrently with the Senator’s notice of the meeting) and the opportunity to speak against the recall is given to at least one member of the requesting organization.

B. Discretionary Spending

1. The Executive may spend no more than $250 per instance up to a maximum of $1,000 per fiscal year when spent in accord with the following:
   a. The need for the expenditure was not foreseeable (arose since the last Senate meeting) or was not able to be budgeted by the Senate (copying, miscellaneous office expense, condolences, etc.)

   b. Both the President and the Treasurer must jointly sign all expense slips for this discretionary spending attesting that each of them is satisfied that the funds are being spent in accordance with the general purposes of the SBA Constitution.

   c. The Treasurer must report any and all such spending at the next Senate meeting, with period and fiscal year to date totals.

   d. Upon a motion for ill-advised use of funds, the Senate may discuss the reasonableness of the discretionary spending and may take action to prevent the continued spending of such funds, put a lien on the organization for up to the amount of the funds or take any other such action that is not within the original jurisdiction of the Honor Council. Any Action must be passed by a two-thirds majority vote to be successful.

   e. The Senate may, at any time, pass specific legislation, upon majority vote, to restrict the Executive from any certain type of discretionary spending, which will remain in effect for no longer than the current Executive Administration.

   f. The Senate may, but only after a successful motion for ill-advised use of funds, pass general legislation by two-thirds vote to restrict the
Executive from any type or kind of discretionary spending that was the subject of the prior ill-advised use of funds, which will remain in effect for no longer than the current Executive Administration.

g. The Senate may, at any time, pass legislation, by two-thirds majority, to increase the total amount of Executive discretionary spending allowed for only the current Executive Administration to more than the $250 per instance/$1,000 total cap.

IV. Spending & Reports

A. Spending

1. The Executive shall only spend allocated, appropriated or budgeted funds up to the amount passed by the Senate, except for the distribution of discretionary funds as laid out above.

2. Both the Treasurer and the President must sign all expenditures slips, as directed by the Constitution.

3. The Treasurer must submit a monthly current budget report to the Senate showing the actual amount earned and spent on a line by line basis versus the budgetary amount earned and spent.

4. The Treasurer’s monthly budget report to the Senate must:
   a. List the Balance Forward from the previous budget report.
   b. Show all income and expenditures for the current budgetary time period.
   c. Show the amount remaining in the budget for each budget item (example: if we spent $750 this month for Beer on the Bricks and had $5,250 left the previous month, then this month should show that we have only $4,500 left in the budgeted funds for Beer On the Bricks).
   d. List the current Balance Remaining as of the date of the budget report.

5. Spending Reports

   a. All spending Reports of SBA funds made by someone other than the Treasurer and the President must be accounted for in the form of a report or reports to the Treasurer:

      i. Simple Spending: one time expenditure, report due within 7 days after the expenditure, or
ii. **Detailed Spending:** for multiple expenditure items/events by the same organization for the same budgetary item/event, reports due every 14 days (Note: for purposes of this section any items/events sponsored/run by more than one organization receiving only one total allocation in the budget are considered to be sponsored/run by one organization for the purpose of spending reports).

iii. **Initial Report:** Due within 14 days after the first expenditure (or with 7 days if there is only one expenditure). The report must contain:

A. The date
B. The organization and the representative(s) making the report;
C. The total amount allocated;
D. A listing of charges stating where obtained, what was obtained and for how much; and,
E. How much remains, if any, including when any remaining funds are next expected to be spent.
F. All receipts or copies of receipts must be attached.

iv. **Status Report:** When spending has continued since the last report, a status report is due every 14 days since submission of the previous report. The status report must list the same things as an initial report and include current receipts or copies of them, except it must add the expenses and their dollar amounts that were spent since the last report, so that a grand total of all expenses to date are included in the status report. Please see Appendix D for acceptable examples.

V. **Recordkeeping and Accountability**

A. All records of the SBA’s finances must be kept reasonably up to date by the Treasurer.

B. Any member of the University of Miami Student Bar Association has a right to inspect true copies of the records by request and appointment. Appointments must be made within a reasonable time and at the convenience of the Treasurer. The Treasurer must be available at some time during normal SBA Office hours.

C. An outgoing Treasurer has the responsibility to account for all of the SBA’s spending over the last year to the newly elected Treasurer. Such accounting must be substantiated by
copies of all monthly budget reports to the Senate over the previous fiscal year, clearly organized receipts/expenditure slips and the most recent account statement not more than 30 days old (or will obtain a verified account balances).

VI. Appendix

A. Example Proposed Budget

**Balance Forward:** $1,000

### Income

<table>
<thead>
<tr>
<th>Category</th>
<th>‘00-’01</th>
<th>‘99-’00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Allotment</td>
<td>7,000</td>
<td>6,500</td>
</tr>
<tr>
<td>Food on the Bricks</td>
<td>235</td>
<td>275</td>
</tr>
</tbody>
</table>

### Expenditure

<table>
<thead>
<tr>
<th>Category</th>
<th>‘00-’01</th>
<th>‘99-’0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office Phone</td>
<td>840</td>
<td>590</td>
</tr>
<tr>
<td>Orientation</td>
<td>5,400</td>
<td>6,000</td>
</tr>
<tr>
<td>First Monday</td>
<td>500</td>
<td>0</td>
</tr>
<tr>
<td>VITA</td>
<td>500</td>
<td>0</td>
</tr>
<tr>
<td>Beer on the Bricks</td>
<td>6,000</td>
<td>7,000</td>
</tr>
</tbody>
</table>

**Totals**

<table>
<thead>
<tr>
<th></th>
<th>‘00-’01</th>
<th>‘99-’0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Income:</td>
<td>20,500</td>
<td>21,500</td>
</tr>
<tr>
<td>Expenditures</td>
<td>13,240</td>
<td>13,590</td>
</tr>
<tr>
<td>Unbudgeted Funds Remainder:</td>
<td>7,260</td>
<td>7,910</td>
</tr>
</tbody>
</table>
B. Example Organization Proposed Budget

Jake Taylor, Res Ipsa Loquitur

1. Requesting: $1,000

2. Digital Camera
3. We will let the SBA use our camera for SBA purposes, as well as add to the reputation of the school by improving the Res Ipsa website with higher quality photographs.
4. $250 from other sources.
5. $1,000 still need
6. We received $250 from LAFAC.

C. Sample Monthly Budget Report

Treasurer’s October 2000 Budget Report

Balance Forward (from September 30, 2000) = 5,000

<table>
<thead>
<tr>
<th>Income</th>
<th>Thur Oct ’99</th>
<th>Thur Oct ’00</th>
<th>’00 Budget</th>
<th>Remainder</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Student Allotment</td>
<td>7,000</td>
<td>6,500</td>
<td>20,000</td>
<td>13,500 (amt due)</td>
</tr>
<tr>
<td>Food on the Bricks</td>
<td>235</td>
<td>275</td>
<td>500</td>
<td>225 (expected)</td>
</tr>
</tbody>
</table>

Expenditure
<table>
<thead>
<tr>
<th>Category</th>
<th>Thur Oct '99</th>
<th>Thur Oct '00</th>
<th>'00 Budget</th>
<th>Remainder</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office Phone</td>
<td>300</td>
<td>340</td>
<td>840</td>
<td>500</td>
</tr>
<tr>
<td>Orientation</td>
<td>6,000</td>
<td>5,400</td>
<td>5,200</td>
<td>(+200)</td>
</tr>
<tr>
<td>First Monday</td>
<td>0</td>
<td>500</td>
<td>500</td>
<td>0</td>
</tr>
<tr>
<td>VITA</td>
<td>0</td>
<td>0</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Beer on the Bricks</td>
<td>2,500</td>
<td>1,750</td>
<td>6,000</td>
<td>4,250</td>
</tr>
<tr>
<td>Digital Camera</td>
<td>----</td>
<td>785</td>
<td>* Senate allocation</td>
<td></td>
</tr>
<tr>
<td>Flowers (Mary Joe)</td>
<td>----</td>
<td>50</td>
<td>* Discretionary spending</td>
<td></td>
</tr>
</tbody>
</table>

**Totals**

<table>
<thead>
<tr>
<th>Category</th>
<th>Thur Oct '99</th>
<th>Thur Oct '00</th>
<th>'00 Budget</th>
<th>Remainder</th>
</tr>
</thead>
<tbody>
<tr>
<td>Income:</td>
<td>7,235</td>
<td>6,775</td>
<td>20,500</td>
<td>13,725</td>
</tr>
<tr>
<td>Expenditures</td>
<td>8,800</td>
<td>8,825</td>
<td>13,875</td>
<td>5,050</td>
</tr>
<tr>
<td>Unbudgeted Funds Remainder:</td>
<td></td>
<td></td>
<td></td>
<td>5,675</td>
</tr>
<tr>
<td>Discretionary Spending Remainder</td>
<td></td>
<td></td>
<td></td>
<td>950</td>
</tr>
</tbody>
</table>

**Current Balances (as of October 31, 2000)** = $2,950.00

Note: Amt due = money owed to the SBA; expected = money hoped to be earned by the SBA; overage=budgeted funds not spend. Remember that Senate allocations become a part of the budgeted totals after Senate approval, and that Executive Discretionary spending is automatically added to the budgeted total after Senate approval, and that Executive Discretionary spending is automatically added to the budgeted total, unless successfully challenged by the Senate.

D. **Sample Expenditure Report by Organization**
Initial and Final Spending Report

a.) October 25, 2000

b.) Res Ipsa Loquitur, Jake Taylor c.) Senate

Allocation = $785

d.) Best Buy, Sony XL-4400 Digital Camera, total price @ $1,250.00, purchased on October 21, 2000.

LAFAC allocation = $250.00

Senate allocation = $785.00

Res Ipsa contribution= $215.00

e.) $0.00 remains

VII. Other

These Bylaws shall be renumbered and relettered where appropriate to provide for the proper sequence of numbers and letters.