

**LAW ACTIVITY FEE ALLOCATION
COMMITTEE**

L A F A C

CONSTITUTION

Revised August 23, 2017

TABLE OF CONTENTS

STATEMENT OF PURPOSE AND FUNCTION

MEMBERSHIP

TERM OF OFFICE

VACANCIES OR INCAPACITATION OF MEMBERS

REMOVAL FROM OFFICE

DUTIES OF MEMBERS

OFFICIAL VOTING PROCEDURES

STANDING RULES

ALLOCATION OF FUNDS

ELECTION OF CHAIRPERSON & VICE-CHAIRPERSON

DUTIES OF THE CHAIRPERSON & VICE-CHAIRPERSON

VACANCIES IN THE CHAIR & VICE-CHAIR

DUTIES OF ADVISORS

LAFAC SECRETARY

AMENDMENTS

RATIFICATION

EFFECTIVE DATE

APENDIX I

LAW ACTIVITY FEE ALLOCATION COMMITTEE (LAFAC)

CONSTITUTION

I. STATEMENT OF PURPOSE AND FUNCTION

The Law Activity Fee Allocation Committee (LAFAC) was established to broaden the base of decision making, preclude the risk of arbitrary judgments and help ensure that the unallocated portion of the University of Miami School of Law Activity Fee will be distributed in the best interests of the law school and its students in accordance with University of Miami policies and procedures.

II. MEMBERSHIP

The Committee will be composed of seven (7) law student Representatives and three (3) Alternates who have paid their respective activity fees, and two (2) Advisors. One of the Advisors will be appointed by the Dean of the Law School, and one of the Advisors will be appointed by the Vice-President for Student Affairs.

- One of the Representatives shall be the Treasurer of the Student Bar Association (SBA).
- If the Treasurer is unable to attend due to university or work conflicts, the Treasurer, with approval of the SBA President, may appoint the SBA Senate Head of the Budget & Finance Committee to assume the Treasurer's LAFAC duties for the length of the schedule conflict.
- One of the Representatives shall be an SBA executive board member who shall be appointed to LAFAC by the SBA president.
- The remaining five (5) Representatives and three (3) Alternates will be notified by the LAFAC Chairperson and one of the SBA LAFAC Representatives, designated at the beginning of the year by the SBA president that he/she has been appointed to the Committee. Selection will be made following the random selection process outlined in the LAFAC standing rules.
 - Each Alternate shall have the full duties and powers and meet the same requirements for membership as a Representative.
 - Each Alternate shall constitute a Representative for quorum purposes when acting as replacement for an absent Representative.
 - Hereinafter, reference to "Representative" shall include "Alternate" unless otherwise specified.

III. TERM OF OFFICE

Service on LAFAC by the two SBA Representatives shall coincide with their terms of office on the SBA executive board.

The Advisors to LAFAC will be appointed on or about May 15th of each year. Their terms of office shall run from June 1st to May 31st of the following year.

Representatives shall serve for a term ending upon their graduation from the University of Miami School of Law. If a Representative subsequently assumes a position creating a conflict under Article IV.D.; that Representative must either decline the office creating the conflict, or the membership on LAFAC.

IV. VACANCIES OR INCAPACITATION OF MEMBERS

In the case of vacancy or incapacitation of the seat held by either of the SBA LAFAC Representatives, the procedures specified in the SBA constitution governing agency in the case of vacancy or incapacitation shall be followed to designate a new or acting Representative to serve for the duration of the disability or to serve the duration of the term affected by the vacancy.

In the case of vacancy or incapacitation of a Representative, the Alternate with the most seniority shall assume said Representative's seat. The random system of selection, as outlined in the LAFAC standing rules, shall then be used to select a new committee member. For example, Alternate #1 shall assume the seat. Alternate #2 and Alternate #3 shall move up to Alternate #1 and #2, respectively. The Committee shall hold another random selection process, according to LAFAC standing rule, until all vacancies are filled.

In case of a vacancy or incapacitation of either the Student Affairs Advisor or the Law School Advisor, a new Advisor will be designated by the Vice-President for Student Affairs, or the Dean of the Law School, respectively.

To preserve the autonomy of LAFAC, no student organization may have more than one of its governing members sitting as a LAFAC Representative and/or Alternate, with the exception of the two SBA LAFAC Representatives.

V. REMOVAL FROM OFFICE

This Committee shall have the power to remove any Representative for more than three absences in a school year. Because the two SBA LAFAC

seats are appointed, LAFAC removal procedures do not extend to the SBA LAFAC Representatives. In the event that an SBA LAFAC Representative accrues three or more absences, the LAFAC Chairperson shall notify the Dean of Students and the SBA executive board and shall request that they take appropriate remedial action.

Removal will be determined by a 5/7 vote of the LAFAC Representatives. In order to conduct a vote on removal, seven (7) voting Representatives must be present. The candidate for removal shall be eligible to vote.

Certification of removal from office shall be in writing and signed by the LAFAC voting Representatives.

The Representative in question will have the right to account for his/her absences before LAFAC's vote for his/her removal. The Representative must receive written notice of said meeting.

VI. DUTIES OF MEMBERS

All LAFAC Representatives are expected to attend all committee meetings. Failure to do so may result in the removal of that Representative in accordance with Section V.

LAFAC expects that each Representative will approach his/her responsibilities with the highest sense of integrity, fairness and without undue bias.

All LAFAC Representatives have a continuing affirmative obligation to fully disclose all student organization affiliations including positions on governing boards via the Member Affiliation Form available from the Chairperson.

VII. OFFICIAL VOTING PROCEDURES

All official actions taken by this Committee in recommending the allocation of funds or in rendering other recommendations must be approved by an affirmative vote of a majority of the Representatives voting, unless otherwise stated by this Constitution or the standing rules.

A quorum must be present at Committee meetings for business to be transacted. A quorum will consist of five (5) Representatives. A member will be considered present for the purpose of reaching a quorum if s/he participates via electronic or telephonic communication. Be it, therefore, resolved that when less than a quorum are present, meetings may still be held provided that four of the representatives present agree unanimously on approval or denial of the proposed funding application. When four representatives cannot reach agreement, the proposal is to be tabled until the next meeting in which a quorum is present.

All LAFAC meetings shall be open to the public. Only Representatives may participate in debate on motions. The Committee may call for an executive session, on a case by case basis, and may go into such session by a 2/3 vote of Representatives present.

Notice of all official actions of this Committee shall be published by the Chairperson.

In the event a Representative doubts his/her ability to render a fair appraisal on any given matter then the Representative may advise the Chairperson of such doubt, and may thereupon decline to participate in discussion or voting on the matter.

A LAFAC Representative, shall abstain himself/herself from any vote in which he/she is on the governing board of the requesting organization or if he/she is a requesting party.

VIII. STANDING RULES

LAFAC may create standing rules which shall be appended to this Constitution.

Standing rules may be enacted, waived, or removed by a majority vote of the Committee.

IX. ALLOCATION OF FUNDS

This Committee is responsible for determining, upon request, the distribution of the unallocated portion of the law student activity fees. The current activity fees are indicated in Appendix I.

All recommendations for the expenditure and disbursement of unallocated funds by this Committee are to be submitted to the Vice-President for Student Affairs or his/her designee who will act within ten (10) working days of receipt to either approve the recommendations or refer those

recommendations which in his/her sole discretion warrant action by the Provost or the Board of Trustees. In any instance, where the Vice-President for Student Affairs finds he/she cannot approve or accept the recommendations of LAFAC as submitted or must refer them to the Provost or the Board of Trustees, he/she shall forward such LAFAC recommendations, along with his/her own observations and recommendations, to either the Provost or the Board of Trustees for appropriate action.

All request for funds will be voted upon by LAFAC according to Section VII.

All non-distributed funds or funds not used for the purpose for which they were allocated shall revert to the LAFAC account so that they can be reallocated.

Recommendations by LAFAC may specify the date all uncommitted and unspent funds in the allocation shall revert to the LAFAC account. The day specified may be prior to, or subsequent to the end of the fiscal year or the academic year. Such date may be extended prior to the original reversion date by LAFAC for good cause shown.

All events sponsored by law students and/or student organizations which involve student activity fees are to be open to all students.

X. ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON

The Chairperson and Vice-Chairperson shall be elected by a majority vote of the LAFAC Representatives. To ensure impartiality, guarantee the apolitical nature of the committee, and eliminate the appearance of any impropriety, the LAFAC representatives from the SBA may not hold the position of LAFAC Chairperson or Vice-Chairperson.

The Chairperson and Vice-Chairperson for the upcoming term shall be elected no later than the last meeting before the expiration of the terms of the current SBA LAFAC Representatives. Terms shall commence at the last regularly scheduled LAFAC meeting of the year.

XI. DUTIES OF THE CHAIRPERSON & VICE-CHAIRPERSON

The Chairperson shall publish and publicize the schedule of regular meetings of LAFAC. If no Requests for Funding have been submitted by the deadline, the Chairperson may cancel a scheduled meeting.

The Chairperson shall call special meetings of LAFAC upon the request of at least two LAFAC Representatives or at his/her discretion. Special

meetings require 24 hours notice. Reasonable efforts must be made to notify all Representatives. Like all LAFAC meetings, notice must be posted.

The Chairperson shall be responsible for conducting all meetings in accordance with the rules and guidelines adopted by LAFAC. The Chairperson shall be the official agent for this Committee in formally transmitting all Committee recommendations and resolutions voted on by the Committee.

The Chairperson shall ensure that all LAFAC allocation decisions are posted. Additionally, the LAFAC Chairperson shall maintain a telephone list of all Representatives, Alternates and Advisors. The Chairperson shall be responsible for notifying all LAFAC Representatives and Advisors of all meetings.

The Chairperson shall be responsible for contacting Representatives and interested parties about newly scheduled meetings and changes in the LAFAC schedule.

The Vice-Chairperson shall perform all the duties of the Chairperson in the Chairperson's absence.

The Vice-Chairperson will assume the role of the Sergeant at Arms during all LAFAC meetings. The Sergeant at Arms will ensure order in all LAFAC meetings and shall exercise all necessary means to achieve this goal.

XII. VACANCIES IN THE CHAIR AND VICE-CHAIR

In case of vacancy of the Chair, the Vice-Chairperson shall take his/her position. A new election shall be held at the following meeting to fill the Vice-Chair position. The election shall be conducted pursuant to the procedures in Article X.

If both the Chair and Vice-Chair become vacant, LAFAC shall fill the vacancy at its next regular meeting.

XIII. DUTIES OF ADVISORS

The Advisors shall be non-voting members of LAFAC.

The two Advisors are appointed to serve as policy/information resource people, to assist the Committee in the consideration and approval of requests, and to monitor the allocation/expenditure/reversion process. The

Advisors shall perform these functions in conjunction with the Chairperson and Vice-Chairperson of this Committee, and the person in charge of disbursement of funds in the LAFAC account.

The Advisors shall advise the Committee of the status of LAFAC's account.

The duties of the LAFAC Advisors shall be to review the distribution and disbursement of funds, to have the authority to review the expenditures made by the requesting party and to monitor the allocation/expenditure/reversion process of this Committee.

XIV. LAFAC SECRETARY

The office of the Dean of Students shall arrange for a secretary who shall transcribe minutes from each LAFAC meeting and assist the Chairperson in LAFAC administrative matters.

XV. AMENDMENTS

Amendments to this Constitution must be passed by a total of five (5) affirmative votes of LAFAC Representatives.

XVI. RATIFICATION

Ratification by LAFAC of this Constitution and the standing rules will take place when five (5) LAFAC Representatives sign the Constitution.

XVII. EFFECTIVE DATE

This Constitution will become binding and effective when signed by the LAFAC Representatives, Advisors, and the Vice-President for Student Affairs.

APPENDIX I

DISTRIBUTION FOR STUDENT ACTIVITY FEES
PAID BY LAW STUDENTS PER SEMESTER

FIXED FEE ITEMS	LAW DAY
<i>Student Union</i>	\$ 5.00
<i>University Center</i>	5.00
<i>Rathskeller Membership</i>	1.50
<i>Intramural Facilities</i>	1.00
<i>Student Activities Department</i>	1.60
<i>Smathers Student Wellness Center Fee</i>	4.00
<i>Student Bar Association</i>	8.51
TOTAL FIXED FEES	\$37.11
UNALLOCATED PORTION FOR DISTRIBUTION BY LAFAC	\$21.89
TOTAL FEES	\$59.00

In the event Amicus Curiae are not in publication, the portion allocated to Amicus Curiae will be allocated as follows:

Dean's Cup	3.50
ASK US	6.00
ICC	2.00
Equity Playhouse	1.00

LAW ACTIVITY FEE ALLOCATION COMMITTEE

L A F A C

STANDING RULES

Revised September 13, 2016

GENERAL

- I. Results of LAFAC funding decisions shall be conveyed in writing to the requesting party the date of the meeting by the Chairperson, after the funding decision is made and if part or all of the proposal was approved. The Dean of Students Office should not be contacted regarding LAFAC funding decisions.
- II. The meeting dates for each semester should be scheduled and approved by the Committee within the first two weeks of the semester. A schedule of meetings and deadlines shall be posted.
- III. Any student organization which conducts exclusionary and/or discriminatory practices on the basis of race, religion, color, sex, age, disability, sexual orientation, gender identity or expression, veteran status, or national origin in regard to any and all organization functions including, but not limited to, membership, admission and selection of officers shall not be eligible for LAFAC funding.
- IV. All parties seeking funding must provide LAFAC with a list of sources of funding sought before approaching LAFAC. The Committee may decide to table a request pending further attempts by the requesting party to raise funds elsewhere. In addition, all student organizations must submit a copy of its organization's annual budget and event budget.
- V. A LAFAC operating budget in the amount of \$1,500.00 per year shall be established from the LAFAC account to meet operating needs of the Committee. Any unused funds shall revert back to the LAFAC disbursement account by June 1st of each academic year.
- VI. When requesting parties make requests for funding in excess of five hundred dollars, they shall provide two (2) written estimates before LAFAC may consider the request. However, second estimates need only be provided for items with available substitutes. For example, if a requesting party request funds to attend a convention and there is a registration fee for which funds are being requested, a second estimate need not be provided. Additionally, if a requesting party is making a purchase through the University of Miami system, a second estimate need not be procured unless the LAFAC Chairperson requires otherwise.
- VII. In addition to posting information, the Chairperson shall disseminate information of LAFAC deadlines, meetings and other important items to the student body via the *UM Website*.
- VIII. In certain instances, LAFAC may loan funds to requesting parties in lieu of a direct allocation.
- IX. **RETROACTIVE APPLICATIONS WILL NOT BE CONSIDERED.** The application for funding must be submitted to the LAFAC ten (10) days before the scheduled event/conference takes place and at least one week prior to the regularly scheduled LAFAC meeting. In such instances where an event/conference takes place when the LAFAC is not in session, then the application may be considered at the earliest reconvening of the LAFAC, provided the application is submitted to the Office of the Dean of Students at least ten (10) days prior to the event/conference. If an organization or individual fails to adhere

to the deadlines stated herein, LAFAC may, in its discretion, hear the petition, with no guarantee that the petition will be funded.

DEFERMENT OF PAYMENTS

- X. 1) LAFAC may, at its sole discretion, vote to allocate funds in the Fall Semester, but defer the distribution of those funds until the Spring Semester. However, in doing so LAFAC must clearly articulate whether their decision constitutes an allocation with a deferred distribution, or request that the individual or student organization present again in the spring.
- 2) If LAFAC requests that an organization present again in the Fall, the organization's request will be reviewed prior to any requests submitted in the Spring. If multiple organizations that presented in the Fall are asked to return in the Spring, the organizations will present in the order that they presented in the Fall.

LAFAC REPRESENTATIVE RANDOM SELECTION PROCEDURE

- XI. In the case of a LAFAC vacancy or incapacitation of a Representative, the following procedure shall be followed: (a) Each selection will be from a list of all second and third-year law students provided by the Registrar. (B) The Chairperson will randomly select names from the list. (C) The Chairperson and designated SBA Representative shall contact the first person picked to notify them that they have been selected. (D) If the first selected person declines the seat, the Chairperson and SBA Representative will contact the second person whose name was picked. (E) This process will continue until each seat has been filled.

FUNDING FOR NEW STUDENT ORGANIZATIONS

- XII. The committee will allocate \$250 start-up funds to any new student organization. The funds may be used at the organization's discretion for the purpose of recruiting new members. Funds may not be used for the purchase of alcohol.

SPECIAL EVENTS, FOOD AND BEVERAGES & PROMOTIONAL MATERIALS

- XIII. LAFAC does not cover food or drink for organizational meetings. It may allocate funds, at its discretion with a two-thirds vote, for food or drink for the welfare of the entire law school student body.
- XIV. LAFAC will not allocate funds for the purchase of alcoholic beverages. LAFAC also will not fund any supervision or bartenders relating to the consumption/distribution of alcoholic beverages.
- XV. If an event is funded by LAFAC, all UM Law students have the right to pay the same admission fee (if any) regardless of membership status in the sponsoring organization or club.
- XVI. LAFAC will not fund any individual organization's end of year dinner or banquet, but it may continue to subsidize the Barrister's Ball as a traditional event that serves the entire law school community.

XVII. LAFAC may fund or subsidize apparel for an event or student organization with a two-thirds vote. Furthermore, it may fund activities such as Race Judicata and Dean's Cup, which include an allocation for team t-shirts by a two-thirds vote.

XVIII. LAFAC may fund the purchase of banners, but this allocation may not exceed \$250.

HONORARIA

XIX. All funding requests for honoraria for speakers must be pre-approved by the Dean of Students Office.

RECOGNITION

XX. All allocations made by LAFAC must be recognized by the receiving party so that law students will know where their activity fees were used. All recipients of LAFAC funds shall take pictures of all events and travel, credit LAFAC for its funding, and send a short summary about the event to be submitted to the Coordinator of Student Organizations. LAFAC will consider an organization's prior adherence to this clause when considering that organization's subsequent LAFAC requests.

CONVENTIONS/COMPETITIONS

XXI. All students, funded by LAFAC, traveling to conventions or events shall pay for their own food while attending such conventions or events, unless the Committee votes otherwise on a case-by-case basis. Any allocation for reasonable food expenses must be included in the student's initial proposal. LAFAC will not fund "per diem" requests.

XXII. LAFAC will not fund job/career fairs or students attendance to a job/career fair.

XXIII. LAFAC will not fund any event or project where from the student will earn credits. This includes, but is not limited to, study programs or exchange programs.

XXIV. The Law Activity Fee Allocation Committee will only fund up to **two (2)** students for the purpose of attending any event or conference that includes participation in an academic competition as defined below.

The term "academic competition" is defined as any of the following:

1. A moot court competition;
2. A mock-trial or trial advocacy competition;
3. A mediation, arbitration, or alternative dispute resolution competition;
4. A legal writing competition;

The Law Activity Fee Allocation Committee may, by a two-thirds vote, agree to fund travel for up to three students for travel to any activity or event, so long as it furthers the purpose and goals of LAFAC.

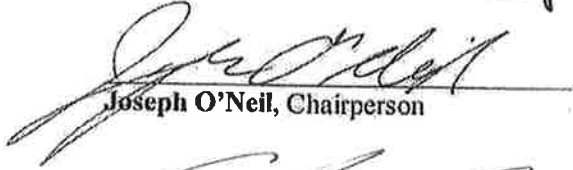
XXV. Rule XXIII is not intended to limit or restrict allocations to organizations or individuals hosting events on the University of Miami campus. However, the Law Activity Fee Allocation Committee will only fund up to **four (4)** speakers/guests participating in any event/symposium for air travel, hotel and related expenses.

XXVI. No individual student may receive over \$1,500 from LAFAC per academic year.

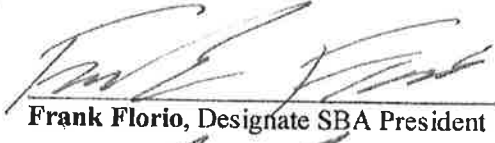
XXVII. When allocating funds, LAFAC does not determine the amount each individual or student organization should spend per item of the proposal. The Chairperson merely marks the items the Committee has approved funds to be used for.

XXVIII. LAFAC will only fund students and/or a student organization whose representatives will be actively enrolled students at the time of the event.

APPROVED, this 5 day of September 2017 by:


Joseph O'Neil, Chairperson

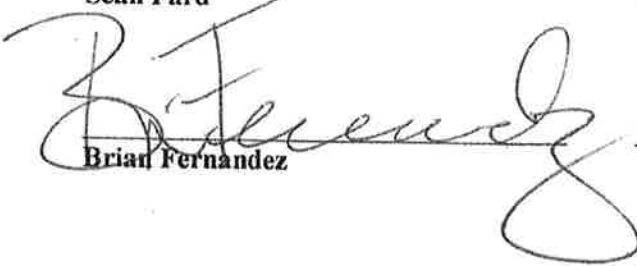

Blayne A DeGiovanni, Vice-Chairperson

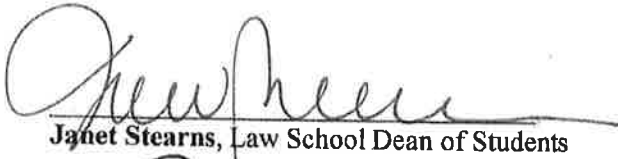

Frank Florio, Designate SBA President

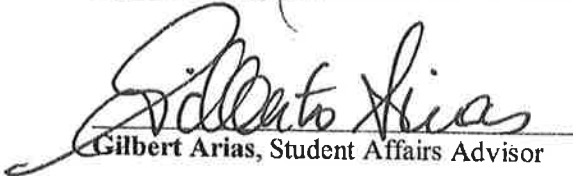
Lawrence Gagnon SBA Treasurer


Sean Fard


Lauren (Paige) Minyard

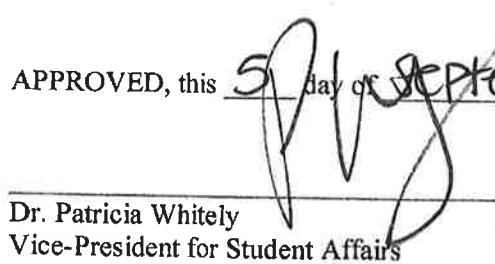

Brian Fernandez


Janet Stearns, Law School Dean of Students


Gilbert Arias, Student Affairs Advisor


Patricia Swift, L.A.F.A.C. Advisor

APPROVED, this 5 day of September 2017 by:


Dr. Patricia Whitely
Vice-President for Student Affairs