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Northern Illinois University  
Student Bar Association  
Swen Parson Hall  
DeKalb, IL 60115

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RATIFIED AND IN FORCE

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# **Article I      Scope of Membership & Supremacy**

## **Section 1.    General Scope**

This organization shall be known as the Student Bar Association of Northern Illinois University – College of Law. In short, the organization may be referred to as just the “Student Bar Association”

All students registered for any course or courses within the Northern Illinois University – College of Law that are a part of the curriculum leading to the degree of Juris Doctor are full Members of this Student Bar Association.

## **Section 2.    Supremacy**

All powers, activities, and affairs of the Student Bar Association shall be exercised by means consistent with this Constitution.

This Constitution and the laws passed under its authority shall be the Supreme Law of the Student Bar Association.

# **Article II      Board of Representatives**

## **Section 1.    Vestment of Powers**

The Legislative Powers of the Student Bar Association are vested in the Board of Representatives.

The Board of Representatives shall consist of twelve (12) Representatives, four (4) from each Class.

## **Section 2.    Purpose & General Powers**

The Board of Representatives shall have the purpose and powers to:

- a) Build relationships and create social opportunities that benefit the College of Law, students, alumni, and organizations with which the Student Bar Association shall be affiliated;
- b) Borrow money on the full faith and credit of the Student Bar Association;
- c) Enter into partnerships with other organizations to further the purposes of the Student Bar Association;
- d) Formulate policies, pass resolutions, and enact laws affecting the Student Bar Association;
- e) Institute and provide awards in recognition of merit as well as in recognition of contributions made by and for the community at the Northern Illinois University – College of Law;
- f) Raise and regulate the appropriation of funds and incomes;
- g) Oversee elections and referenda;
- h) Regulate the activities of student organizations under the authority of the Student Bar Association; and
- i) Carry out any other duties that may befall the Board of Representatives.

The Board of Representatives may take any action necessary and proper for the implementation of the purposes and powers of the Board of Representatives and for the proper administration of the Student Bar Association.

## **Section 3.    Meetings**

The Board of Representatives shall hold official meetings at least once per month, except during the months of May, June, July, August, and December where no official meeting is necessary.

2/3 of elected and installed Class Representatives present at a meeting shall constitute a quorum to conduct business.

The President of the Executive Council may call a special meeting of the Board of Representatives by submitting, in writing, a notice to all Members of the Student Bar Association at least 24 hours prior to the date of the meeting. The President is responsible to ensure that all Representatives receive notice.

During breaks (*i.e.* times when meetings are not mandated within this Constitution), the President of the Executive Council may bring business before the Board of Representatives and authorize an electronic vote on such business.

This Constitution and the Bylaws of the Student Bar Association, or accurate copies thereof, shall be available at all meetings of the Board of Representatives.

## **Section 4.    Administration & Procedures**

The Board of Representatives shall keep, maintain, and publish Bylaws which shall govern the Student Bar Association. The Bylaws may be amended by a majority (not majority vote of Representatives present) of the Board of Representatives. All other Acts shall pass upon a majority vote of the Board of Representatives.

The Board of Representatives shall be governed by parliamentary procedure developed for or adopted by the Board, and integrated into the Bylaws of the Student Bar Association, unless such rules are in conflict with this Constitution.

With the exception of the President, members of the Executive Council are full members of the Board of Representatives. When present, members of the Board Representatives shall be entitled to vote in all matters of business. The President shall cast a vote only when a vote is equally divided.

Upon approval by the Board of Representatives and with the signature and approval of the President of the Student Bar Association, the minutes of the proceedings of the Board of Representatives shall be published to the Membership. All records shall be published by the end of each academic year.

## **Article III Executive Council**

### **Section 1. Officers**

The Administrative Powers and Responsibilities of the Student Bar Association are vested in the Executive Council, consisting of the following officers:

- a) The President
- b) The Vice-President
- c) The Secretary
- d) The Treasurer, and
- e) The American Bar Association Representative

### **Section 2. Eligibility**

To assume and maintain Office on the Executive Council, a Member of the Student Bar Association must:

- a) Be a Member of the Student Bar Association,
- b) Be enrolled as a full-time student at Northern Illinois University – College of Law,
- c) Be in good academic standing at the Northern Illinois University – College of Law, and
- d) Have obtained 2L Status, rising 2L Status, or higher at the time of assuming office.

### **Section 3. The President of the Student Bar Association**

The Executive authority of the Student Body shall reside with the President.

The President shall be the Chief Ambassador of the Student Body and Student Bar Association and is charged with the following duties:

- a) Presiding at meetings of the Executive Council and Board of Representatives,
- b) Serving as the primary liaison to all individuals and bodies outside of the Government,
- c) Implementing and enforcing resolutions passed by the Board,
- d) Creating temporary committees and appointing Members,
- e) Appointing Members to standing committees, and
- f) Performing any additional tasks that shall befall the office from time-to-time.

The President shall meet officially with the Dean of the College of Law at least once during each Semester and shall give to the Dean information regarding the State of the Student Body and recommend to their consideration such measures as the President shall judge necessary and expedient.

### **Section 4. The Vice-President**

The Vice-President shall assist the President and other Executive Officers in the administration of their duties. In addition, the Vice-President is charged with the following duties:

- a) Presiding at meetings of the Executive Council and Board of Representatives in the absence of the President,
- b) Appointing or acting as the official Parliamentarian for the Executive Council and Board of Representatives,
- c) Receiving and reviewing all reports from committees and officers, communicating the same to interested intragovernmental parties, and
- d) Performing any additional tasks that shall befall the office from time-to-time

No person ineligible to serve as President may serve as Vice President.

In the event of vacancy in the Office of President, the Vice President shall rise to and assume the Office of President.

### **Section 5. The Secretary**

The Secretary shall keep and maintain the records of the Student Bar Association. The Secretary is charged with the following duties:

- a) Keeping record of the proceedings of the Board of Representatives and Executive Council,
- b) Determining the presence of a quorum at meetings of the Board of Representatives and Executive Council,
- c) Posting public records of the Student Bar Association,
- d) Maintaining and applying the Official Seal of the Student Bar Association,
- e) Managing all communications to and from the Student Bar Association,
- f) Providing this Constitution and the Bylaws of the Student Bar Association, or accurate copies thereof, when necessary, and
- g) Any additional duties that may befall the office from time-to-time.

### **Section 6. The Treasurer**

The Treasurer is responsible for all Student Bar Association monies and funds and shall act as the Chief Financial Officer of the Student Bar Association. In addition, the Treasurer is charged with the following duties:

- a) Receiving all monies paid into the Student Bar Association and keeping a just and regular account of the same;
- b) Paying out funds when appropriated by the Board of Representatives;
- c) Submitting regular reports to the Executive Council and Board of Representatives; and

- d) Any additional duties that may befall the office from time-to-time.

### **Section 7. The American Bar Association Representative (A.B.A. Rep.)**

The A.B.A. Rep. shall be the primary liaison between the Northern Illinois University College of Law Student Bar Association and the American Bar Association. In addition, the A.B.A. Rep. is charged with the following duties:

- a) Disseminating information from the American Bar Association to the Student Bar Association,
- b) Conducting at least 1 recruitment event per academic year to encourage Membership in the American Bar Association Student Division,
- c) Generally engaging in activities that promote Membership in the American Bar Association, and
- d) Any additional duties that may befall the office from time-to-time.

### **Section 8. Meetings**

Meetings of the Executive Council shall be called at the discretion of the President of the Student Bar Association.

The Constitution and the Bylaws of the Student Bar Association, or accurate copies thereof, shall be available at all meetings of the Executive Council when practical.

## **Article IV Judiciary**

### **Section 1. Vestment of Powers**

The Judicial Powers of the Student Bar Association are vested in the Constitution Judicial Court.

### **Section 2. Limitation of Jurisdiction**

The Court shall hear only cases arising from disputes regarding the interpretation of the provisions of this Constitution. It shall be the role of the Court to interpret what this Constitution permits.

Plaintiffs shall have until the end of the term of office in which the issue shall have arisen, or 90 days from the time the issue should arise, whichever is later, to bring issues before the Court.

### **Section 3. Rules and Procedures**

The Court shall be called into service from time-to-time and as needed when issues within its jurisdiction arise. Upon the beginning of a case, the President shall, with the advice and consent of the Board of Representatives, appoint three Members of the Student Bar Association (one from each Class and who are not parties to the suit) to serve as Justices to decide the issue. The appointed Justices shall serve for the duration of the issue that they are appointed to decide, unless there shall arise a material conflict of interest; in which case, the Justice shall be dismissed and the President shall nominate a replacement. The Justices shall meet at their discretion and decide the issue in a timely manner.

All Court decisions shall be given the full authority of Law, and the Court shall observe and follow, as reasonably as possible in the interests of justice and continuity, the doctrine of *stare decisis et non quieta movere*.

The Court may adopt rules of evidence and procedure that are in the interest of practicality. Such rules are subject to review by the Board of Representatives and shall be available to the student body. Any applicable provision of the Bylaws of the Student Bar Association, shall be governing upon the Court.

## **Article V Terms of Office, Elections, & Vacancies**

### **Section 1. Eligibility, Terms of Office, & Resignation**

Representatives shall represent the class that they shall be a part of when they enter into service; and shall serve their full term in that capacity regardless of advancement in class standing. If a Representative-elect is not a member of the Class that they were elected to represent at the time of their service commencing, the seat shall be declared vacant.

Terms of Office for all elected positions of the Student Bar Association shall begin and end at noon on the last day of classes of the academic year.

Any Representative who has missed more than 3 consecutive stated meetings of the Board of Representatives without excuse shall be considered to have resigned office and a vacancy shall occur in the seat.

Upon the conclusion of a term of office, the 1L Class will not have Representatives until after a special election can be held. Such absence during this period does not preclude any action by the Board of Representatives or Executive Council, and such absence of 1L Representatives during this period shall not contribute for or against quorums or vote outcomes.

Before entering into service, all Officers, Representatives, and Justices shall state the following oath or affirmation:

I do solemnly swear (or affirm) that I will faithfully perform the duties of the office to which I have been elected (or appointed) and that I will serve and protect the Constitution of this Student Bar Association.

### **Section 2. Time, Place, & Manner of Elections**

A General Election for the Executive Council shall take place during the spring semester of each academic year on a date prescribed by the Board of Representatives.

A General Election for the Board of Representatives shall take place within two weeks after the final results of the general election for the Executive Council are certified.

Notice shall be sent to all Members of the Student Bar Association of all eligible candidates at least 3 days prior to the start of voting. Voting will take place over a continuous 48-hour period commencing from the time that polls are opened, excluding weekends.

### **Section 3. Declaration and Publication of Results**

If only one candidate is declared and qualified to run for any particular elected office, that candidate shall, at the end of the Election Day, be declared the Officer/Representative-Elect. In the case of multiple candidates, the candidate receiving the most votes shall be elected.

As soon as is expedient and following the close of polls, voting totals shall be reviewed. After the final votes are reviewed and qualified, the names of winning candidates shall be posted within 24 hours in places reasonably calculated under all circumstances to inform the Members of the Student Bar Association of the results. Every declared and qualified candidate retains the right to have a representative of his/her choosing present at the counting of votes.

### **Section 4. Vacancies, Special Elections, & Appointments**

Vacancies in government seats shall occur when an Officer:

- a) Is removed from office by process of impeachment,
- b) Is no longer eligible to hold office,
- c) Resigns from office by a signed and written instrument, or
- d) Is rendered unable to discharge the duties of the office.

Upon a vacancy occurring within the Executive Council, the President shall appoint, with the advice of the remaining Members of the Executive Council and consent of the Board of Representatives, a replacement officer from the current Board of Representatives. Upon confirmation, a vacancy shall then exist in the Board of Representatives and shall be filled accordingly. The appointed individual must be qualified to hold and maintain the office for which they are appointed on the Executive Council.

Should a vacancy arise in the Board of Representatives prior to the end of the current term of office, a special election shall be held as soon as is expedient to elect a new Representative and fill the vacant seat. If a special election to fill a vacancy on the Board of Representatives should take place within 90 days of the end of the current term of office, the President, with the advice and consent of the Board of Representatives, shall appoint a temporary replacement Representative, whose term of office shall expire at the end of the current term. In such a case, the appointed Representative must be a member of the class represented.

All regular election rules and procedures shall be applicable to special elections.

### **Section 5. Special Election of 1L Representatives**

A special election for 1L Representatives shall be held within the first 45 days of each academic year. Two Representatives from each 1L class section (thereby constituting a total of four Representatives) shall be elected by the 1L class to serve in the Board of Representatives. The Representatives-elect shall be sworn in at the next stated meeting of the Board of Representatives.

Following the start of the Term of Office and proceeding until the special election is held and Representatives are qualified and installed, the 1L Class shall not have representation on the Board of Representatives and the absent officers shall not count for or against a quorum or outcome of a vote of the Board of Representatives.

### **Section 6. General Rules**

Notice of a candidate's intent to run for any office must be submitted in writing to the Board of Representatives at least 5 days prior to the date of the start of voting. The Board shall give notice to the Members of the Student Bar Association of upcoming elections at least 10 days prior to the date of the start of voting.

The Board of Representatives shall promulgate election rules and communicating the same to candidates. Punishment for non-compliance with election proceedings shall not exceed declaring the candidate disqualified from holding current elected office in the Student Bar Association.

It shall be a campaign violation for any person to, by force, intimidation, threat, deception, or forgery, to knowingly prevent any other persons from voting for, supporting, or opposing the election of any candidate or issue of referenda.

### **Section 7. Contesting Elections**

Any declared and qualified candidate for office may contest the results of an election by filing a complaint with the Board of Representatives. The challenging party must file a complaint with the Board of Representatives within 3 days of the public announcement/posting of results.

The Board of Representatives shall appoint a committee to investigate the complaint by holding at least one public hearing in which all parties may present their case. Upon concluding the investigation, the Committee shall recommend an appropriate remedy to the Board of Representatives. The Board of Representatives shall vote on the proposed remedy at their next Stated or Special Meeting. Should the vote fail, this procedure shall be repeated until a remedy is approved.

## **Section 8. Impeachment & Removal from Office**

A majority (not majority vote of Representatives present) of the Board of Representatives may bring charges of impeachment against any member of the government. When charges are brought, the Board of Representatives shall appoint a presiding officer and form a special committee to investigate the propriety of impeachment proceedings. No person who is subject to the investigation may serve on the committee and committee Members serve at the pleasure of the Board of Representatives. If the committee determines that an impeachment proceeding is proper, the Board of Representatives will schedule a timely hearing.

The accused individual shall be afforded a full opportunity to present an explanation and provide any defenses. The accused may appoint or hire an attorney to speak on their behalf.

A 2/3 majority (not a 2/3 majority vote of Representatives present) of the Board of Representatives is necessary to convict an individual. Upon conviction, punishment shall not extend beyond removal from office and other reasonable actions.

## **Article VI Student Organizations**

### **Section 1. Formal Recognition**

A candidate student organization seeking formal recognition shall submit an application, along with its proposed bylaws or constitution and any other required information, to a committee designated by the Board of Representatives. The committee shall receive information from various stakeholders and shall make a recommendation to the Board of Representatives. Upon receiving approval from the Board of Representatives, the organization shall receive formal recognition from the Student Bar Association, and be subject to the jurisdiction thereof, effective immediately.

### **Section 2. Term of Recognition and Renewal**

Each recognized student organization must renew formal recognition every year after establishment of the organization by submitting a statement outlining the organization's intentions to continue benefitting the Student Bar Association in the ensuing academic year to the Board of Representatives or to a committee commissioned by the Board of Representatives on student organizations. Upon acceptance, an organization shall be recognized for the ensuing academic year.

If a student organization has requested and received funding in the previous academic year; recognition shall automatically be renewed for a new term and submission of a statement outlining the organization's intentions to continue benefitting the Student Bar Association in the ensuing academic year is unnecessary.

A Student Organization shall affix the date of initial recognition and the date of the most current renewal within its constitution or bylaws.

### **Section 3. Failure to Renew**

Any Student Organization that has failed to qualify for renewal shall, thereby, forfeit any right to renewal and shall no longer be recognized as a student organization under the Student Bar Association.

## **Article VII Referenda from the Student Body**

A referendum may be called at any time by a majority vote of the Board of Representatives.

Any Member of the Student Bar Association may petition for a referendum. A petition must contain the signatures of at least 20% of Members of the Student Bar Association. Upon submission of the petition to the Secretary of the Executive Council; the referendum shall be announced at the next meeting of the Board. The referendum shall then be submitted to the Members of the Student Bar Association. Notice of a proposed referendum shall be given at least 1 week in advance of voting and results must be posted in all places which, reasonably calculated under all circumstances, will communicate the results to all interested parties.

## **Article VIII Declaration of the Duties and Rights of Members**

- 1) Members shall have the right to view any documents and proceedings of the government, unless otherwise stipulated within this Constitution.
- 2) No person shall hold more than 1 elected position in the Student Bar Association during any given term of office.
- 3) The Student Bar Association shall not infringe upon the rights, nor call for the prohibition thereof, of the free exercise of speech, religion, or peaceful assembly.
- 4) Any powers not enumerated to the Student Bar Association under this Constitution shall be reserved exclusively to the Members.
- 5) The Duties and Rights herein listed do not exclude or supplant others retained by the Members.
- 6) All Members are guaranteed the equal protection of and under the Law.
- 7) Membership in student organizations shall be open to all Members of the Student Bar Association. Organizations may, however, with the consent of the Board of Representatives, recognize and institute mutual exclusivity.
- 8) At meetings of the Board of Representatives, the Board of Representative shall honor requests to record the particular, public opinion of a Member of the Student Bar Association for or against a particular issue considered.

- 9) Decisions on whether to extend funding or formal recognition to student organizations shall be made on a viewpoint-neutral basis; such decisions will respect the rights of free speech and association of Members.
- 10) The Student Bar Association shall not infringe upon the right of student organizations to affiliate or cooperate with other local and national entities to further the interests and missions of that Student Organization.

## **Article IX Amending this Constitution**

### **Section 1. Proposing Amendments**

Any Member of the Student Bar Association may propose amendments to this Constitution at a stated or special meeting of the Board of Representatives.

### **Section 2. Procedure for Adoption**

The Board of Representatives shall take a proposed amendment and consider it. If it should approve the submission of the amendment by a majority vote in favor, the amendment shall then be voted upon during the next election. The Amendment shall be adopted upon approval of 2/3 of the voting Members.

A Petition containing the signatures of 20% of the Members of the Student Bar Association shall place an amendment on the ballot of the next election following the submission of the petition to the Secretary of the Executive Council.

Any amendment, upon taking affect, shall be placed in the records of the Board and affixed within this Constitution.

## **Article X Dissolution**

### **Section 1. Governmental Dissolution**

Should the Student Bar Association be dissolved, all proceeds, monetary, or otherwise, shall be transferred into the care of the Northern Illinois University College of Law in order to promote the vibrancy and diversity of the student body. A portion of these proceeds shall be reserved for the establishment and administration of a new Student Government.

### **Section 2. Other Bodies**

All enacted bodies and student organizations recognized and under the authority of the Student Bar Association, unless otherwise stipulated in applicable statute, shall dissolve with the government.

## **Article XI Ratification**

### **Section 1. General Ratification**

This Constitution shall be approved and in force upon a 2/3 majority vote of the Members of the Student Bar Association, or upon ratification by a majority of the Members of the Student Bar Association.

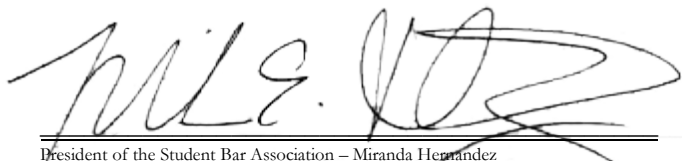
This Constitution, upon enactment, shall be the official Constitution of the Student Bar Association. All previous Constitution(s) and amendments to the same are hereby revoked.

### **Section 2. Effect on Terms of Office**

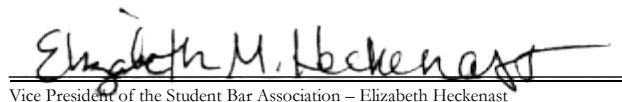
No provision of this Constitution shall, at the time of adoption, be construed to alter or modify the length of terms of office for the existing officers of the Board of Governors (the predecessor to the Board of Representatives) and the Executive Board (the predecessor to the Executive Council).

### **Section 3. Signatories & Approvals**

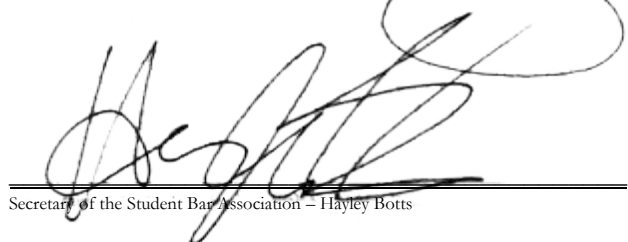
Upon the ADOPTION of this instrument by the Student Bar Association; in WITNESS thereof and under the authority herein vested; We, the various representatives, HEREBY AFFIX our signatures in RECOGNITION of the RATIFICATION of this CONSTITUTION this 1st day of May 2017.



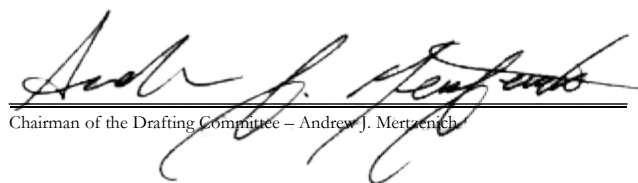
President of the Student Bar Association – Miranda Hernandez



Vice President of the Student Bar Association – Elizabeth Heckenast



Secretary of the Student Bar Association – Hayley Botts



Chairman of the Drafting Committee – Andrew J. Mertjench