



# STUDENT BAR ASSOCIATION

## BY-LAWS

As amended July 11, 2019

### Section 1 Attendance

A. As it is recognized that attendance at meetings is absolutely necessary for adequate representation of the Association, all elected and appointed Student Bar Association (SBA) members shall be subject to the following restrictions:

1. A member may be excused from attending a scheduled SBA Meeting if adequate written notice is given to the SBA President before the meeting has been called to order.
2. A member who is unexcused from a meeting will be subject to one (1) SBA voluntary hour. Voluntary hours are time spent conducting the business of the SBA in which volunteers would normally be sought after including but not limited to table-work, ticket-selling, and or community service events.
3. Voluntary hours will be documented by the SBA Secretary and any outstanding voluntary hours at the end of a Member's elected term may result in forfeiting the privilege to make any representation of affiliation with the SBA. Such subsequent representations will be deemed to be a violation of the ethical standards set forth in the Thomas Jefferson School of Law Student Handbook.
4. A member who is excused from two (2) non-consecutive meeting will be subject to an additional SBA voluntary hour.
5. A member who is unexcused from three (3) scheduled SBA Meetings OR is unexcused from two (2) consecutive SBA Meetings during their elected term shall be served with an order to show cause why s/he will be deemed to have constructively resigned:
  - a. This order shall be served by the Parliamentarian at the direction of the President.
  - b. A member served with this order shall have seven (7) days from the date of the order to communicate with the SBA President and arrange for a hearing in front of the SBA Executive Board.

- c. A majority vote by the SBA Executive Board will determine a member's right to continue to serve as an SBA member. A vote may also occur electronically and after the hearing.
- d. Failure to respond to the order within one week OR failure to attend a hearing will result in entry of the member's constructive resignation. A hearing is not required where the SBA member has resigned or has violated ANY rule under Article III, Section 3, Parts 4 or 5(a-g).

## **Section 2 Reports**

A. SBA Members who have been assigned specific tasks shall submit oral reports at all regularly scheduled SBA General Meetings at the discretion of the SBA President regarding the status of their respective committees and projects.

B. The Executive Committee, Bar Association and Student Representatives, and the Class Representatives, shall submit written reports to their respective successors and the SBA President-elect at the last regularly scheduled SBA General Meeting or within two weeks in the spring semester. The content of this report shall be provided by the outgoing SBA President.

## **Section 3 Communications**

All SBA Members who create any posters or fliers or disseminate email communications in the name of the SBA must seek approval by the SBA President and Public Relations & Social Events Director.

All SBA communications not specifically identified as public knowledge are, by default, confidential to the Student Bar Association.

## **Section 4 The “Advisory Committee,” Rules of Conduct/Publication, and Appointments for the SBA/Student Newspaper (*The Jeffersonian*)**

A. The Advisory Committee is comprised of the SBA President, Vice-President, Treasurer, and Secretary.

B. The Advisory Committee is responsible for maintaining the integrity of the newspaper as a representation of the students, faculty and staff of TJSL.

1. The Advisory Committee has editorial power where there is concern over publication of articles deemed to be in violation of the ethical standards specified in the Student Handbook of TJSL.

C. The duties of the Advisory Committee shall be to:

- 1. Attend any editorial meetings necessary, at the request of the SBA Vice-President.

2. Review articles to ensure proper content at the request of the SBA Vice-President.
3. Maintain communication with the SBA Vice-President.
4. The Advisory Committee has the power to hold the SBA Vice-President accountable for any violations of any ethical standards and has the power to execute any of the proceedings in Appendix D of TJSL's Student Handbook if the SBA Vice-President or staff knowingly, willfully or negligently violates the ethical standards.

D. Title will be passed to the new Editor-in-Chief upon the election of the SBA Vice-President after the Spring General Election or through appointment by the SBA President with majority approval of the SBA Executive Board in the event the position is unfilled after the SBA election process.

1. The duties of the Editor-in-Chief shall be to:
  - a. Oversee newspaper and Advisory Committee meetings and be available to any board member concerning article submissions.
  - b. Mediate any disputes.
  - c. Submit a written report to the successor SBA Vice-President at end of term.
  - d. With approval, advice, and consent of the SBA President, shall appoint the various positions to the SBA/Student Newspaper and an Editorial Board/Editors/Writers or place such positions up for election as deemed necessary by the SBA President and Vice-President/Editor-in-Chief.
    - i. All appointed or elected positions must be in good academic standing and must have completed at least one semester of study at TJSL.

E. Any member of the Advisory Committee, Editor or Writer of the SBA Newspaper may be recalled. Recall proceedings may be brought pursuant to Article VI of the SBA Constitution and Section 11 of the SBA By-Laws.

## **Section 5 Removal of Officers**

A. A motion to remove any elected or appointed officer shall be considered only upon presentation of a petition signed by a majority of all elected and appointed officers possessing voting power.

1. The removal petition must state reasons for the proposed removal.
2. The removal petition must be presented at a regularly scheduled SBA Meeting.
3. The person or persons who have been made subject to recall by such removal petition must be given written notice of the removal petition no less than three (3) days before the regularly scheduled SBA Executive Board Meeting where the removal petition will be presented, but not argued.

B. Upon proper receipt of a removal petition, signed by a majority of all elected and appointed officers possessing voting power, a recall hearing shall be scheduled only upon approval of a majority of those officers present at the regularly scheduled SBA Meeting at which the removal petition is properly presented.

C. Upon a vote of a majority of officers as described in paragraph (B), the SBA President, or the SBA Parliamentarian, shall notify the affected party or parties of the scheduling of a recall hearing by writing, within three (3) days of the vote taken.

1. A recall hearing must be scheduled no earlier than three (3) days, nor later than fifteen (15) days after the regularly scheduled SBA Meeting at which the removal petition was properly received and voted upon.
2. If the recall hearing required under section (C) is not held within fifteen (15) days of the regularly scheduled SBA Executive Board Meeting, at which the removal petition was properly received and voted upon, no action may later be instituted against the same party for the same cause.
3. The recall hearing shall be chaired by the SBA Parliamentarian, or in the event it is the SBA Parliamentarian who is sought to be removed, the SBA President.

D. At the recall hearing required under section (C), the affected officer subject to removal shall be afforded a reasonable opportunity to respond to specific allegations contained within the removal petition, and shall be afforded a reasonable opportunity to present witnesses and evidence in his/her behalf.

E. A affirmative majority vote of elected and appointed officers possessing voting power, required under section (C), shall be required to recall any officer. The decision reached by the officers at this recall hearing shall be final, and may not be reconsidered upon any motion at any later date.

## **Section 6 Effective Date and Amendments**

A. The SBA By-Laws shall become effective immediately upon their adoption. Amendments to the SBA By-Laws shall become effective immediately upon their adoption **UNLESS** the SBA Executive Board in adopting them provides that they are to become effective at a later date.

B. Amendments to the By-Laws may be proposed by any one of the SBA Members.

C. Notice of proposed amendments shall be distributed to each SBA Member with the vote on the amendments.

D. Changes shall be clearly indicated using the Microsoft Word "Track Changes" function or other clearly recognizable method of changes to the Bylaws.

E. An affirmative majority vote of the voting SBA Members shall give effect to the proposed amendments.

## **Certificate of Adoption**

I, the undersigned, do hereby certify:

1. That I am the President of the Student Bar Association at Thomas Jefferson School of Law, San Diego, California.
2. That the foregoing constitutes the By-Laws of the SBA that were amended in July 2019 by the Student Bar Association.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 11th day of January, 2019 in San Diego, California.

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CHRISTOPHER REILLY  
SBA President  
2019-2020 Academic Year

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COURTNEY VALDEZ  
SBA Parliamentarian  
2019-2020 Academic Year