

ELECTIONS CODE
STUDENT BAR ASSOCIATION
UNIVERSITY OF MISSISSIPPI SCHOOL OF LAW

Effective Date - March 1, 2018

I. Eligibility to Vote & Run for Office

- a) Everyone recognized by the Law School Registrar as a Law Student currently enrolled and seeking a Juris Doctor at the University of Mississippi School of Law may vote in a Student Bar Association (SBA) election, whether they have paid their annual SBA dues or not.
- b) There shall be two ballots in the SBA Spring Elections. All Law Students qualified to vote under Rule I(a) are eligible to vote in “Ballot 1.” Ballot 1 shall be an election for the SBA Executive Officers, Honor Council Chair, and any other position that is not class-specific. Third Year Law Students who are graduating in May are eligible to vote in the Ballot 1 elections.
- c) “Ballot 2” shall be an election for the SBA Senators, Honor Council Representatives, and Conduct Board Representatives. Because these positions are class-specific, only members of a specific academic class, as determined by the Law School Registrar, may vote to elect the Senators, Honor Council Representatives, and Conduct Board Representative for that class. As a result, Third Year Law Students who graduate before the next fall term will not vote in any Ballot 2 election.
- d) There shall be a “Fall Ballot” early in the Fall semester to elect First Year Law Students for the Senate and Honor Council positions for their class.
- e) Students who wish to run for any SBA position must meet the requirements set forth in the SBA Constitution, which may include a minimum GPA requirement and a minimum completed Law School credit hours requirement. In addition, every candidate for any SBA position must complete and timely submit an Elections Petition which will be supplied by the SBA Elections Commission.
- f) Any student serving as an Elections Commissioner is disqualified from running for any SBA elected position.
- g) No student may simultaneously hold a position in more than one branch of the SBA government, and as a result, no student may run for more than one branch of the SBA government on a single ballot. The branches are defined as follows:
 - 1) Executive: SBA President, Vice President, Social Chair, Treasurer, Attorney General, and Secretary. Other positions appointed by the SBA President, such as Intramural Sports Chair, Community Service Chair, Communications Director, Director of Student Organizations, Alumni-Relations Chair, and Chief

of Staff, are not members of the Executive branch for purposes of the elections rules.

- 2) Legislative: SBA Senators only. Students who serve in positions and on committees created by the SBA Senate, but who are not themselves members of the SBA Senate, are not members of the Legislative branch for purposes of the elections rules.
 - 3) Judicial: Honor Council Representatives, Honor Council Chair, and Conduct Board Representatives.
- h) As elections for the Executive branch plus the Honor Council Chair are on Ballot 1 and elections for the Legislative branch plus Honor Council Representatives and Conduct Board Representatives are on Ballot 2, candidates on Ballot 1 who are not elected may then be candidates on Ballot 2.

II. Interest Meetings & Elections Petitions

- a) All candidates for any SBA elected position on Ballot 1, Ballot 2, or the Fall Ballot shall attend **one** of the “Interest Meetings” held prior to the Ballot 1 election, or prior to the Fall Ballot for First Year Law Students. Candidates may choose to attend whichever meeting is most convenient for them. If a potential candidate has a compelling conflict which would prevent him or her from attending an Interest Meeting, he or she shall inform the SBA Elections Commission. The Elections Commission shall have the sole discretion in determining whether the candidate’s reason for not attending an Interest Meeting is sufficiently compelling to excuse his or her absence.
- b) Candidates shall declare at the Interest Meeting the SBA position(s) for which they plan to run.
- c) The Elections Commission shall explain the elections rules at the Interest Meeting and answer any questions regarding elections rules, election procedures, and the description and requirements of the SBA positions.
- d) The Elections Commission shall distribute Elections Petitions to the candidates and answer any questions regarding the completion and submission of the Elections Petitions. The format and requested content of the Elections Petitions shall be at the sole discretion of the Elections Commission, in compliance with Article IV of the SBA Constitution.
- e) Petitions shall be distributed only at an Interest Meeting and only to those in attendance.
 - 1) Except that the Elections Commission may distribute a petition to any candidate excused from the meetings under Rule II(a) above.
 - 2) Additionally, the Elections Commission may distribute a petition to any

candidate who was rightly in possession of an Elections Petition and subsequently misplaced the petition.

- 3) Additionally, the Elections Commission shall distribute, at the request of the candidate, a Ballot 2 Elections Petition to any candidate who fails to win election during Ballot 1. The former Ballot 1 candidate will then be a Ballot 2 candidate and must conform to all rules relating to Ballot 2 candidates.
- f) Elections Petitions must be completed and placed in the folder outside of the door to the SBA office or to the Chair of the Elections Commission no later than 5:00 p.m. on the date indicated by the Elections Commission. Late Elections Petitions **shall not** be accepted.

III. Campaigning Rules

- a) Unless otherwise stated below, all campaign rules apply to all Ballot 1, Ballot 2, and Fall Ballot candidates.
- b) Candidates may campaign only by word-of-mouth until the “Campaign Period” begins. Word-of-mouth campaigning is limited to verbal communication.
- c) The Campaign Period for each ballot shall begin when Elections Petitions for that ballot are due. The Campaign Period for each ballot shall end after a winner is declared for each open seat on that ballot. If a Runoff Election is necessary for any office on any ballot, the Campaign Period for any such office shall end after a winner is declared for each open seat on the ballot of the Runoff Election.
- d) Once the Campaign Period begins, the following rules shall apply:
 - 1) Candidates may use non-University of Mississippi internet sites to campaign. Acceptable uses of the internet include but are not limited to: blogs, Facebook communication, MySpace communication, Twitter communication, and other online social information sites. Candidates may not campaign on any webpage hosted on the Ole Miss Network, including but not limited to, student organizational web pages which have an olemiss.edu web address and student organization TWEN pages.
 - 2) Candidates may campaign via email, including Ole Miss Webmail. Except that candidates may not employ the use of University-established listservs to campaign. Prohibited listservs include, but are not limited to: Blackboard, TWEN, student organizational listservs established on the Ole Miss Network, and class-wide or school-wide listservs established on the Ole Miss Network. When campaigning via email, candidates should exercise discretion and due care to ensure they are not using a prohibited listserv. All questions regarding prohibited email listservs should be addressed to the Elections Commission.

- 3) Candidates may issue a letter of intent to declare their candidacy. The Elections Commission shall specify any limitations to letters of intent, such as maximum word count or page limit. Letters of intent must be completed and submitted before the Campaign Period begins, subject to approval by the Elections Commission. Letters of intent that are timely and properly submitted will then be distributed by the SBA President via the Ole Miss Webmail listserv.
- 4) Candidates eligible for a position on Ballot 1 may participate in a “Meet the Candidates” Forum, whereby each candidate is permitted to meet potential voters and distribute campaign flyers. All rules contained herein continue to apply at such event.
- 5) Candidates may use flyers to campaign, subject to the following limitations:
 - i. Flyers may not exceed 8.5 x 11 inches in size and must be made of standard paper.
 - ii. Flyers may not be self-adhesive and may be posted only with non-residue tape and must conform to the University of Mississippi School of Law [Sign Policy](#).
 - iii. “Posting” a flyer shall mean attaching a flyer to some location inside or on the Law School Building.
 - iv. The content of flyers may not specifically, generally, and/or personally attack any other candidate.
 - v. Flyers may be distributed to other Law Students; however, candidates are responsible for ensuring their flyers are not used by non-candidates in violation of any portion of this Elections Code. Law Students may affix flyers to their own personal property, but in no case may any Law Student affix a flyer to another student’s personal property without that student’s permission.
 - vi. Flyers may be attached to the outside of any student’s locker, provided a candidate receives the permission of the student renting the locker. There is no limit to the total number of flyers posted on lockers, except that a candidate is limited to posting one flyer per student locker.
 - vii. Candidates are responsible for their flyers and the effect they have on the appearance of the Law School; as such, any flyers discarded on the floor of the Law School by non-candidates should be collected by the candidate, as often as reasonably possible, and thrown away or reused by the candidate.
 - viii. If there is a bulletin board in use during the Campaign Period, candidates may post a total of two flyers on the board.

- ix. Flyers may not be posted anywhere in the Law School except for the places specifically listed above in subsections (vi) and (viii).
 - x. Candidates are responsible for the timely removal of all flyers from the Law School once the campaign period ends; the Elections Commission may specify a deadline for removal of all flyers.
 - xi. Candidates are not limited by cost, content, quality, or quantity in printing flyers, provided the flyers conform to the above rules.
- 6) Candidates may not distribute any physical campaign materials on the University Campus, except for flyers as limited above. Prohibited campaign materials include, but are not limited to, stickers, candy, food, balloons, or paper which do not conform to the requirements of flyers above.
 - 7) Candidates may word-of-mouth campaign on or off campus, subject to the specific prohibitions of this Elections Code.
 - 8) Candidates may not purchase food, purchase alcohol or other beverages, or host any social event for Law Students if such expenditures are intended to solicit the support and/or vote of law students. This rule applies both on and off campus.
 - 9) Candidates subject to Elections Commission action must comply with any such directives given pursuant to violations of any such campaign rule stated herein.
 - 10) Other campaigning activity not addressed in this Elections Code may be limited or prohibited at the discretion of the Elections Commission. The Elections Commission may issue advisory opinions in response to questions of candidates regarding campaigning rules, whether addressed in this Code or not.
- e) The Elections Commission has sole authority to interpret the meaning of the campaign rules stated herein.
 - f) Candidates are expected to adhere to the University of Mississippi School of Law's Student Conduct Code and Honor Code in addition to the campaign rules stated herein.

IV. Elections Forum

- a) The SBA shall host an "Elections Forum" immediately prior to the Ballot 1 elections. This forum will include a "Meet the Candidates."
- b) The Elections Forum shall be open to the entire Student Body. The SBA shall give notice of the Forum's location, time, date, and content to the Student Body no later than one week prior to the Forum.

- c) At the Elections Forum, the SBA shall explain any proposed SBA Constitutional Amendments and answer any questions about them. Additionally, each candidate for a Ballot 1 position shall be given a few minutes during which he or she can present a platform to the Student Body. Candidates may take questions from students in attendance after the presentation of his or her platform.

V. Election Day Procedures & Rules

- a) The Ballot 1 elections shall be held via The West Education Network (TWEN) website.
- b) Ballot 1 elections shall be conducted over one day: a Tuesday. If necessary, Runoff Elections shall be held on the Thursday immediately following the Tuesday of Ballot 1 elections.
- c) Any issues regarding technical support should be directed to either the SBA President or the Elections Commission immediately. If necessary—and deemed by the Elections Commission and SBA President to not unjustly prejudice any candidate—elections may be ended and restarted on the same date in order to correct any technical support issue.
- d) The Ballot 1 elections Polls shall be open from 8:00 a.m. until 5:00 p.m. on the scheduled Tuesday, and from 8:00 a.m. until 5:00 p.m. on the following Thursday in the event of a Runoff.
- e) The Ballot 2 elections shall be held via The West Education Network (TWEN) on the Tuesday immediately following the Tuesday of Ballot 1 elections.
- f) Ballot 2 elections shall be conducted on one day: a Tuesday. In the event of a Ballot 2 Runoff, Runoff Elections shall be held on the Thursday immediately following the Tuesday of Ballot 2 elections.
- g) The following rules apply to both Ballot 1 and Ballot 2 elections:
 - 1) In order to cast a ballot, a voting Law Student must access TWEN by using his or her Westlaw account.
 - 2) The Elections Commission shall certify and publish the results of the Elections, including the need for Runoffs. The results shall be emailed to the student body via a law school-wide listserv and may also be posted on the [SBA Website](#).
 - 3) The results of the election shall be archived in the election's TWEN page.
 - 4) A losing candidate may demand to view the TWEN website to verify the outcome of an election in which he or she ran. Such viewing will be conducted in the SBA office, or office of the Chair of the Elections Commission, if applicable, in the presence of the contesting candidate, all declared winners, the Elections Commission, and at least one Representative of the current Honor

Council. A losing candidate must request verification, in writing, within one week after the conclusion of the election. All requests for verification shall be submitted in writing by the contesting candidate to the SBA President, Elections Commission, and Honor Council Chair. In the event of a verification request, all results, voting tallies, or other election data not otherwise published to the student body shall be considered confidential and may not be disclosed by any party present at the verification.

- 5) In the event the verification requested by a contesting candidate reveals the ballots were counted and certified incorrectly, and but for the error the losing candidate would not have lost, the Elections Commission must (1) declare the contesting candidate the winner or (2) hold a special election between the contesting candidate and the candidate previously declared the winner. This decision is at the discretion of the Elections Commission, but such decision may be reviewed by the Honor Council at its discretion.

VI. Violations of the Elections Code

- a) Any Law Student may report a violation of the Elections Code to the Elections Commission. The Elections Commission shall have sole discretion in determining whether an Elections Code violation has occurred.
- b) If the Elections Commission determines that a violation of this Elections Code has occurred, the Elections Commission shall give written notice of the violation to the violating candidate(s).
- c) Violations of the Election Code are designative under either of two categories: Category A and Category B.
 - 1) Category A violations include, but are not limited to, violations pertaining to campaign flyers, social media, and prohibitions and limitations pertaining to campaigning outside of a candidate's Campaign Period.
 - 2) Category B violations include, but are not limited to, violations of proper use of email, Ole Miss platforms, solicitations within a candidate's Campaign Period, proper use of campaign expenditures, and failure to comply with a directive from any such Elections Commission action following violations under Category A.
- d) The Elections Commission may designate any violations of the SBA Elections Code under Category A or Category B that has not already been designated herein.
- e) The Elections Commission shall prescribe appropriate penalties pertaining to violations under Category A and Category B, and such penalties shall be reflective of the seriousness of each Category. These prescriptive penalties shall be maintained in writing and applied consistently. Such penalties may range from a directive to remedy the

violation(s) to a disqualification from an election, depending on the Category and seriousness of such violation(s).

- f) The Elections Commission at its discretion may resolve any violations under the SBA Elections Code in accordance with the collective judgment and past violations.
- g) Any candidate disqualified by the Elections Commission may immediately appeal this decision to the Honor Council. The Honor Council must review the decision to disqualify as soon as possible in order to ensure the elections need not be rescheduled; however, the Honor Council may conduct its review in whatever way it deems proper to ensure the prompt review of the decision to disqualify.

VII. Compliance with SBA Constitution

- a) At all times, the provisions within this SBA Elections Code shall be construed in harmony with the [SBA Constitution](#).
- b) In the event of a conflict or ambiguity between provisions in this Elections Code and the Constitution, the SBA Constitution shall control.

This Code was revised by the Elections Commission in Spring 2018, and the SBA Senate voted to approve all revisions on February 28, 2018.