

SBA Constitution

Article I: Name

This association shall be known as the Student Bar Association of the University of North Carolina School of Law, hereinafter referred to as the SBA.

Article II: Purpose

It shall be the purpose of the SBA to promote the ideals and objectives of the University of North Carolina School of Law; to develop and further scholastic attainment; to promote understanding among the faculty, students and alumni; to coordinate the activities of the Law School community; to further professional and social interest; to cooperate with national, state, and local bar associations, and with other law schools through the Law Student Division of the American Bar Association; and to promote the general welfare of all students enrolled in the law school.

Article III: Membership

The voting members of the SBA shall be all students enrolled in the law school, including those temporarily absent while enrolled in combined degree programs recognized by the law school.

Article IV: Board of Governors

Section 1. The governing body of the SBA shall be the Board of Governors, which shall possess all powers that may be exercised by this association; provided that, during the months of May, June, July and August, the Executive Committee may jointly, or severally, exercise such administrative powers as are proper to carry out their duties and the affairs of the SBA.

Section 2.

- (a) The Board of Governors shall be composed of:
 - (i) The President, Vice President, Treasurer and Secretary of the SBA, such officers to constitute the Executive Committee of the Board of Governors.
 - (ii) Two elected representatives from each class.
 - (iii) The President of each class, as elected by each respective class.
 - (iv) A representative from the LLM class.

- (v) A Deputy Treasurer.
- (vi) A Parliamentarian.

(b) The quorum of this body shall be made up of two-thirds of the members of the Board of Governors. Decisions of the Board are to be by majority vote of the members present, unless otherwise noted by the SBA Constitution or SBA Bylaws.

(c) The Deputy Treasurer and Parliamentarian are appointed, and shall not have voting powers.

(d) Meetings of the Board shall be held at least two times a month.

(e) All meetings of the Board of Governors shall be open to attendance by members of the SBA and adequate notice of all meetings shall be given by the Secretary.

Section 3. The Board of Governors may establish ad hoc committees and subsidiary bodies not specifically provided for in this instrument which it deems to be necessary for the property operation of the SBA.

Section 4. By-Laws may be appended to this constitution by the Board of Governors to provide a reasonable framework within which the powers granted by this instrument may be exercised. Such by-laws may supplement any provision of this instrument to the extent that they are not inconsistent with the plain intent and language thereof.

Article V: Executive Functions; Qualifications

Section 1. The President of the SBA shall be responsible for the exercise of the executive and administrative powers and functions of the SBA and shall preside as its speaker. Provision shall be made by the President for the exercise of such functions during the summer sessions.

Section 2. Vice-President, Secretary and Treasurer of the SBA shall perform such executive functions as are provided for by this instrument and its by-laws. The Vice-President shall act in the absence of the President and shall succeed to the presidency should that office become vacant prior to the completion of a regular term of office.

Section 3. To be eligible for election to an executive office in the SBA, candidates must have a cumulative scholastic average of at least 2.5 and must have completed the following:

- (a) President: a minimum of three semesters at the time of election
- (b) Vice-President: a minimum of three semesters at the time of election

(c) Secretary: a minimum of one semester at the time of election

(d) Treasurer: a minimum of one semester at the time of election

For the purpose of computation, two summer terms shall constitute one semester

Article VI: Elections

Section 1. General Provisions. Elections to fill all offices provided herein shall be held annually in accordance with the by-laws. All voting shall be by secret ballot.

Section 2. First Year Class Elections. Elections for officers of the first year class shall be held in the fall.

Section 3. General Elections. Elections for all other offices shall be held in the spring.

Section 4. Where any member (or members) of the SBA Board of Governors, not including the SBA President, shall fail to serve, or for any reason ceases to serve in the office for which such officer shall have been elected prior to the completion of the term of office and before the end of the second week of the fall semester, a special election shall be held in conjunction with the First Year Elections as governed by the By-Laws, in order to fill the office (or offices). Where a Special Election shall be deemed impracticable, such election may be postponed by a two-thirds (2/3) vote by the SBA Board of Governors. Where a Special Election shall occur within 5 weeks of the General Election, such election may be dissolved by a two-thirds (2/3) vote by the SBA Board of Governors.

Section 5. Recall Elections

(a) A recall election for removal for any member of the Board of Governors Executive Committee may be ordered by a petition signed by twenty percent of the SBA members; removal from office shall be affirmed by two-thirds majority of those members voting in an ensuing election

(b) A recall election for removal of any class officer may be ordered by a petition signed by twenty percent of the members of such officer's class; removal from office shall be affirmed by a two-thirds majority of those members voting as an ensuing election.

(c) Notice of an upcoming recall election shall be posted no more than three school days following the submission of a petition meeting all of the above requirements. The recall election shall occur on a Tuesday, no less than five school days following posted notice of the election and no more than ten school days following posted notice of the election.

ARTICLE VII: Impeachments

An impeachment proceeding against any executive officer or class officer may be initiated by any member in good standing of the SBA by submitting a petition to the Board of Governors signed by no less than one-fifth of the members of the SBA, for an executive officer, or, for a class officer, no less than one-fifth of the members of such officer's class requesting that such proceeding be instituted. In the event, following submission of a proper petition, that any officer or member of the Board of Governors be deemed gravely delinquent in the conduct of the office or in the execution of the duties of the office by a vote of not less than two-thirds of the entire membership of the Board of Governors, that officer shall be given two days written notice of the charge, delivered personally to such officer by the Secretary, and that officer shall be given an opportunity to defend against the charge at a public hearing. After the public hearing has been conducted, or the opportunity therefore has been declined, the alleged delinquent may be deposed from office or membership on the Board of Governors by a second vote of not less than two-thirds of the entire membership of the Board of Governors.

ARTICLE VIII: Student Fees

With approval of the Board of Trustees and with approval by means of a law school referendum, the SBA Board of Governors shall determine or alter the Student Bar Association fees.

ARTICLE IX: Amendments

Section 1. Amendments may be proposed by:

- (a) Majority vote of the Board of Governors.
- (b) Initiative of ten percent of the members of the SBA in a petition addressed to the President of SBA.

Section 2. Amendments to this Constitution are effective when properly proposed under Art. X § 1 and affirmed by a two-thirds majority of the student body voting on the amendment.

--as amended, January 2018