

CONSTITUTION of the
STUDENT BAR ASSOCIATION at the
UNIVERSITY OF MISSISSIPPI SCHOOL OF LAW

Effective Date - September 19, 2017

We, the students of the University of Mississippi School of Law, in order to promote the general welfare of our student body, herein and hereby set forth the fundamental principles of student government for ourselves and our successors and ordain and establish this Constitution of the Student Bar Association at the University of Mississippi School of Law.

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I. About

A. Members of the Student Bar Association

1. All Law Students enrolled in the University of Mississippi School of Law (“Law School”) make up the general Student Body (“Student Body”) and may join as members of the Student Bar Association (“SBA”), upon registration and payment of annual fees as governed by Article III of this Constitution.

B. Members of the First Year Class

1. The First Year Class shall be composed of all Law Students who have completed less than twenty-eight (28) semester hours at this or any other school of law recognized by the Law School Administration (“Administration”).

C. Members of the Second Year Class

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1. The Second Year Class shall be composed of all Law Students who have completed more than twenty-seven (27), but less than fifty-eight (58) semester hours at this or any other school of law recognized by the Administration.

D. Members of the Third Year Class

1. The Third Year Class shall be composed of all Law Students who have completed at least fifty-eight (58) semester hours, but less than the number of hours required for graduation at this or any other school of law recognized by the Administration.

E. Other Students

1. Students who are enrolled at the Law School but are not seeking a Juris Doctor may be members of the Student Bar Association but they are not members of any Class described above and are ineligible to vote in any SBA election or run for any elected position.

II. Executive

A. Elected Positions

1. The Student Body shall elect officers to serve as President, Vice President, Secretary, Treasurer, Social Chair, and Attorney General. These individuals shall comprise the Executive Officers of the SBA.

B. Qualifications

1. The President:
 - a. Shall have completed at least twenty-nine (29) semester hours by the time of the election.
 - b. Shall have at least a 2.25 cumulative grade point average.
 - c. Shall be in residence at the Law School by enrolling in coursework that requires him or her to be in the Oxford-University area throughout the academic year in which he or she is to serve.
2. The Vice President:
 - a. Shall have completed at least twenty-nine (29) semester hours prior to taking office.
 - b. Shall have at least a 2.25 cumulative grade point average.

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- c. Shall be in residence at the Law School by enrolling in coursework that requires him or her to be in the Oxford-University area throughout the academic year in which he or she is to serve.
3. The Secretary:
 - a. Shall have completed at least twenty-nine (29) semester hours prior to taking office.
 - b. Shall have at least a 2.25 cumulative grade point average.
 - c. Shall be in residence at the Law School by enrolling in coursework that requires him or her to be in the Oxford-University area throughout the academic year in which he or she is to serve.
4. The Treasurer:
 - a. Shall have completed at least twenty-nine (29) semester hours prior to taking office.
 - b. Shall have at least a 2.25 cumulative grade point average.
 - c. Shall be in residence at the Law School by enrolling in coursework that requires him or her to be in the Oxford-University area throughout the academic year in which he or she is to serve.
5. The Social Chair:
 - a. Shall have completed at least twenty-nine (29) semester hours prior to taking office.
 - b. Shall have at least a 2.25 cumulative grade point average.
 - c. Shall be in residence at the Law School by enrolling in coursework that requires him or her to be in the Oxford-University area throughout the academic year in which he or she is to serve.
6. The Attorney General:
 - a. Shall have completed at least twenty-nine (29) semester hours prior to taking office.
 - b. Shall have at least a 2.25 cumulative grade point average.
 - c. Shall be in residence at the Law School by enrolling in coursework that requires him or her to be in the Oxford-University area throughout the academic year in which he or she is to serve.

C. Duties

1. The President:
 - a. Shall preside over meetings of the entire SBA, the Executive Officers, and the Cabinet.
 - b. May appoint any Law Student to any committee at his or her discretion, subject to Art. V, § D, which he or she deems necessary and proper for the functioning of student affairs.
 - c. Shall have the power to call meetings of the SBA.

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- d. Shall coordinate the proper administration and functioning of the SBA office.
 - e. May initiate, by and through a member of the SBA Senate, any bylaw, resolution, proposal, or Amendment to this Constitution which he or she deems necessary to carry out any matter properly of interest to the law school student body.
 - f. In the absence of a signature by the Treasurer, shall sign all checks drawn on SBA accounts.
2. The Vice President:
- a. In the case of any temporary absence of the President, shall perform the duties of the President.
 - b. Shall call a meeting of the SBA Senate once a month during the academic terms (September, October, November, January, February, March, April).
 - c. Shall be the presiding officer at all meetings of the SBA Senate.
 - d. Shall perform such other duties as are required of him or her by the President.
3. The Secretary:
- a. Shall keep a permanent record of the proceedings of all meetings of the SBA, Executive Officers, Cabinet, and Senate and of all matters deemed advisable by the President or the Senate.
 - c. Shall work with the leaders of all law student organizations to compile a master calendar of all events and meetings hosted by law student organizations throughout the year and shall publish such calendar to the Law School by way of one or more of the following:
 - i. Law School television monitors;
 - ii. Google calendar accessible through all go.olemiss.edu accounts;
 - iii. electronic calendar appearing on the [SBA website](#).
 - d. Shall issue notice of all meetings of the SBA and Senate.
 - e. Shall conduct the correspondence of the SBA and the Senate with the concurrence of the President.
 - f. Shall publish to the members of the student body the minutes of meetings of the SBA and of the Senate within two (2) working days of such meeting(s).
 - g. In case of temporary absence of both the President and Vice President, shall perform the duties of the President.
 - h. Shall perform such other duties as are required of him or her by the President.
4. The Treasurer:

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- a. Shall collect and disburse the funds of the SBA, and keep regular accounts which shall at all times be open to the inspection of any member of the SBA.
 - b. Shall publish to the members of the Student Body a bi-semester account of all funds collected, appropriated, and/or disbursed from or to the General Fund, Honor Council, and any and all other organizations, committees, or groups within the Law School after submitting the same to the SBA Senate for their approval.
 - c. In the case of any temporary absence of the Secretary, shall perform the duties of the Secretary, in addition to his or her own duties.
 - d. Shall have the power, at the direction of the President or Senate, to audit the financial records of any and all organizations, committees, or individuals who are the recipients of any funds appropriated from the SBA General Fund.
 - e. Shall perform such other duties as are required of him or her by the President.
5. Social Chair
- a. Shall be charged with the management, planning, production, and coordination of all social functions of the SBA.
 - b. Shall submit, at the beginning of each semester and/or as is deemed necessary and proper, an itemized budget to the Senate for the appropriation and disbursement of funds for all social functions.
 - c. Shall perform such other duties as will be required to comply with Article VI of this Constitution and as are required of him or her by the President.
6. Attorney General
- a. Upon request, shall give advisory opinions to the President and Senate in matters regarding this Constitution, the Elections Code, and Honor Code.
 - b. Shall serve as a liaison between the Executive Board and Honor Council.
 - c. Shall prosecute all violations of the Honor Code pursuant to Article VIII of this Constitution.

D. Terms of Office

1. The terms of office for the President, Vice President, Secretary, Treasurer, Social Chair, and Attorney General shall be one (1) year, beginning at the end of the Spring Semester and pursuant to the qualifications set forth in § B of this Article.
2. Elections for the offices set forth in § D(1) of this Article shall be held during the Spring Semester each year.
4. If the President is unable to be in the Oxford-University area during the Summer Session, the President may appoint another officer available for the Summer

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Session to fulfill his/her duties during that period. If an officer is unavailable, the President may appoint a member of the SBA who is available during the Summer Session and meets the qualifications set out in Article V, § A.

5. If the unexpired term is for more than one (1) semester, a special election shall be held for the vacant office.
6. If the vacancy occurs during the Summer Session, such vacancy shall be filled during the initial SBA Election held in the Fall Semester, or at such other time as deemed administratively necessary by the President.

III. Financial

A. Assessment of Annual Dues

1. There will be a yearly assessment levied against each Law Student who wishes to be a dues-paying member of the SBA, in an amount to be decided each year by officers of the SBA at the beginning of the Fall Semester. The payment of this amount shall entitle the Law Student to all rights and privileges of SBA members for one (1) academic year.

B. Standing Account to be Set Aside from General Fund

1. There shall be a standing account of one hundred (100) dollars, no more or less, assigned to the Honor Council from the General Fund.
2. Such fund shall not accumulate but shall at all times be available to the Honor Council for purposes consistent with the function and objectives of the Honor Council as set forth in Article VIII of this Constitution.
3. Such fund may be withdrawn only at the request of the Honor Council Chair, subject to the approval of the Senate.

C. Statement of Fiscal Policy

1. Funds received pursuant to § A of this Article should be used for the benefit of all members of SBA during the course of the academic year in which such funds are acquired, except for such amount of said fund as the SBA Senate deems necessary and proper for the efficient administration of SBA affairs. All money received pursuant to Article III, § A, not spent within the current school year shall be carried forward and kept in the SBA General Fund for the upcoming year.
2. In no case shall SBA funds be used for the sole benefit of one (1) or more Law Students to the exclusion of the remaining Student Body without a prior

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statement of the reasons for such expenditures, which shall be submitted to the Treasurer, subject to the approval of the Senate.

3. In each semester the Senate shall establish a budget in a meeting as early in the semester as practicable. All requests for funding of organizations, committees, or other recognized groups must be submitted in writing to the Senate, through the Treasurer, before the first day of the third month classes are in session.
4. The class composite shall be paid for each year out of the General Fund.
5. All money paid out of SBA funds toward payment of the Law School yearbook must be approved by the Senate.

IV. Elections

A. Elections Commission

1. Before the beginning of each academic year, the President shall appoint at least three (3) members of the Student Body to serve for that semester as Elections Commissioners. The term of the Elections Commission shall expire at the end of the academic year for which they are appointed.
2. The President shall appoint one (1) of the Elections Commissioners to serve as the Chair of the Elections Commission.
3. All appointments to the Elections Commission must be approved by the Senate.
4. No person shall serve on the Elections Commission if he or she is a candidate for any office, nor shall any relative of any candidate serve in any capacity on or for the Elections Commission.
5. The Elections Commission shall not be composed entirely of Law Students from one Class, but no First Years may be appointed to the Elections Commission during the Fall Semester.
6. The Elections Commission shall conduct and oversee all elections for positions governed by this Constitution.
7. The duties of the Elections Commission are as follows:
 - a. Set the date of elections and the last date and time for filing petitions;
 - b. Post notice of the date of elections and the last date and time for filing petitions for candidacy;
 - c. Accept and verify positions for candidacy;
 - d. Insure that all candidates possess the qualifications for their respective office;
 - e. Prepare the ballot or ballots to be used in the election; and
 - f. Tally the votes and certify the results of the election.

B. Petitions for Candidacy

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1. All candidates for any office governed by this Constitution shall submit a petition for candidacy to the Election Commission. Such petition must be submitted on or before the last date and time set by the Commission for the filing of such petition.
2. All petitions for candidacy shall contain at least ten (10) signatures of current Law Students.
3. Failure to file a petition for candidacy within the time set by the Election Commission shall render a candidate ineligible to have his or her name appear on the ballot.

C. Election Procedures

1. All elections for positions under this Constitution shall be governed by the Elections Code.
2. No elections shall be held until notice of such election has been posted in a prominent place in the Law School or communicated to the Student Body electronically for at least three (3) full class days.
3. All elections shall be conducted by secret ballot.
4. A majority of the votes cast is required for the election of positions governed by Article II of this Constitution (President, Vice President, Secretary, Treasurer, Social Chair, Attorney General, and Honor Council Chair). If no candidate for one of these offices receives a majority in an election, a run-off election between the two (2) candidates receiving the most votes shall be conducted not later than the fifth (5th) class day following the regular election.
5. Law Students need not be dues-paying members of the SBA in order to cast a vote in any SBA election or run for any SBA position.
6. No Law Student may run for more than one (1) position during a single election. Specifically, a candidate for an Executive Officer position may not run for another Executive Officer position simultaneously. A Law Student may not run for a Senate position and Honor Council position simultaneously.
 - a. A Law Student who does not win an Executive Officer position, however, may run for a Senate or Honor Council position in the next election.
7. The election procedures for SBA Senate and Honor Council elections shall be governed by Articles V and VIII of this Constitution.

D. Eligibility to Vote

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1. All Law Students pursuing a Juris Doctor from the University of Mississippi School of Law have the right to vote in SBA elections while they are enrolled, regardless of whether they are dues-paying members of the SBA.

V. Senate

A. Composition & Eligibility

1. The SBA Senate shall be composed of nine (9) Senators. Three (3) Senators shall be elected from the First Year Class at the beginning of the Fall Semester. Senators for the Second Year and Third Year Classes shall be elected in the Spring Semester prior to the academic year in which they will serve. The Senators shall serve for the Fall and Spring Semesters.
2. No person, with the exception of members of the First Year Class in the Fall Semester, shall be eligible for the office of Senator unless he or she possesses a cumulative grade point average of at least 2.25 and is in residence at the Law School, enrolled in coursework that requires him or her to be in the Oxford-University area throughout the academic year in which he or she is to serve.. A Senator must be a Student at the Law School and a member of the Class from which he or she is elected.
3. Each Student may cast votes for up to three (3) candidates for Senator on the ballot for his or her Class.
4. The three (3) candidates receiving the highest number of votes in each Class will be elected.
5. In the event that there is a tie among the candidates receiving the third most votes for Senator, there shall be a run-off election between the tying candidates.

B. Organization & Voting

1. The SBA Vice President or President Pro Tempore shall be the presiding officer of the Senate, but he or she shall vote only in case of a tie.
2. The Senate shall, at the first regular meeting of the Fall Semester, elect one (1) of their number to serve as President Pro Tempore of the Senate, who shall preside over the meetings at which the SBA Vice President is absent or otherwise unable to preside. Where the SBA Vice President is present and serving at Senate meetings, the President Pro Tempore shall not be considered as serving in that capacity for the purposes of voting.
3. Pursuant to section 4.12(b) of the University of Mississippi Honor Code, the Vice President shall, at the first regular meeting of the Fall Semester, nominate one (1) Senator to serve as a voting member of the Honor Council Hearing Panel

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in the case of a recusal of a member of the Hearing Panel. The Vice President's nomination must be approved by two-thirds of the Senate.

4. A quorum of six (6) Senators must be present at any Senate meeting before any matter may be considered. All matters coming before the Senate for action must be passed by no less than a majority vote of the quorum, with the exception of funds appropriation, which shall require the approval of no less than six (6) Senators, in accordance with § D(9) of this Article.
5. Officers of the SBA, excluding the President Pro Tempore when not serving in such capacity, shall not vote on any matters coming before the Senate. In the event of a tie, voting on a matter before the Senate shall be carried out in accordance with § B(1)-(2) of this Article.

C. Meetings

1. The Senate shall meet at least once a month but may be convened at any time at the direction of the SBA President or upon concurrence of at least three (3) members of the Senate.
2. Notice of the place, date, and time of any Senate meeting shall be posted by the President, Vice President, or Secretary at least two (2) days prior to such meeting by way of one or more of the following:
 - a. Law School television monitors;
 - b. Google calendar accessible through all go.olemiss.edu accounts;
 - c. electronic calendar appearing on the [SBA website](#).
3. All meetings of the Senate must be open to the Student Body, but may be closed to other persons upon concurrence of a majority of the quorum present.

D. Powers & Duties

1. The SBA Senate has the power and duty to do all of the following:
 - a. Approve all appointments made by the SBA President, including Cabinet Members governed by Article VII;
 - b. Approve all appointments made by the ABA-LSD (American Bar Association-Law School Division) Representative;
 - c. Approve the Financial Reports of the SBA Treasurer;
 - d. Initiate recommendations for action to the SBA President and other SBA Officers and Committees.
 - e. Initiate Amendments to this Constitution for the approval by the Student Body.
2. Senators shall be the officers of their respective Classes and may convene and preside over Class meetings, provided there is at least two (2) days' notice of the date, time, and place of the Class meeting.

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3. The Senate shall have the power to make any and all by-laws and resolutions in the name of the Student Bar Association on any issue which would properly concern the Law Students at the University of Mississippi School of Law.

E. Waiver

1. No powers or duties enumerated herein may be waived except that the SBA Senate may, by majority vote of a quorum present, waive the approval of specific appointments pursuant to § D(1)(a)-(b) of this Article.

VI. Social

A. Social Chair & Committee

1. The Student Body shall elect the Social Chair, who shall serve a term of one (1) year.
2. The Social Chair may appoint up to six (6) Law Students to serve as members of the Social Committee, subject to majority approval of the Senate.

B. Powers & Duties

1. The Social Chair and Committee shall be responsible for planning, production, and coordination of social functions of the SBA.
2. Each semester, or at such interval as may be deemed required by the Senate, the Social Chair shall present a proposed social event calendar and budget to the Senate, which shall have final authority over the appropriation and disbursement of such funds.

VII. Cabinet

A. Appointments

1. Each year, the SBA President may appoint Law Students from the Second Year and Third Year Classes to serve on the President's Cabinet.
2. All appointments to the President's Cabinet must be approved by the Senate at the beginning of the academic year during which the Cabinet members will serve.
3. No Law Student may be appointed to the President's Cabinet if he or she will concurrently serve as an Executive Officer, Senator, or Honor Council Representative.

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4. The members of the Cabinet shall serve for the term during which the appointing President shall serve, and Cabinet appointments shall expire at such time when a new SBA President takes office.

B. Powers & Duties

1. The members of the Cabinet shall have the power and duty to plan events, request funds, and carry out other responsibilities associated with their respective Cabinet position.
2. The Senate shall have final authority over the appropriation and disbursement of funds requested by a Cabinet member.
3. The members of the Cabinet shall perform such other duties as are required by the SBA President.

VIII. Honor Council

A. Composition & Elections

1. The Honor Council shall be governed by the Honor Code of the University of Mississippi School of Law, and at all times the current version of the Honor Code will be controlling if in conflict with this Constitution.
2. The Honor Council shall be composed of nine (9) Honor Council Representatives and the Honor Council Chair.
 - a. Three (3) Honor Council Representatives shall be elected from the First Year Class at the beginning of the Fall Semester. Honor Council Representatives for the Second Year and Third Year Classes shall be elected in the Spring Semester prior to the academic year in which they will serve. The Honor Council Representatives shall serve for the Fall and Spring Semesters.
 - b. The Honor Council Chair, while not a member of the Executive Officers, shall be elected by the entire Student Body in the same election as the Executive Officers each Spring Semester, pursuant to Article IV of this Constitution. The Honor Council Chair shall serve a term of one (1) year, beginning at the end of the Spring Semester in which they are elected.
 - i. To be eligible to run for the office of Honor Council Chair, a candidate must have completed at least twenty-nine (29) semester hours by the time of the election, have at least a 2.25 cumulative grade point average, and be in residence at the Law School by enrolling in coursework that requires him or her to be in the Oxford-University area throughout the academic year in which he or she is to serve.

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3. No person, with the exception of members of the First Year Class in the Fall Semester, shall be eligible for the office of Honor Council Representatives unless he or she possesses a cumulative grade point average of at least 2.25 and is in residence at the Law School, enrolled in coursework that requires him or her to be in the Oxford-University area throughout the academic year in which he or she is to serve. An Honor Council Representative must be a Law Student and a member of the Class from which he or she is elected.
 4. Each Student may cast votes for up to three (3) candidates for Honor Council Representative on the ballot for his or her Class.
 5. The three (3) candidates for Honor Council Representative receiving the highest number of votes in each Class will be elected.
 6. In the event that there is a tie among the candidates receiving the third most votes for Honor Council Representative, there shall be a run-off election between the tying candidates.
- B. As the Honor Council Representatives, Honor Council Chair, and Attorney General are charged with upholding and enforcing the Honor Code of the University of the Mississippi School of Law without bias, the following shall be eligibility requirements for any candidate running for Honor Council Representative, Honor Council Chair, or Attorney General:
1. Shall not have been previously found guilty of an Honor Code violation by the Honor Council hearing panel after a full evidentiary hearing.
 2. Shall not have previously entered into an Alternative Agreement with the Honor Council pursuant to the Honor Code, unless the Honor Council specifically waives this eligibility requirement for an individual seeking one of the positions specified above.

IX. Amendments

A. Generally

1. This Article shall govern the procedures for amending and revising this Constitution. These procedures afford any Law Student the opportunity to initiate an Amendment to this Constitution, pursuant to the procedures outlined below: by petition or through the Senate.
2. Any Law Student initiating an Amendment to this Constitution must be enrolled in the Law School at the time such Amendment is proposed and voted on.

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3. Any signatories to such a proposed Amendment must be enrolled in the Law School at the time of their signature. Enrolled means registered and attending classes.
4. Any Amendment to this Constitution shall apply prospectively from the date such Amendment is adopted.

B. Amendment by Petition

1. The name, signature, and Class of the Law Student(s) initiating the Amendment by petition process must appear directly following the text of the proposed Amendment.
2. The proposed Amendment must include as an attachment thereto the reason(s) or justification for the adoption of the proposed Amendment. The attachment must also bear the name, Class, and signature of the person(s) initiating the proposed Amendment.
3. The proposed Amendment must be signed by no fewer than seventy-five (75) Law Students enrolled at the Law School.
4. By his or her signature, each signatory shall warrant that he or she has read and agrees with all of the terms, qualifications, and consequences of the proposed Amendment.
5. The proposed Amendment shall be submitted to the Honor Council.
 - a. The Honor Council shall first review the proposed Amendment for technical compliance with the requirements of § B(1)-(3) of this Article, as well as for any material contradictions with other, non-amended, provisions of this Constitution.
 - b. If any technical deficiencies or material contradictions are noted, the proposed Amendment shall be returned to the initiators for correction of the technical deficiency and/or further amendment to correct material contradictions.
 - c. During its review, the Honor Council shall not engage in evaluation of the substantive merits of the proposed Amendment, limiting the scope of its review to the requirements and procedures outlined in this Article.
 - d. If the author of the proposed Amendment is a member of the Honor Council, he or she must recuse himself or herself from the review process.

C. Amendment by Senate

1. The name, signature, and Class of the Senator(s) sponsoring the Amendment must appear directly following the text of the proposed Amendment.

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2. The proposed Amendment must include as an attachment thereto the reason(s) or justification for the adoption of the proposed Amendment. The attachment must also bear the name, signature, and Class of the Senator(s) sponsoring the proposed Amendment.
3. The proposed Amendment shall be submitted to the Senate.
 - a. The Senate shall first review the proposed Amendment for technical compliance with the requirements of § C(1)-(2) of this Article, as well as for any material contradictions with other, non-amended, provisions of this Constitution.
 - b. If any technical deficiencies or material contradictions are noted, the proposed Amendment shall be returned to the sponsoring Senator(s) for correction of the technical deficiency and/or further revision to correct material contradictions.
 - c. After reviewed for technical compliance and/or material contradiction, the Senate shall vote on the proposed Amendment. For any proposed Amendment to be presented to the Student Body for a vote, two-thirds (2/3) of the Senate must affirm it.
 - d. The sponsoring Senator(s) must recuse himself or herself from the Senate's technical review and any debate on whether or not to present the proposed Amendment to the Student Body. The sponsoring Senator(s) may vote on whether or not to present the proposed Amendment to the Student Body.

D. Affirmation/Ratification

1. After the proposed Amendment has either been found to be technically compliant by the Honor Council, pursuant to § B of this Article, or has been approved by the Senate, pursuant to § C of this Article, the Honor Council or the Senate, respectively, shall submit the proposed Amendment to the Election Commission who shall, in compliance with Article IV of this Constitution, set a date for the Proposed Amendment to be voted on by the Student Body.
2. The date of the ratification/affirmation vote shall be on or before the next SBA Election after the procedures set out in §§ B and C of this Article have been followed.
3. A copy of the proposed Amendment and any attachments shall be published to all Law Students at least three (3) days before the scheduled vote.
4. For a proposed Amendment to be adopted and incorporated into this Constitution, two-thirds (2/3) of the voting Student Body must vote to ratify/affirm it.

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THEREFORE, this Constitution, as written and adopted, succeeds the Law School Student Body Constitution last amended March 29, 2012. This Constitution will take effect beginning September 19, 2017, and its provisions shall not apply retroactively. The policies, traditions, and customs of the Law School Student Body shall continue under the Student Bar Association, to the extent they do not conflict with the principles set forth in this Constitution.