

BY-LAWS
OF
THE UNIVERSITY OF MISSOURI – COLUMBIA
SCHOOL OF LAW
STUDENT BAR ASSOCIATION

SECTION I
Operations

- 1.010 If not reasonably discernible from the text of the SBA By-Laws, the definitions contained herein are to be interpreted consistent with the SBA Constitution.
- 1.020 Pursuant to the requirements of 4.090 of the SBA Constitution, the Board must obtain the consensus of the members of SBA for expenditures exceeding \$1000.

SECTION II
(Read in conjunction with Article III of the Constitution)

- 2.010 The position of Vice-President shall conduct all elections pursuant to the provisions of the Constitution and its By-Laws.
- 2.020 Date of Elections
- (1) The President, Vice-President, Secretary, and Treasurer, shall be elected in the Spring, not earlier than March 15 and not later than April 15. They shall hold office until the next Spring election.
- (2) Third-Year Representatives and Second-Year Representatives shall be elected in the Spring not earlier than the election held in 2.020(1).
- (3) First-Year Representatives shall be elected in the Fall, not earlier than fourteen (14) days after the first day of class and not later than thirty (30) days after the first day of class.
- 2.030 Eligibility of Members for Candidacy
- (1) Any member of SBA in good standing is eligible to become a candidate for member of the Board.
- (a) A member is in good standing at the time he/she seeks to become a candidate if he/she is not on probation for either scholastic or disciplinary reasons, as deemed by the School of Law, unless the SBA advisor approves eligibility.
- (2) Any member of the Third-Year class who meets the requirements of 2.030(1) is eligible to become a candidate for President, Vice-President, or Third-Year Representative only.

(3) Any member of the Second-Year class who meets the requirements of 2.030(1) is eligible to become a candidate for Secretary, Treasurer, or Second-Year Representative only.

(4) Any member of the First-Year class who meets the requirements of 2.030(1) is eligible to become a First-Year Representative only.

(5) No member may be a candidate for more than one position in any one election to the Board.

(a) The elections provided for in 2.030(1)-(4) each constitute a separate Election.

2.020 Eligibility of Members to Vote; Votes per Member

(1) Any member, defined under 1.010-20 of the SBA Constitution, is eligible to vote subject to the restrictions in (2) and (3) of this provision.

(2) The President, Vice-President, Secretary, and Treasurer shall be elected by all members of SBA. Each member may cast one (1) vote for a candidate for each Office.

(3) The Class Representatives shall be elected by the members of their respective classes only. Each class member may cast as many votes as there are members to be elected determined under 2.020 of the SBA Constitution.

2.030 Notice of Elections; Petitions

(1) Two (2) weeks prior to the date set for any election, the Vice-President shall post written notices of the election in at least five (5) prominent places around the School of Law. Each notice of election shall contain a statement that petitions are available at the SBA office and that petitions must be submitted to the Vice-President at least one (1) week prior to the date of the election.

(a) Prominent places are those places reasonably determined by the Vice-President to best inform the voting members of SBA of the upcoming election

(b) Defects in the posting of such notice shall not void the election if cured within a reasonable time.

(2) Petitions for election shall be directed to the Board, shall contain the name of one candidate who shall sign the petition, and shall be in the following form:

I, the undersigned, would like to be a candidate for the office of _____ of the Board of Governors for the _____ school year.

I pledge that should I be elected to represent the student body on the Board, I shall do so faithfully and impartially, without regard to groups which might foster a selfish motive.

(3) Each petition shall contain the signature of at least ten (10) members of SBA. If the petitioner is seeking candidacy as a Class Representative, only the signatures of his/her class members count toward the requirement.

(4) Members may sign as many petitions as there are candidates for which he/she is eligible to vote for a given positions according to 2.030.

2.040 Ballots

The Vice-President shall be responsible for compiling neutral and legible ballots at least two (2) days before the election. The Vice-President shall take all proper and reasonable precautions to see that the ballots are kept secret in form and style, through not in content, until the election, from all but those members of SBA specifically chosen by the Vice-President to assist in the election. No person who is a candidate for the Board, whether chosen by the Vice-President or not, may see the ballots prior to the election.

2.050 Open Forum

An open and fair forum for the candidates to present themselves and their views shall be provided at a proper place, prior to the election. This forum shall be moderated by the Vice-President or someone chosen by the Vice-President who shall allot each candidate at least five (5) minutes for his/her presentation. After all presentations, a question and answer session may be held in which the members of the SBA shall be allowed to ask questions of any or all the candidates.

2.060 Spoken Electioneering

No spoken campaigning may be done by any candidate, a member of his/her staff, or any supporter:

(1) in any classroom or room used for class when class is in session or scheduled to be in session;

(2) in any classroom or room used for class if the communication is being heard by ten or more people and a class is scheduled to being within five (5) minutes of the verbal communication; and

(3) on election day within thirty (30) feet of the ballot box, if applicable.

2.070 Written Electioneering

(1) No posters, signs, or other types of written communication may be posted except that

(a) any candidate for any elected SBA office may post a single one-sided document, not to exceed 8.5 x 11 inches on the picture window in the SBA Office. It shall be posted so that the document is on the inside of the SBA Office with the message on the document facing the hallway adjacent to the SBA Office. For purposes of this section, Document is defined as any paper or other material not to exceed 1/8 inch in thickness.

(1) Documents will be placed on the SBA Office window in a fair and reasonable manner at the discretion of the Vice-President.

(b) Posters, signs and other written communication may be posted on a first-come, first served basis only in either (a) the student locker area or (b) the bulletin board within the student dining area.

2.080 Economic Benefits

No direct material benefit or any type of economic compensation may be given by a candidate, a member of his/her staff, or any supporter to any voter in exchange for the voter's pledged support of his/her vote.

2.090 Ballot Tabulation

(1) The Vice-President shall oversee the tabulation of ballots with the President and post the results thereafter.

(2) No candidate shall be allowed to participate in the tabulation.

(3) Write-in candidates are not counted.

(4) Once the ballots have been counted and the provisions of 2.100 and 2.110 satisfied, the Vice-President shall destroy all ballots cast.

2.100 Recount; Review of Ballots by Candidates

(1) Any candidate may present a written request to the Vice-President for a second tabulation of the ballots within five (5) days of the date the election results are posted

(2) Any candidate may present a written request to the Vice-President for a personal review of the ballots within five (5) days of the date of the election results are posted. The requesting candidate and all of his/her opponents must be present for the review of the ballots by the Vice-President. Otherwise, no candidate, regardless of his/her success in the election, may review the ballots at any time following the election.

2.110 Faculty Approval

No candidate may serve in an elected office if the law school faculty expressly withholds its approval of the candidate

2.120 Vacancies: Permanent and Summer Replacements

(1) If a permanent vacancy on the Board occurs after the Spring Elections under 2.020 but before December 1, a special election shall be held to select a permanent replacement. This election shall be conducted pursuant to Section II.

(2) With the exception of the office of President, if a permanent vacancy on the Board occurs on or after December 1 but before the Spring elections under Section II, the Board shall appoint a permanent replacement who meets the eligibility requirements of Section II.

(3) If a permanent vacancy in the office of President occurs after December 1 but before the Spring elections under Section II, the Vice-President shall assume the office of President. The Board shall appoint a permanent replacement for the office of Vice-President under (2) of this provision.

(4) Absence from the summer term does not constitute a permanent vacancy; however, the Board may appoint a member of SBA to perform the tasks of any officer or Representative for the summer.

2.130 Violations of the By-Laws on Elections

If any violation of the By-Laws on elections by a candidate is alleged in writing and delivered to the Vice-President and President, the Vice-President shall convene a hearing. The hearing shall consist of a panel made from the President, Vice-President, and faculty advisor. If the panel determines there was a breach by the candidate to gain unfair advantage of his/her opponents, then that candidate's election will be invalidated and the candidate receiving the second highest number of votes will be elected. If an allegation is not received within five (5) days of the posting of election results, then no allegations will be heard.

SECTION III Appointments

3.010 The President shall appoint SBA members, as they see fit, to each of the following appointment positions:

- (a) Student-Faculty Committees as requested by the Dean of the School of Law;
- (b) Four (4) students to serve as the representatives to the Graduate Professional Council (GPC):
 - (i) One 1L Representative,

(ii) One 2L Representative,

(iii) One 3L Representative, and

(iv) One Representative from any class year.

(c) SBA standing and special committees; and

(d) Any committee or position requiring SBA appointment.