

**CONSTITUTION
STUDENT BAR ASSOCIATION
UNIVERSITY OF DENVER STURM COLLEGE OF LAW
(Current as of April 3rd, 2023)**

Preamble.

We, the students of the University of Denver Sturm College of Law, realizing the role and purpose of student government in furtherance of the academic, cultural and social welfare of law students and accepting the responsibilities of self-government, do hereby ordain and establish this Constitution for the University of Denver Sturm College of Law Student Bar Association. This organization shall adhere to the University of Denver's Policy of non-discrimination, which is as follows:

It is the policy of the University not to discriminate in the admission of students, in the provision of services, or in employment, on the basis of race, color, religion, sex, national origin, age, marital or veteran status, sexual orientation or disability status; and to take appropriate affirmative action in connection therewith.

Article I. Name, Membership, and Fee.

Section 1. Name.

The name of this organization shall be the STUDENT BAR ASSOCIATION ("SBA") of the University of Denver Sturm College of Law. The SBA shall encompass the American Bar Association Law Student Division ("ABA/LSD").

Section 2. Membership.

All persons enrolled in the Sturm College of Law and its affiliated programs are members of the SBA. This shall include those enrolled in the following programs: Juris Doctorate and Legal Masters programs, and any other legal programs subsequently created.

Section 3. Fee.

All law students shall be required to pay a fee upon matriculation to the Sturm College of Law the amount of which is determined by the Sturm College of Law Administration. Fee payment enables the SBA to fulfill its purpose.

Article II. Administration. Section 1. Powers Vested.

All executive and legislative powers herein granted shall be vested in the Senate, which shall be the representative body and governing organization of the Sturm College of Law.

Section 2. Purpose.

The purpose of the Senate shall be to represent and further the interests of the S.B.A. by supporting student organizations; promoting educational, professional, and social development through extra-curricular activities; maintaining the honor and dignity of the legal profession by cultivating professional ethics and ideals; representing the S.B.A. to the law faculty and administration, University administration, and greater community; and advocating for the further education, convenience, safety, and recreation of the S.B.A. through the maintenance and improvement of facilities and programs. Furthermore, the Senate shall uphold the Sturm College of Law Honor Code and the University of Denver Student Code of Conduct.

Section 3. Composition. The Senate shall be comprised of the following members:

- Officers (The Executive Board)
 1. President of the S.B.A.
 2. Full-Time Division Vice-President of the S.B.A.
 3. Part-Time Division Vice-President of the S.B.A.
 4. Treasurer of the S.B.A.
 5. Secretary of the S.B.A.
- Senators
 1. Full-Time Division Senators
 - Two (2) third-year Senators
 - Two (2) second-year Senators
 - Four (4) first-year Senators (One from each section)
 2. Part-Time Division Senators
 - Two (2) general Senators
 - One (1) first-year Senator
 - One (1) fourth year senator
 3. Legal Masters Senator
 - a. One (1) Legal Masters Senator
 4. Delegate to the ABA/LSD and Alumni Liaison
 - a. One (1) Delegate/Liaison
- C. Non-voting Ex-Officio Members
 1. The Dean of the Sturm College of Law.
 2. The Assistant Dean for Student Affairs or his/her designee.

Article III. Elections and Eligibility.

All elected Officers and Senators shall be members of the S.B.A. and shall not graduate before the end of the following Spring Semester. All terms of office shall expire at the conclusion of that Spring Semester.

Section 1. Officers.

The President, Day Division Vice-President, Evening Division Vice-President, Treasurer, Secretary, and S.B.A. Delegate to the A.B.A./L.S.D. shall be enrolled in either the Day or Evening Division in at least his/her second semester at the Sturm College of Law and elected by receiving a plurality of the votes cast by the S.B.A. with the following provisions:

A. President

1. Shall be a member of the A.B.A.

- Day Division Vice-President

1. Shall be enrolled in the Day Division.

2. Shall be elected by receiving a plurality of votes cast by members of the S.B.A. enrolled in the Day Division.

- Evening Division Vice-President

1. Shall be enrolled in the Evening Division.

2. Shall be elected by receiving a plurality of votes cast by members of the S.B.A. enrolled in the Evening Division.

Section 2. Senators.

- Day Division Senators

1. Shall be enrolled in the Day Division.

2. Two (2) Senators shall be elected from each class year by receiving a plurality of votes cast by their respective class and division.

- Evening Division Senators

1. Shall be enrolled in the Evening Division.

3. Three (3) Senators shall be elected by receiving a plurality of votes cast by members of the S.B.A. enrolled in the Evening Division.

4. One (1) Senator shall be elected by receiving a plurality of votes cast by members of the S.B.A. enrolled in the first-year evening class.

C. Legal Masters Senator

1. Shall be enrolled in a Legal Masters program.

2. Shall be elected by receiving a plurality of votes cast by the Legal Masters programs.

D. Delegate to the ABA/LSD and Alumni Liaison 1. Shall be a member of the ABA

Section 3. Status of Students Determined by Registrar.

A Day or Evening Division student's status shall be determined by the Office of the Registrar at the Sturm College of Law.

Section 4. Occupation of Multiple Positions.

A. No member of the S.B.A. shall occupy more than one (1) elected position in the Senate at a time.

B. No member of the Senate may be elected to a position on the Honor Board. However, in the event of a vacancy on the Honor Board, the S.B.A. President shall appoint from

among the members of the Senate as many Senators as necessary to provide a quorum for proceedings. These appointed members shall be subject to all responsibilities as Honor Board members and are to serve on an interim basis, until Honor Board elections are held to fill the vacancies.

Article IV. Powers and Duties Section 1. General Powers.

The Senate shall have all powers necessary to carry out the purposes of the S.B.A. in accordance with this Constitution. The Senate shall have the power to recognize student organizations as provided in the By-Laws of this Constitution. All Officers and Senators shall have such powers and duties as enumerated in this Article and commensurate with the nature of their respective offices.

- **Agenda** The Senate shall have the power to create and post the S.B.A. agenda. The agenda shall be published to the S.B.A. in a timely manner via the S.B.A. Website. In addition, a paper copy of the agenda shall be posted in a public forum.
- **Bylaws, Regulations, and Policies** The Senate shall have the power to enact or amend by a two-thirds (2/3) vote any By-Laws, regulations, and policies it deems necessary or advisable to ensure the proper functioning of the S.B.A. and the Senate.

C. Association Funds

The Senate shall have control and supervision of all S.B.A. funds. An Officer, along with the Treasurer, shall be required to sign all requests for allocations greater than or equal to one-hundred dollars (\$100). Any allocation less than one-hundred dollars (\$100) may be signed by a single Officer. In the event of an absence of the Treasurer, the Treasurer may appoint in writing for a specified time period another Officer to sign in his/her place.

D. Special Assessments

The Senate may, upon ratification by the S.B.A. membership by a majority vote, levy upon that membership such special assessments as are necessary for school facilities and programs.

Section 2. General Duties. A. Orientation

All Senate members shall complete orientation in accordance with Article IV, Section 4(A)(4) of this Constitution prior to assuming their duties.

B. Assumption of Duties

Senate members elected by the S.B.A. in the Spring Semester shall assume their duties at the last Senate meeting of that Spring Semester. First-year and Legal Masters Senators shall assume their duties at the last September Senate meeting after election in the Fall Semester.

C. Attendance

All Senate members must reserve the time designated in this Constitution and its By-Laws for Senate meetings. Further, all Officers and Senators are required to attend the Senate meetings and the meetings of their respective Standing Committees upon which they have been appointed to serve. Excessive absences from Senate and Standing Committee meetings shall be grounds for impeachment in accordance with Article VI, Section 3 of this Constitution. The attendance policy for the S.B.A. shall be in compliance with the Student Handbook wherein students missing more than 20% of the Senate meetings shall be subject to impeachment proceedings.

Section 3. Voting.

All Officers and Senators shall have the power to vote in Senate meetings. The Chair shall only vote in the event of a tie. A majority vote in accordance with Robert's Rules of Order shall be required to pass a resolution, allocate funds, or to make a ruling on an issue.

Section 4. Officers (Executive Board).

A. Executive Board

1. Shall be comprised of the President, the Day Division Vice-President, the Evening Division Vice-President, the Treasurer, and the Secretary, and shall be chaired by the President.
2. Shall meet at their discretion, or upon the request of any member of the Executive Board.
3. Shall have the following powers:
 - Call and hold meetings in Executive Session.
 - Review impeachment proceedings before their presentment to the Senate.
 - Approve emergency funding, in an amount not to exceed two-hundred fifty dollars (\$250), under circumstances where the funding request must be answered before the next regularly scheduled Senate meeting.
 - Discuss any matter of relevance to Senate business or in furtherance of Senate purposes, and propose motions and resolutions in its function as a leadership committee.
4. Shall conduct an orientation program for all newly elected Senators prior to the first Senate meeting at which the Senators are to begin their term of office. The orientation program shall include a description of the duties and expectations of Senators, this Constitution and its By-Laws, the rules of parliamentary procedure followed during Senate meetings, and an overview of Senate functions, direction, and purpose.

5. Pursuant to subsection 4, all Executive Board members shall be required to draft a brief training manual to facilitate the transition of leadership from year to year. This manual shall be completed before orienting the new Executive Board.

- President

1. Shall have the power to ensure the proper functioning and efficient operation of the Senate and all Senate and S.B.A. committees.

2. Shall be the Chair of the Senate, and shall be an Ex-Officio member of all committees of the Senate and the S.B.A.

3. Shall be the Chair of the Executive Board.

4. Shall make appointments as provided by this Constitution, its By-Laws and as otherwise deemed necessary by the Senate.

5. Shall establish all committees and appoint all committee chairpersons not designated by this Constitution. The President may not chair a committee of the Senate or S.B.A. with the exception of the Executive Board and shall not during the tenure in office hold or occupy any other office of a student organization connected with the Sturm College of Law.

6. Shall be a member of the A.B.A., and the President, or his/her appointed representative, shall be required to attend and serve as a voting delegate at all A.B.A./L.S.D. circuit and national meetings.

- Day Division Vice-President 1. Shall be the Chair of either the Planning Committee or the Social Committee, as appointed by the President.

2. Shall serve as either First or Second Vice-President. The First Vice-President shall be determined by the division from which the President was not elected. That is, if the President is from the Day Division then the First Vice-President shall be from the Evening Division, and if the President is from the Evening Division, then the First Vice-President shall be from the Day Division. The Second Vice-President shall be from the same division as the President of the S.B.A.

3. In the absence of the President, the First Vice-President shall conduct the Senate meetings and act as the Chair. In the absence of the President and the First Vice-President, the Second Vice-President shall conduct the Senate meetings and act as the Chair.

D. Evening Division Vice-President

1. Shall be the Chair of either the Planning Committee or the Social Committee, as appointed by the President.

2. Shall serve as either First or Second Vice-President. The First Vice-President shall be determined by the division from which the President was not elected. That is, if the President is from the Day Division then the First Vice-President shall be from the Evening Division, and if the President is from the Evening Division, then the First Vice-

President shall be from the Day Division. The Second Vice-President shall be from the same division as the President of the S.B.A.

3. In the absence of the President, the First Vice-President shall conduct the Senate meetings and act as the Chair. In the absence of the President and the First Vice-President, the Second Vice-President shall conduct the Senate meetings and act as the Chair.

E. Treasurer

1. Shall be responsible for the collection of all fees or assessments payable to the S.B.A. and the disbursement of all funds approved for disbursement by the Senate. Further, it shall be the responsibility of the Treasurer to verify that all requests for monies shall be in the proper form, presented to the University in a timely manner, and paid to the student in a timely manner. Finally, the Treasurer shall prepare a proposed yearly budget, along with monthly financial reports indicating the current status and balance of the S.B.A. accounts.

2. Shall be responsible for the presentation of a monthly Treasurer's Report to the Senate.

3. Shall be the Chair of the Finance Committee.

F. Secretary

1. Shall prepare minutes of each Senate meeting and take the roll of the members present. Further, the Secretary shall be responsible for posting approved minutes from the most recent Senate meeting on the S.B.A. Bulletin Board and S.B.A. Website. Finally, the Secretary shall be the public relations officer for the S.B.A.,

Section 5.

responsible for reporting to the Writ, or other designated places, the actions and activities of the Senate.

Shall coordinate all communication of the Senate and keep legible permanent records of all Senate meetings. Shall be responsible for maintaining the S.B.A Bulletin Board and S.B.A. Website.

Shall be responsible for the Suggestion Box and presenting the suggestions to the Senate during meetings.

Senators.

A. Shall be responsible for representing their respective division and class or program and for voicing their concerns to the Senate.

B. Shall serve on Senate Standing Committees created by this Constitution and its By-Laws and on other committees to which they have been appointed by the President.

C. S.B.A. Delegate to the A.B.A/L.S.D.

1.

2. 3.

Article V. Section 1.

Section 2. Quorum.

The Chair of the Senate may call to order a meeting only with the requisite member quorum, which entails attendance of one-half plus one.

Section 3. Agenda.

- The Chair of the Senate shall be responsible for creating the agenda and posting the time and place of Senate meetings.
- All individuals seeking to be placed on the agenda during the meeting period shall make their request to the Chair.

Section 4. Participation.

Shall be the A.B.A. school representative of all members of the Stur姆 College of Law. In this capacity, the S.B.A. Delegate to the A.B.A./L.S.D., or his/her designee, shall be required to attend and serve as a voting delegate at all A.B.A., all Circuit and National meetings and report to the Senate on all business of the A.B.A./L.S.D. Shall be responsible for disseminating A.B.A./L.S.D. information to the student body. Shall be the Chair of the S.B.A. A.B.A./L.S.D. Committee.

Senate Meetings.

Governance. Senate meetings shall be governed by this Constitution and its By-Laws.

- Senate meetings are open to all individuals affiliated with the Stur姆 College of Law and shall be held in a room of sufficient size to accommodate a reasonable number of guests.
- Any individual who disrupts a meeting or impedes the efficient completion of such meeting may be removed at the discretion of the Chair or on motion by majority vote of the Senate.

Section 5. Executive Session. A. The Senate may, by a majority vote, meet in Executive Session. B. All Senate meetings moved to Executive Session are open only to Senate members. C. Executive Session shall be governed in accordance with Robert's Rules of Order.

Article VI. Resignation, Vacancy, and Impeachment. Section 1. Resignation.

An Officer or Senator may resign his/her position at any time during his/her tenure of office. To resign, a Senate member shall submit his/her written resignation to the Secretary and President.

Section 2. Vacancy. In the event of a vacancy in any Senate office, position, or chairmanship:

A. Officer Position - The President shall nominate a replacement Officer from the Division (as applicable) eligible to elect that Officer. The nomination must be approved by a majority vote of the Senate. The new Officer shall serve until the next regularly scheduled election for that office of the Senate.

B. Senator Position - The President shall appoint a replacement Senator from that respective class, who shall serve until the next regularly scheduled election for that

office. If no replacement can be found from the respective class, after exercising due diligence, the President may appoint a replacement from the respective Day or Evening Division.

Section 3. Impeachment. Any Officer or Senator may be impeached on the grounds of malfeasance or nonfeasance.

- Impeachment proceedings may be initiated by any Senate member in a formal written request to an Officer.
- The Executive Board shall meet in a timely manner to discuss the formal written request for impeachment.

C. Upon a majority vote of the Executive Board, not to include an Officer subject to impeachment, an impeachment hearing shall be held before the Senate.

D. At least ten (10) days prior to the hearing, the President shall notify in writing the Senate member subject to impeachment.

E. The Senate members subject to impeachment shall have the right to present this/her case at the impeachment hearing before the Senate.

F. Upon a two-thirds (2/3) vote by secret ballot of the Senate, not to include the Senate member subject to impeachment, the impeached Senate member shall be immediately removed from office.

Article VII. Petitions and Initiative. Section 1. Petition.

- The Senate shall be required to act upon any petition, including a motion to overrule a previous Senate action, submitted by twenty percent (20%) of the members of the S.B.A.
- Any petition presented to the Chair shall be acted on at the first regular meeting held by the Senate after receipt of the petition. Upon a two-thirds (2/3) vote of the Senate, the petition shall be enacted. If the Senate does not act in favor of the petition, it shall be presented as an initiative to the S.B.A.

Section 2. Initiative.

A. An initiative shall be published and submitted to the S.B.A. in a special election within ten (10) class days.

B. Upon a majority vote of the membership of the S.B.A., the initiative shall be enacted. Article VIII. Modification and Ratification.

Section 1. Modification by the Senate or by Initiative.

Changes to this Constitution may be proposed by either a two-thirds (2/3) vote of the Senate or by an enacted initiative of the S.B.A. in accordance with Article VII of this Constitution.

Section 2. Ratification.

Any proposed change to this Constitution shall be presented to the S.B.A. at an election for ratification. Only S.B.A. members are permitted to vote at an election for

ratification. Ratification shall be by a two-thirds (2/3) vote of the votes cast for ratification on the proposed change.

Article IX. A.B.A./L.S.D. Section 1. Purpose.

The duties, goals, and purpose of the A.B.A./L.S.D. Charter are as outlined in the A.B.A./L.S.D. By-Laws, attached.

Section 2. Oversight.

The Senate shall oversee the functions of the A.B.A./L.S.D. Charter and incorporate their By-Laws, attached as Appendix A. The Senate shall adopt by a two-thirds (2/3) vote any revision to the A.B.A./L.S.D. By-Laws.

Article X. Student Review Board. Section 1. Purpose.

The duties, goals, and purpose of the Student Review Board ("S.R.B.") are outlined in the S.R.B. By-Laws, attached.

Section 2. Oversight.

The Senate shall oversee the functions of the S.R.B. and incorporate their By-Laws, attached as Appendix B. The Senate shall adopt by a two-thirds (2/3) vote any revision to the S.R.B. By-Laws.