

THE OHIO STATE UNIVERSITY
MICHAEL E. MORITZ COLLEGE OF LAW
STUDENT BAR ASSOCIATION CONSTITUTION

ARTICLE I – THE STUDENT BAR ASSOCIATION

Section A: Name

1. The name of this organization shall be the Student Bar Association at the Ohio State University Michael E. Moritz College of Law, and shall be referred to as “SBA” in all SBA governing documents.
2. The Michael E. Moritz College of Law will be referred to as “Moritz” in all SBA governing documents.

Section B: Purpose

The purpose of this organization is:

1. To represent the issues, opinions, and ideas of all Moritz students to the faculty, staff, and administration of Moritz and The Ohio State University.
2. To serve as a liaison between Moritz students, Moritz administration and faculty, and the legal community.
3. To provide support and funding for programming and student organizations at Moritz.
4. To serve as a forum for the discussion of academic and professional issues and ideas.
5. To organize student social and recreational events at Moritz.

Section C: Powers

SBA shall be the student representative body at Moritz. SBA shall have the power to carry out its necessary and proper functions, as outlined in its governing documents and acts of the Senate.

Section D: Membership

All students enrolled at Moritz or a Moritz joint-degree program shall be members of SBA. All Moritz students are entitled to vote in SBA Senate elections, run or apply for SBA Senate positions, and participate in SBA sponsored events. However, only qualified electors are entitled to vote in the spring elections.

Section E: The SBA Advisor

The Advisor shall be a faculty member at Moritz, selected by the Dean. The Advisor shall be responsible for providing continuity to the organization and working with the Treasurer to ensure SBA maintains its tax-exempt status.

Section F: Non-Discrimination Policy

SBA shall not discriminate against any individual for reasons of race, color, creed, religion, national origin, sex, sexual orientation, age, disability, geographic origin, or familial, marital, or veteran status.

Section G: Faculty Committee Membership

SBA Senators, or other student representatives, shall make up one third of the membership of faculty committees.

ARTICLE II – THE SENATE

Section A: The Senate shall:

1. Serve as the governing body of SBA.
2. Be referred to as the “Senate” in all SBA governing documents.
3. Convene at least twice per month, for each full month classes are in session, during the academic year.

- i. A Senator, upon collecting the signatures of ten Senators, may schedule a Senate meeting.
4. Enact Senate Resolutions as necessary.
5. Direct, by Resolution, Senators on Moritz Faculty Committees to present the opinions of SBA as determined by the Senate.
6. Approve all Presidential appointments and nominations by a majority vote.
7. Approve the annual budget as prepared by the Treasurer.
8. Approve all spending requests \$100 or greater.
9. The term of Senate members will begin either following election and installation, or nomination and Senate confirmation. Their term of Senate members will terminate immediately upon the start of the first Senate meeting of the newly elected Senate following the spring election of the academic year for which the Senate member was elected or installed.
10. Exercise all other powers and abide by all rules enumerated in SBA's governing documents.

Section B: The Senate shall consist of the following positions, elected in the March General Election except where stated otherwise herein, with the following responsibilities.

1. **The SBA Executive Board ("The Board")** shall:
 - i. Consist of the following positions:
 - a. The President
 - b. The Vice President
 - c. The Secretary
 - d. Chief of Staff
 - e. The Treasurer
 - ii. Perform the specific responsibilities of each separate position set forth in Section C.
 - iii. Convene prior to each Senate meeting
 - iv. Execute the Resolutions of the Senate.
 - v. Approve all expenditures below \$100.
 - vi. Approve all emergency spending by a unanimous vote and announce it at the next properly scheduled Senate meeting.
 - vii. Exercise all other powers specified to the Board by SBA's governing documents and acts of the Senate.
 - viii. Maintain and secure all SBA offices, spaces, and equipment
2. **Senate members on Moritz Faculty Committees**
 - i. SBA Senate members on Moritz faculty committees shall participate in faculty committees in accordance with Faculty Rule 1.02.
 - a. (2) Admissions Co-Chairs
 - b. (2) Administration Co-Chairs
 - c. (2) Academic Affairs Committee Co-Chairs
 - d. (2) Appointments Co-Chairs
 - e. (2) Promotions and Tenure Co-Chairs
 - f. (2) Diversity and Inclusion Co-Chairs
 - g. (2) Long Range Planning Co-Chairs
 - h. (2) Clerkship Co-Chairs
 - ii. In the event the Moritz Faculty allots additional committee seats to SBA Senators after the completion of the March General Election, the President may appoint students to fill those seats subject to the advice and consent of the Senate.
 - iii. In the event the Moritz Faculty allots fewer committee seats to SBA senators than provided herein, the President of the SBA shall take all reasonable measures to work with the Moritz Faculty to remedy the discrepancy.
3. **Senate Standing Committees**
 - i. **Alumni Affairs & Hooding Committee**

- a. The Alumni Affairs & Hooding Committee shall meet with the “College Designees” to determine ways to increase the interrelation between law students and Alumni, and arrange all graduation-related activities for 3L students.
 - b. The Alumni Affairs & Hooding Committee shall consist of a one (1) 3L Senator, who shall serve as the Chairperson of the committee, and up to two (2) 2L Senators.
- ii. **Barrister’s Ball Committee**
 - a. The Barrister’s Ball Committee shall plan and execute an annual dance event for the Moritz students and faculty.
 - b. The Barrister’s Ball Committee shall consist of a one (1) 3L Senator, who shall serve as the Chairperson of the committee, and up to two (2) 2L Senators.
- iii. **Community Service Committee**
 - a. The Community Service Committee shall act as a liaison between SBA and the outside community. It shall plan and execute philanthropic events for Moritz participation.
 - b. The Community Service Committee shall consist of a one (1) 3L Senator, who shall serve as the Chairperson of the committee, and up to two (2) 2L Senators.
- iv. **Diversity and Inclusion Committee**
 - a. The Diversity and Inclusion Committee shall be concerned with all matters relating to diversity and inclusion advocacy, but not to the exclusion of similar concerns by other committees within their areas of activity.
 - b. The Diversity and Inclusion Committee shall consist of a one (1) 3L Senator, who shall serve as the Chairperson of the committee, and up to two (2) 2L Senators.
- v. **Elections & Nominations Committee**
 - a. The Elections & Nominations Committee shall supervise nominations and elections under this Constitution.
 - b. The Elections & Nominations Committee shall consist of a one (1) 3L Senator, who shall serve as the Chairperson of the committee, up to two (2) 2L Senators, and one (1) 1L Senator.
 - c. The 3L Senator (Chair) and 2L Senators are to be appointed by the newly-elected SBA President following the spring election.
 - d. The 1L Senator shall be selected in the manner prescribed in Article VII, Section E of the SBA Bylaws.
- vi. **Intramurals Committee**
 - a. The Intramurals Committee shall supervise all Moritz sports programs, including sponsoring Moritz athletic teams in University Competition, and other recreational activities.
 - b. The Intramurals Committee shall consist of a one (1) 3L Senator, who shall serve as the Chairperson of the committee, and up to two (2) 2L Senators.
- vii. **Orientation & Tutoring Committee**
 - a. The Orientation & Tutoring Committee shall execute programs to introduce 1L students to Moritz, including review sessions for 1L exams.
 - b. The Orientation & Tutoring Committee shall consist of a one (1) 3L Senator, who shall serve as the Chairperson of the committee, and up to two (2) 2L Senators.
- viii. **Public Relations Committee**
 - a. The Public Relations Committee shall publicize SBA news and events.
 - b. The Public Relations Committee shall oversee SBA communications and branding for SBA events.
 - c. The Public Relations Committee shall consist of a one (1) 3L Senator, who shall serve as the Chairperson of the committee, and up to two (2) 2L Senators.
- ix. **Professional Development & Advancement Committee**

- a. The Professional Development & Career Services Committee shall initiate and conduct programs designed to assist students in making career decisions, finding employment, and developing professional skills, and serve as the liaison between SBA and the Career Development Office.
 - b. The Professional Development & Career Services Committee shall consist of a one (1) 3L Senator, who shall serve as the Chairperson of the committee, and up to two (2) 2L Senators.
 - x. **Social Committee**
 - a. The Social Committee shall arrange social events for the Moritz Community so as to better enhance the student experience.
 - b. The Social Committee shall consist of a one (1) 3L Senator, who shall serve as the Chairperson of the committee, and up to two (2) 2L Senators.
 - xi. **Wellness Committee**
 - a. The Wellness Committee Chair shall support the holistic health of law students by planning programming and connecting students with Moritz, OSU, and off-campus wellness programming, support networks, and other resources. Holistic Wellness includes, but is not limited to, issues surrounding sexual assault, substance misuse, mental health, domestic violence, and food insecurity.
 - b. Committee shall consist of a one (1) 3L Senator, who shall serve as the Chairperson of the committee, and up to two (2) 2L Senators.
- 4. **Standing Senate Positions**
 - i. **1L Moritz Senator to the Inter-Professional Council**
 - a. Attend the meetings of and represent SBA at IPC.
 - b. Advise the Senate on all IPC matters of interest to the SBA.
 - c. The President, along with the Elections & Nominations Committee, may choose to not have a 1L liaison to IPC if other members of the SBA are also members of IPC.
 - ii. **Senator to the American Bar Association/ Ohio State Bar Association Law School Division**
 - a. Attend the meetings of and represent SBA within the ABA and the OSBA.
 - b. Advise the Senate on all matters of interest to SBA.
- 5. **1L Class Senators**
 - i. 1L Class Senators shall be elected in the manner prescribed in Article VI of the SBA Constitution.
 - ii. 1L Class Senators shall represent the concerns and ideas of the first year class.
 - iii. 1L Class Senators shall be placed on SBA Committees at the President's discretion upon the recommendation of the Elections & Nominations Committee.
- 6. **LLM Class Senator(s)**
 - i. LLM Class Senator(s) shall be elected in the manner prescribed in Article VI of the SBA Constitution.
 - ii. LLM Class Senator(s) shall represent the concerns of the LLM students.
 - iii. LLM Class Senator(s) placed on SBA Committees at the President's discretion upon the recommendation of the Elections & Nominations Committee.

Section C: The SBA Executive Board

1. Executive Board Officers

- i. The **President** shall:
 - a. Serve as the chief spokesperson for SBA
 - b. Preside over all meetings of The Senate and the Board
 - c. Serve as the tie-breaking vote at all Senate and Board meetings
 - d. Attend and represent student interests at faculty meetings
 - e. Officially represent SBA at Ohio State University and Moritz functions and activities

- f. Make the following appointments, subject to Senate confirmation:
 - 1) Select Committee chairs
 - 2) All positions on or relating to the Honor Council, including the Chief Justice
 - 3) The Parliamentarian
 - 4) The Newsletter Editor
 - 5) Both Moritz Standing Committee Chairs and Moritz Faculty Committee Chairs unfilled through elections
 - 6) Other appointments as enumerated in the SBA governing documents
- g. Publish a report of SBA's activities before the expiration of the 15th week of the Winter Semester.
- ii. The **Vice President** shall:
 - a. Be a member of all student organizations and activities under SBA's authority, and shall be responsible for coordinating their activities
 - b. Succeed the President in the event of resignation, withdrawal, or removal of the President
 - c. Carry out the duties of the President in the President's absence or incapacity.
 - d. Organize a non-social event targeted at Moritz, with the approval of the Senate
- iii. The **Treasurer** shall:
 - a. Receive and disburse all SBA funds
 - b. Prepare a budget for the forthcoming year
 - 1) For purposes of the SBA budget, the fiscal year will begin on June 1 and end on May 31.
 - c. Report the current balance of all SBA accounts at each Senate meeting
 - d. Present a record of all financial transactions at each Senate meeting
- iv. The **Chief of Staff** shall:
 - a. Act as liaison between the student body and the SBA Executive Board to ensure a consistent flow of student feedback and transparency;
 - b. Aid the Secretary in producing a newsletter to the student body;
 - c. Aid the President in publishing a report of SBA's activities before the expiration of the 15th week of the Spring Semester;
 - d. Compiling semesterly reports to the Senate and student body of college-wide issues currently in committee that are important to the student body;
 - e. Monitoring the participation of all senators;
 - f. Notifying the President of issues brought up in committee meetings that may be important for SBA to address;
 - g. Scheduling and conducting committee updates at SBA Senate meetings with those senators seated on the respective committees.
- v. The **Secretary** shall:
 - a. Publish the agenda at least 1 day prior to each Senate meeting in a public place
 - b. Publish the Senate meeting minutes within 2 days of their approval in a public place
 - c. Keep a current and accurate compilation of all Senate records and resolutions, and amendments and interpretations of SBA's governing documents.

Section D: The Senate shall consist of the following non-voting members:

1. Parliamentarian

- i. The Parliamentarian's primary duty shall be to be the final interpretative authority on SBA's rules of procedure and governance.
 - a. The Board may request a written interpretation from the Parliamentarian, which shall be complied with in a timely manner.
 - b. The Senate may request a written interpretation from the Parliamentarian by petition signed by 15 Senators, which shall be complied with in a timely manner.

- c. The Parliamentarian's written interpretations become binding on the Senate upon a majority vote of the Senate.
 - ii. The Parliamentarian's other duties shall be:
 - a. To propose updates and revisions to the SBA governing documents.
 - b. To provide education and training to the Senate on procedural issues.
 - c. To provide advice and assistance regarding procedures and rules of governance to the President and the Board.
 - iii. The Parliamentarian shall be a non-voting member of the Senate, but shall be allowed to speak in furtherance of carrying out the duties of the position.
 - a. The Parliamentarian is bound by the membership requirements of the SBA governing documents.
- 2. **The Chief Justice of the Honor Council**
 - i. The Chief Justice of the Honor Council shall preside over all meetings during which the President's removal or appeal is discussed and/or voted upon
 - ii. The Chief Justice of the Honor Council shall not be considered a Senator for purposes of attendance.
- 3. **Select Committee Chairs**
 - i. The President may establish select committees as appropriate, subject to Senate approval.
 - a. A Select Committee shall terminate at the end of the academic year during which it was created, or upon completion of its objectives as determined by the Senate, whichever occurs first.
 - b. The President shall nominate the select committee chair.
 - c. The committee chair may solicit additional committee members with the advice and consent of the Board.
 - d. The chair of the select committee shall attend SBA meetings to report on the progress of the committee at the direction of the President.

Section E: SBA Rules of Procedure and Governance

- 1. Each voting Senator shall have no more than one vote, with the exception of the President who shall only vote in case of a tie.
- 2. The Senate shall promulgate bylaws to facilitate the execution of, and as a supplement to, the provisions of this Constitution.
- 3. Senate meetings shall be governed by the following documents, in the following order:
 - i. The SBA Constitution
 - ii. The SBA Bylaws
 - iii. The most current version of Robert's Rules of Order.
- 4. If there is a conflict between provisions in any of the governing documents, the Senate shall defer to the highest- ranking, applicable document.

ARTICLE III- REMOVAL OF MEMBERS

Section A: Removal for Cause

- 1. **Removal for Cause** is the removal of a member from office for failure to follow the membership requirements enumerated in the SBA governing documents.
- 2. Any member may be removed for cause by a unanimous vote of the Board members present.
 - i. The Board shall announce the removal at the next regularly scheduled Senate meeting.
 - ii. If a Board member is being removed for cause, that member shall not be permitted to participate in the discussion of, or the vote on, the removal for cause.
- 3. Members removed for cause may appeal the removal at the next Senate meeting following the meeting where the removal is announced.
 - i. The member shall have 3 minutes to address the Senate, with additional time for questions as permitted by the President.

- ii. A 2/3 vote is required to overturn a removal for cause.

Section B: Removal by Petition

1. **Removal by Petition** is the removal of a member from office for reasons not enumerated in the SBA governing documents.
2. Any member may be removed without cause by the following process:
 - i. Submission of a removal petition signed by 1/5 of the Senate;
 - ii. Discussion of removal at 2 consecutive Senate meetings held at least 5 academic days apart; and
 - iii. A vote in favor of the petition by 2/3 of all Senate membership.
3. There is no appeal from a removal by petition.

Section C: Presidential Removal

1. The President is subject to the same forms of removal as all other members.
2. The Chief Justice of the Honor Council shall preside over all meetings during which the President's removal or appeal is discussed and/or voted upon.

ARTICLE IV: ELECTIONS AND SUCCESSION

Section A: Schedule of Elections

1. The General Election shall be held during the month of March each year.
 - i. All Moritz students who are rising 2L or 3L students on the date of the General Election and those students who are not matriculating in the spring of that year shall be eligible to vote in the General Election.
2. The 1L Senators and the LLM Senator(s) shall be elected by the end of the fifth full academic week of the Autumn Semester.
 - ii. All 1L students shall be eligible to vote for the 1L Senators in the manner prescribed by the Elections & Nominations Committee.
 - iii. All LLM students shall be allowed to vote for the LLM Senator(s) in the manner prescribed by the Elections & Nominations Committee.

Section C: Nomination of Candidates

1. A student must be in good-standing, enrolled in, and actively attending classes at the Moritz College of Law or engaged in a joint-degree program with the Moritz College of Law, for both the Autumn and Winter Semesters to be an eligible candidate in any SBA election.
2. Nominations for any elected position shall be made in the manner prescribed by the Elections & Nominations Committee.
3. Every candidate in an SBA election shall provide a personal statement to be posted in a manner accessible to the Moritz Student Body as manner prescribed by the Elections & Nominations Committee.

Section D: Elections & Nominations Committee

1. The Elections & Nominations Committee shall have the authority to promulgate rules for the conduct of elections, including but not limited to: petition deadlines, campaign literature distribution policies, and debate participation.
2. Only rising 3Ls are eligible for the position of Elections & Nominations Committee Chair.
3. The Elections & Nominations Committee shall solicit applications for all vacant and appointed positions and forward a recommendation to the President for appointment.
4. One member from each class shall be represented on the committee.

Section E: Manner of Election

1. A candidate will be declared winner of an election for SBA office upon receiving a simple majority of all votes cast.

2. Each election shall utilize a system of instant runoff voting (IRV) in which voters shall rank the candidates in order of preference in descending order. Voters must indicate a first preference and may rank other candidates in descending order.
3. If one candidate does not receive a simple majority, the following procedures are used to select the winner:
 - i. The candidate receiving the lowest number of votes will be eliminated from contention.
 - ii. Ballots cast for the eliminated candidate will be reallocated to the remaining candidates according to each ballot's next highest ranked candidate.
 - iii. If the next highest ranked candidate has already been eliminated, the ballot will be allocated to the highest ranked candidate still in contention.
 - iv. If a ballot cannot be allocated to an eligible candidate, the ballot will continue to count toward the total number of votes cast only for purposes of determining a simple majority.
 - v. Following reallocation, if a candidate now has a simple majority of votes cast for that office, they will be declared the winner. If there is still no winner, the above process is repeated until one candidate receives a simple majority.
 - vi. For positions with multiple seats, after the first candidate has received a simple majority of votes, steps (i)-(v) will be repeated until all seats are filled.
4. If the IRV procedure described in subsection 3 of this section results in a tie among the two remaining candidates, the candidate with the higher number of 1st Preference Votes will win the election.
 - i. In the event both remaining candidates have the same number of 1st Preference Votes candidate with the most 2nd Preference Votes will win the election.
 - ii. In the event both remaining candidates have the same number of 1st Preference Votes and 2nd Preference Votes the Elections and Nominations Committee and the outgoing SBA Executive Board will conduct interviews of the two remaining candidates and may break the tie in any manner agreed to by a unanimous vote of both the Elections & Nominations Committee and the outgoing SBA Executive Board.
5. Candidates are permitted to run for multiple positions, but in no event shall a candidate be elected to two or more positions.
 - i. In the event that a candidate receives a majority for multiple positions, the Elections & Nominations Committee Chair shall contact the candidate, who will be given 12 hours to decide which position they wish to accept.

Section F: Vacancies

1. Positions not filled in a designated election shall be considered vacant.
2. The Elections & Nominations Committee shall make recommendations for appointment to the President for all vacancies in any Moritz Faculty Committee, standing committee, or Executive Board position other than President. The President shall consider the recommendations and shall nominate students to fill any vacancies subject to the advice and consent of the Senate.

Section G: Installation

All Senators shall be installed at their first meeting following certification of the election results by the sitting Senate, and shall have the full powers of their position upon being sworn into office.

ARTICLE V: CONSTITUTIONAL AMENDMENTS

Section A: Constitutional Amendments may be introduced by either:

1. A petition signed by 1/5 of Moritz students in favor of a referendum; or
2. Through Senate recommendation and approval by a 2/3 vote of the Senate.

Section B: Ratification of Amendments must occur by either:

1. If done by referendum, the Senate shall hold 1 public hearing where the question is discussed and debated. 5 academic days after the public hearing, the question is voted upon by SBA. A majority of all Moritz students voting is required to approve the amendment
2. If done by Senate recommendation, the Senate shall hold 2 public hearings where the question is discussed and debated. 5 academic days after the last public hearing, the question is voted upon by the Moritz student body. A majority of all Moritz students voting is required to approve the amendment.

Section C: Revisions

1. The Parliamentarian may correct drafting errors or redundancies in any SBA governing document and shall announce the corrections at the Senate meeting immediately following when the corrections are made.
2. The Senate may overrule the Parliamentarian's correction by a majority vote.

ARTICLE VI: DISSOLUTION

This organization may be dissolved after the Senate approves dissolution by a 3/4 vote of the Senate, provided that there is at least 60 days' notice of a vote on dissolution. Upon dissolution, the Board shall utilize the assets of the organization, including those arising from dissolution and distribution. Any balance shall be distributed proportionally among the contributing factors.

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