

This resolution has not been approved by the House of Delegates, Board of Governors, the Law Student Division Board of Governors and, until approved, does not constitute the policy of the American Bar Association/Law Student Division.

No. 10/08-02

**AMERICAN BAR ASSOCIATION
LAW STUDENT DIVISION
ASSEMBLY**

**RESOLUTION
TO UPDATE THE BYLAWS TO CONFORM TO
CURRENT DIVISION PRACTICES**

RECOMMENDATION

BE IT RESOLVED, that the Board of Governors of the Law Student Division adopts the following updates to the ABA Law Student Division Bylaws.

REPORT

A special bylaws committee was established and chaired by Division Secretary-Treasurer, Mark Pascua to review the Division bylaws and to propose, as appropriate, revisions to the bylaws. The committee presented a revision of the bylaws, which were discussed and approved by the Division's Board of Governors, on Saturday, March 20, 2010.

The proposed revisions to the bylaws reorganizes information for clarity, modernizes the language of the current Division bylaws without changing its meaning, and updates the bylaws to reflect current leadership positions and Division practices.

Attached is the redlined version of the bylaw updates. To facilitate your review of the attached revisions, below is a summary of each of the proposed changes:

- 1). In Article 1, the Bylaws Committee drafted §§ 1.1 and 1.2 to be more concise. Referencing diversity without particularity in § 1.2 is more consistent with the Division's current purpose.
- 2). The Bylaws Committee reorganized Article 2 for clarity so law students can easily determine whether or not they are members in good standing of the Division. Amendments in §§ 2.3 and 2.4 fill in gaps or gray areas not addressed in the current version of the Bylaws regarding membership status.
- 3). In Article 3, the Bylaws Committee reorganized the basic terms and provisions related to law schools to achieve better flow and readability.
- 4). Article 4 now describes the correct frequency of circuit meetings and supplements the current Bylaws with current practices. Bylaws regarding duties, term, election, vacancy, induction, etc., are now organized by leadership position throughout the Bylaws. The Bylaws Committee felt that this new format improves readability and properly acknowledges the differences between each leadership position. Any additional language not found in the current Bylaws states current Division practices.
- 5). The Bylaws Committee reorganized Articles 5 and 6 for clarity.
- 6). Article 7 combines current Articles 7 and 8. Under the new organization method by leadership position, the Bylaws could be simplified under the general category of "Officers." The updated Bylaws address a concern that it would be too confusing to seek explanations of officers under two separate Articles when consolidation makes it clear and concise. As stated above, organization by leadership position improves readability and allows for proper recognition of specific differences for each leader. Additional language under duties state current Division practices formerly not included in the Bylaws. An accurate description of the officers' responsibilities promotes transparency and

accountability for Division leadership. Finally, the position of Division Representative to the ABA Board of Governors was added, and the description of the Division Delegates was moved to this section.

- 7). In Article 8, the Bylaws Committee created a separate article for removal. The language and order is the same as in the current Bylaws, but sections were added to enable easy reference.
- 8). Liaison positions are appointed leadership positions versus the officer, delegate and governor positions which are elected leadership positions. As such, liaisons require a separate section which remains as Article 9.
- 9). Article 10 consolidates current Articles 10 and 11 because having a separate article for "Meetings" and "Annual Meeting" was redundant. The language remains in large part the same and the Annual Meeting committee descriptions were moved from the article on committees because the Bylaws Committee felt that it fit better. Having the Annual Meeting committees described near the standing committees would be more confusing than having it under the article on Annual Meeting.
- 10). Articles 11, 12 and 13 are original Articles 12, 13 and 14. Other than the shift of Annual Meeting committees to Article 10, the language remains basically the same.
- 11). Original Articles 14, 15 and 16 are now Articles 13, 14 and 15, respectively. The only updates in these sections were the additions of the word "Division" to modify "Board of Governors" as done throughout the updated Bylaws for consistency.

FINANCIAL REPORT

The adoption of this resolution will not entail a financial expense to the Division.

Respectfully Submitted,



Mark B. Pascua, Secretary-Treasurer
Chair, Bylaws Committee
ABA Law Student Division
Rutgers School of Law – Camden
Third Circuit
(215) 429-8751
Mark.Pascua@gmail.com

(Additions are underlined; deletions are crossed out. A copy of the original Bylaws is attached.)

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LAW STUDENT DIVISION BYLAWS

Article 1 General Provisions

§ 1.1 Name

This division of the American Bar Association ("the Association") is named the Law Student Division ("the Division").

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§ 1.2 Purposes

The purposes of the Division are the purposes of the Association, and further to represent law students in the Association and to represent the Association to law students; to help shape the policies and priorities that affect legal education; and to create a deliberative forum for the exchange and expression of law student views and a voice to advocate those views; and to promote diversity and equal opportunity within the profession.

§ 1.3 Status

The Division is a constituent of the Association whose Constitution and Bylaws and action taken under their authority supersedes and controls these Bylaws and action taken under their authority.

§ 1.4 Authority

These Bylaws and action taken under their authority that is not inconsistent with the Association's Constitution and Bylaws and action taken under their authority are the basis for the conduct of all business in the Division. The Assembly or the Board of Governors may make rules or adopt policies and procedures that supplement these Bylaws. Any action by the Division must be approved by the House of Delegates or the Association's Board of Governors before the action can be effective as the action of the Association.

§ 1.5 Antidiscrimination

The Division shall not discriminate on the basis of ancestry, color, or race; cultural or ethnic background; economic disadvantage; ideological, philosophical, or political belief or affiliation; marital or parental status; national or regional origin; physical disability; religion, or religious or denominational affiliation; sex; sexual orientation; or age. The Division shall not encourage or condone discrimination, either implicitly or explicitly, and shall actively discourage discrimination on any such basis.

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Article 2 Membership

§ 2.1 Eligibility

The membership of the Division consists of those members who are enrolled in law schools, paying dues as provided for in this Article.

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§ 2.2 Dues

The Association shall prescribe dues on the recommendation of the Assembly or the Division Board of Governors.

§ 2.3 Term

A membership shall continue through the end of August in each year in which the member is eligible to join and has paid dues even if he or she graduates from law school. Law school graduates who are members remain members of the Division until they are admitted to the bar or eighteen (18) months have passed, whichever occurs first.

§ 2.4 Termination

Any member of the Division whose dues are more than six months past due shall cease to be a member of the Division.

§ 2.5 Good Standing

A member enjoys good standing if he or she has paid Division dues in full for the current year.

Article 3
Law Schools

§ 3.1 Law Student and Law School

- (a) A "law student" means a candidate who is, or will be for at least part of the school year, in residence for their first professional law degree.
- (b) A "law school" or "school" means a law school currently accredited or provisionally accredited by the Association.
- (c) Independent Campuses. Upon the request of a law school, the Division may recognize substantially independent campuses of a law school as separate law schools for the purposes of the Division.
- (d) A law school loses its representation and each member at the law school loses his or her membership in the Division if the Association withdraws the law school's accreditation.

§ 3.2 Student Bar Associations

- (a) A student bar association ("SBA") means the student government of a law school by any name.
- (b) The participation of a student bar association in the Division is voluntary. The Division does not bind or subject a student bar association to an obligation it does not voluntarily assume. As a condition of participation, however, a student bar association must comply with the Bylaws and the rules, policies, and procedures that supplement them to the extent that they concern the school's representation in the circuit and the Assembly.

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§ 3.3 ABA Representative

(a) The student bar association shall provide for the election or appointment from each law school of an ABA representative. The ABA representative shall represent the Division to the school and vice versa and shall perform such other duties as the Assembly, the Board of Governors, the circuit, or the circuit governor prescribes.
(b) Each law school may organize a chapter, subject to such rules as the Assembly or the Board of Governors prescribes, which the ABA representative shall chair. The student bar association may prescribe the chapter's relationship with the student bar association.

§ 3.4 Representation

Each law school may send two delegates, one the SBA president, or his or her proxy, and the other the ABA representative, or his or her proxy, to its circuit meetings and the Assembly. The Assembly or the Division Board of Governors may regulate voting by proxy. Only a member in good standing is eligible to be a delegate.

Article 4
Circuits

§ 4.1 Geographical Composition

The administrative units of the Division are circuits. The Division shall organize the law schools into circuits as follows:

- First** Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont
- Second** New York
- Third** Delaware, Maryland, New Jersey, and Pennsylvania
- Fourth** North Carolina, South Carolina, Virginia (except George Mason University), and West Virginia
- Fifth** Alabama, Florida, Georgia, Mississippi, Puerto Rico, and Tennessee
- Sixth** Kentucky, Michigan, and Ohio
- Seventh** Illinois, Indiana, and Wisconsin
- Eighth** Iowa, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota
- Ninth** Southern California and Hawaii
- Tenth** Arkansas, Kansas, and Oklahoma
- Eleventh** District of Columbia and George Mason University
- Twelfth** Alaska, Idaho, Montana, Oregon, and Washington
- Thirteenth** Louisiana and Texas
- Fourteenth** Northern California and Nevada
- Fifteenth** Arizona, Colorado, New Mexico, Utah, and Wyoming

§ 4.2 Meetings

§ 4.2.1 Composition. The voting membership of a circuit is composed of the SBA president and ABA representative from each of the law schools within the Circuit.

§ 4.2.2 When required. Each circuit shall meet three times a year—a fall roundtable in September or October, a spring conference and annual election meeting in February or March, and a summer caucus during the Annual Meeting.

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§ 4.2.3 Notice. The Circuit Governor shall notify in writing each of the voting membership of the circuit at least ten days before a meeting, except meetings at the Annual Meeting.

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§ 4.2.4 Quorum. The delegates present at such a meeting shall constitute a quorum.

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§ 4.3 Circuit Rules

Each circuit may, subject to review by the Assembly or the Board of Governors, make rules or adopt policies and procedures for the conduct of its business that are not inconsistent with these Bylaws or action taken under their authority.

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§ 4.4 Circuit Governor

§ 4.4.1 Duties. Each Circuit Governor shall—

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- (a) promote the Division programs, activities, and competitions to circuit members;
- (b) oversee ABA Law Student Division regional activities at every ABA-approved law school within the circuit;
- (c) represent the interests and communicate the needs of law students attending the ABA-approved law schools in circuit to the Division;
- (d) communicate to circuit members information about the national concerns, interests and activities of the Division's Board of Governors, Division programs, activities, leadership positions, and encourage participation in the same;
- (e) develop a plan of action for the Circuit to include public interest initiatives, programming, and membership outreach;
- (f) select a cabinet of Lieutenant Governors to implement a Circuit plan of action;
- (g) have the power to create and appoint any necessary office or committee unless the circuit prescribes otherwise;
- (h) communicate regularly with ABA Representatives, SBA Presidents, and Liaisons at each law school in the circuit;
- (i) plan and develop programming, training, and social activities for the Fall and Spring circuit meetings;
- (j) facilitate communications among circuit members; and
- (k) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

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§ 4.4.2 Term. The term of a circuit governor begins at the Spring meeting of the Division Board of Governors and ends at the next Spring meeting of the Division Board of Governors.

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§ 4.4.3 Election. The members of the Assembly of the law schools within a given circuit shall elect a Circuit Governor—

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- (a) at the annual election meeting to serve the next term; and
- (b) upon a vacancy in the office of circuit governor, to assume office immediately and serve the remainder of the vacated term.

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§ 4.4.4 Vacancy. The Assembly of the law schools within a given Circuit shall declare who shall act as circuit governor if the office is vacant, until a circuit governor is elected to fill the vacancy.

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**Article 5
Assembly**

§ 5.1 Function

The highest policymaking body is the Assembly, which may act on behalf of the Division in any matter.

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§ 5.2 Composition and Voting

§ 5.2.1 Voting Membership. The voting membership of the Assembly is composed of the two delegates from each school—

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(a) the SBA president, and

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(b) the ABA representative.

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§ 5.2.2 Non-Voting Membership. The nonvoting membership of the Assembly is composed of—(a) the members of the Division Board of Governors; and (b) the Division Liaisons to ABA entities.

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§ 5.2.3 Voting. The Assembly may provide for proxy voting in the Assembly and at meetings of the voting membership of the Circuits, uniform throughout the Circuits.

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§ 5.2.4 Duty to Attend. A member of the Assembly shall attend or designate a proxy to attend and vote on behalf of the member.

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§ 5.3 Meetings

The Assembly shall meet during the Annual Meeting and at a time designated by the Chair or the Division Board of Governors. The Resolutions Committee shall prescribe the order of business.

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§ 5.4 Division Board of Governors

The Division Board of Governors is the administrative agency of the Assembly. The Board shall draft and submit for consideration the standing rules and shall correct and approve the minutes of the Assembly.

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**Article 6
Board of Governors**

§ 6.1 Function

The general executive and administrative authority resides in the Board of Governors. Between meetings of the Assembly, the Board of Governors may perform, consistent with the action taken by the Assembly during the last three Annual meetings, the functions the Assembly itself may perform except--(a) electing any officer of whom the election is vested in the Assembly; (b) amending these bylaws.

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§ 6.2 Composition and Voting

§ 6.2.1 Voting membership. The Board shall consist of the—

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(a) Chair;

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- (b) Vice Chair;
- (c) Vice Chair-SBA;
- (d) Secretary-Treasurer;
- (e) Division Delegates;
- (f) Division Representative to the Association Board of Governors;
- (g) Circuit Governors.

§ 6.2.2 Non-voting membership. The national officers-elect and division delegate-elect shall be nonvoting members. The Division Board of Governors may create other nonvoting memberships provided that the cost of all such memberships does not exceed that of four voting memberships.

§ 6.2.3 The Chair shall preside and the Secretary-Treasurer shall record the proceedings.

§ 6.3 Meetings

- (a) The Division Board of Governors shall meet three times a year during the Annual Meeting, in the fall, and in the spring at the call of the Chair. The Board shall otherwise meet as ordered by a majority of its membership.
- (b) The Division Board of Governors may provide for voting by mail, e-mail, telephone, or proxy. A Board member may only proxy his or her vote to another voting Board member.

**Article 7
Officers**

§ 7.1 Officer Defined

For the purposes of this article, and throughout the Bylaws unless the context suggests otherwise:

- (a) An "office" means one that is created by these Bylaws, by the Assembly or the Board of Governors, or by a circuit, or that is created by or under the authority of such an office.
- (b) An "officer" includes both the incumbent and any successor already elected.
- (c) An "officer" includes a school representative but not a SBA president.

§ 7.2 National Officer Defined

- (a) The national officers shall be Chair; Vice Chair; Vice-Chair for Student Bar Associations ("Vice Chair-SBA"), and Secretary-Treasurer.
- (b) The national officers shall be the executive committee of the Board of Governors and shall have general supervision of the Division's affairs between the Board's meetings. They shall perform such duties as the Assembly, the Division Board of Governors, or the Chair prescribes.
- (c) The national officers shall work with the Director to implement and oversee the programs that the Assembly or the Division Board of Governors has approved. The Director shall be a professional employee of the Association appointed by the Association. The Director shall supervise the staff that supports the Division and shall perform such other duties as the Association or the Division's Assembly or Board of Governors prescribes.

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§ 7.3 Qualifications

A member is eligible for an office only if, at the beginning of the term of office, he or she—
(1) enjoys good standing as a member;
(2) will be a law student during the term;
(3) has not received his or her first degree in law;
(4) enjoys good academic standing according to his or her school;
(5) has never been removed from office; and
(6) meets each other qualification for the office that the Assembly or the Division Board of Governors has prescribed.

The Assembly or the Board of Governors may prospectively and generally prescribe that an incumbent of a certain office is ineligible for another certain office or offices during all or part of his or her term, provided that no officer's tenure shall be thereby affected in any office to which he or she has already been elected, appointed, or nominated.

§ 7.4 Chair

§ 7.4.1 Chief Executive. The chief executive, administrative, and presiding officer is the Chair.

§ 7.4.2 Duties. The Chair shall—

- (a) call, subject to the directions and approval of the Assembly, and preside at meetings of the membership of the Division, the Assembly, and the Division Board of Governors or appoint a chair pro tempore;
- (b) coordinate and oversee the work of each officer and committee;
- (c) enforce and interpret, subject to review by the Assembly or the Division Board of Governors, these bylaws and implement each vote of the Assembly or the Board of Governors;
- (d) in the absence of the Vice Chair-SBA, preside at meetings of the presidents of the Student Bar Associations;
- (e) appoint the Chairs and members of all committees of the Division who are to hold office during the Association year, except as otherwise provided by the Assembly;
- (f) work with the National Officers and Division Director to implement and oversee the activities of the Division, subject to the directions and approval of the Assembly;
- (g) represent the Division and serve as the Division's official spokesperson;
- (h) undertake or delegate any responsibility not otherwise provided for;
- (i) keep the Assembly informed of the activities of the Division; and
- (j) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

§ 7.4.3 Term. The term of a Chair begins at the adjournment of the Annual Meeting and ends at the adjournment of the next Annual Meeting.

§ 7.4.4 Induction. The Chair-Elect becomes the Chair—

- (a) upon the beginning of the next term; or
- (b) upon a vacancy in the office of the Chair.

§ 7.4.5 Vacancy. The Assembly or the Board of Governors shall define when a vacancy shall occur and prescribe how such a vacancy shall be filled. If the offices of the chair and chair-elect are vacant—

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- (a) the Division Board of Governors shall elect a Chair to assume office immediately and serve the remainder of the vacated term; and
- (b) the Vice Chair shall act as Chair until a Chair is elected to fill the vacancy.

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§ 7.5 Chair-Elect

§ 7.5.1 Duties. The Chair-Elect shall—

- (a) aid the Chair in the performance of the responsibilities of the Chair in such a manner and to such extent as the Chair may request;
- (b) in the absence of the Chair, preside at meetings of the membership of the Division, the Assembly, and the Division Board of Governors;
- (c) in the absence of the Vice Chair-SBA and the Chair, preside at meetings of the presidents of the student bar associations; and
- (d) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

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§ 7.5.2 Term. The term of a Chair-Elect begins at the adjournment of the annual election meeting of the Division Board of Governors and ends at the adjournment of the Annual Meeting.

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§ 7.5.3 Election. The Division Board of Governors shall elect a Chair-Elect—

- (a) at the annual election meeting to serve the next term; and
- (b) upon a vacancy in the office of Chair-elect, to assume office immediately and serve the remainder of the vacated term.

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§ 7.6 Vice Chair

§ 7.6.1 Duties. The Vice-Chair shall—

- (a) aid the Chair in the performance of the responsibilities of the Chair in such manner and to such extent as the Chair may request;
- (b) in the absence of the Chair and the Chair-elect, preside at meetings of the membership of the Division, the Assembly, and the Division Board of Governors;
- (c) in the absence of the Vice-Chair for Student Bar Associations, the Chair, and the Chair-elect, preside at meetings of the presidents of the student bar associations;
- (d) maintain and develop membership programs and plan for the Division;
- (e) serve as the Division's liaison to the ABA Standing Committee on Membership;
- (f) keep apprised of each Governors' activities in the area of membership and programs;
- (g) plan and coordinate the ABA Representative training and membership programs;
- (h) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

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§ 7.6.2 Term. The term of a Vice-Chair begins at the adjournment of the annual election meeting of the Board of Governors of the Division and ends at the adjournment of the next annual election meeting of the Board of Governors of the Division.

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§ 7.6.3 Election. The Board of Governors of the Division shall elect a Vice Chair—

- (a) at the annual election meeting to serve the next term; and
- (b) upon a vacancy in the office of Vice-Chair, to assume office immediately and serve the remainder of the vacated term.

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§ 7.6.4 Vacancy. The Assembly or the Board of Governors shall define when a vacancy shall occur and prescribe how such a vacancy shall be filled. If the office of the Vice Chair is vacant—

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- (a) the Board of Governors of the Division shall elect a Vice Chair to assume office immediately and serve the remainder of the vacated term; and
- (b) an interim Vice Chair, appointed by the Assembly or the Division Board of Governors, shall act as Vice Chair until a Vice Chair is elected to fill the vacancy.

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§ 7.7. Vice Chair for Student Bar Associations

§ 7.7.1 Duties. The Vice-Chair for Student Bar Associations ("Vice Chair-SBA") shall—

- (a) aid the Chair in the performance of the responsibilities of the Chair in such manner and to such extent as the Chair may request;
- (b) preside at meetings of the presidents of the student bar associations;
- (c) in the absence of the Chair, the Chair-Elect, and the Vice Chair, preside at meetings of the membership of the Division, the Assembly, and the Division Board of Governors;
- (d) liaise between the Division and the student bar associations of the law schools;
- (e) aid in the coordination of the implementation of programs and initiatives of the Division by the student bar associations, subject to the directions and approval of the Assembly;
- (f) promote SBA participation and membership in the Division;
- (g) communicate with leadership of national organizations committed to representing interests of SBAs;
- (h) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

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§ 7.7.2 Term. The term of a Vice-Chair for Student Bar Associations begins at the adjournment of the Annual Meeting and ends at the adjournment of the next Annual Meeting.

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§ 7.7.3 Election. The presidents of the student bar associations shall elect a Vice Chair-SBA—

- (a) at the Annual Meeting to serve the next term; and
- (b) upon a vacancy in the office of Vice-Chair for Student Bar Associations, to assume office immediately and serve the remainder of the vacated term.

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§ 7.7.4 Vacancy. The Assembly or the Division Board of Governors shall define when a vacancy shall occur and prescribe how such a vacancy shall be filled. If the office of the Vice Chair-SBA is vacant—

- (a) The Division Board of Governors shall elect a Vice Chair-SBA to assume office immediately and serve the remainder of the vacated term; and
- (b) an interim Vice Chair-SBA, appointed by the Assembly or the Division Board of Governors, shall act as Vice Chair-SBA until a Vice Chair is elected to fill the vacancy.

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§ 7.8. Secretary-Treasurer

§ 7.8.1 Duties. The Secretary-Treasurer shall—

- (a) consult with and assist the officers of the Division in the work of the Division in the manner and to the extent requested;
- (b) liaise between the Division and the Association staff with respect to the retention and maintenance of books, records, papers, documents, and information in any form, and other property pertaining to the work of the Division;
- (c) keep a true record of the proceedings of all meetings of the membership of the Division, the Assembly, the Division Board of Governors, and the presidents of the

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student bar associations, and post such record in a manner that it is accessible to the membership;

- (d) along with the Division Director and Chair and subject to the review by the ABA Board of Governors, recommend and submit a budget including estimated income and appropriations requests to the Association;
- (e) advise the Assembly of the effect of any proposed action by the Division that would have a substantial impact on the financial condition of the Division;
- (f) prepare such other recommendations and reports on financial affairs of the Division as may be requested by the Chair or the Assembly; and
- (g) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

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§ 7.8.2 Term. The term of a Secretary-Treasurer begins at the adjournment of the annual election meeting of the Board of Governors of the Division and ends at the adjournment of the annual election meeting of the Board of Governors of the Division.

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§ 7.8.3 Election. The Board of Governors of the Division shall elect a Secretary-Treasurer—
(a) at the annual election meeting to serve the next term; and
(b) upon a vacancy in the office of Secretary-Treasurer, to assume office immediately and serve the remainder of the vacated term.

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§ 7.8.4 Vacancy. The Assembly or the Division Board of Governors shall define when a vacancy shall occur and prescribe how such a vacancy shall be filled. If the office of the Secretary-Treasurer is vacant—

- (a) the Division Board of Governors shall elect a Secretary-Treasurer to assume office immediately and serve the remainder of the vacated term; and
- (b) an interim Secretary-Treasurer, appointed by the Assembly or the Division Board of Governors, shall act as Secretary-Treasurer until a Secretary-Treasurer is elected to fill the vacancy.

§ 7.9. Division Delegates

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§ 7.9.1 Duties. The Division Delegates shall—

- (a) represent the Division in the Association House of Delegates;
- (b) inform the Division Board of Governors of actions taken by senior bar entities;
- (c) work with the Chair to execute the Division's legislative agenda;
- (d) oversee and communicate regularly with the Division Board of Governors, liaisons to ABA entities, and Assembly;
- (e) solicit the opinion of the Division Board of Governors and Assembly on matters subject to vote in the House of Delegates and abide by instructions of the Assembly regarding such matters;
- (f) keep the Assembly informed of votes and activities on behalf of the Division;
- (g) keep the membership of the Division informed of matters of the Association pertaining to law students; and
- (h) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

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§ 7.9.2 Term. The terms of the Division Delegates begin at the adjournment of the Association Annual Meeting and end at the adjournment of the next Association Annual Meeting.

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§ 7.9.3 Election of Division Delegates. The Assembly shall elect the Division Delegates to the House of Delegates by preferential voting. The rules relating to the election shall

be available on the Division website and the Annual Meeting Elections Committee shall arbitrate and decide any question or dispute that arises in regard to the election. Each delegate-elect shall take office when both the House of Delegates and the Division's Assembly have adjourned sine die for that Division Annual Meeting.

§ 7.9.4 Vacancy. The Assembly or the Division Board of Governors shall define when a vacancy shall occur and prescribe how such a vacancy shall be filled. If the office or offices of the Division Delegate(s) are vacant—

- (a) the Division Board of Governors shall elect a Delegate(s) to assume office immediately and serve the remainder of the vacated term; and
- (b) an interim Delegate(s), appointed by the Assembly or the Division Board of Governors, shall act as Delegate(s) until a Delegate(s) is elected to fill the vacancy.

§ 7.10 Division Representative to the ABA Board of Governors

§ 7.10.1 Duties. The Division Representative to the Association Board of Governors shall—

- (a) represent the Division to the Association Board of Governors;
- (b) as directed by the Division Board of Governors, advocate Division positions to the ABA Board of Governors;
- (c) work for adoption for Division initiatives, cosponsored initiatives, and initiatives directly affecting law students filed with the ABA Board of Governors;
- (d) inform the Division of actions pending before the ABA Board of Governors as well as any action taken by the Board at the conclusion of each ABA Board of Governors meeting;
- (e) communicate regularly with the Division in order to assess the voice of law students on issues of concern to law students across the country;
- (f) work with the Chair and other officers to execute the legislative agenda;
- (g) prepare and submit comprehensive reports on Association, Division, and ABA Board of Governors activity and action; and
- (h) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

§ 7.10.2 Term. The term of Division Representative to the Association Board of Governors begins at the adjournment of the Annual Meeting and ends at the adjournment of the next Annual Meeting.

§ 7.10.3 Division Nominations Committee. The Division shall have a Nominations Committee which shall consist of five members appointed by the Chair of the Division. The Division Nominations Committee shall include two officers (one of which may be the Division Chair), one Division Delegate, one Circuit Governor and the immediate past chair of the Division who will serve as the Chair of the Division Nominations Committee. The appointed members shall serve a one-year term, and except for the immediate past chair, shall be eligible for not more than one succeeding one-year term. If a vacancy occurs on the Division Nominations Committee, the Division Chair shall promptly appoint a replacement. To the extent possible, members selected to serve on the Division Nominations committee shall represent a broad spectrum of the membership.

§ 7.10.3.1 The Division Nominations Committee will

- (a) review all nomination applications;
- (b) interview candidates;
- (c) forward the name(s) of qualified/certified nominees to the Division's Board of Governors for consideration/election at the spring meeting.

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§ 7.10.3.2 The Division Nominations Committee is permitted to recommend to the Board of Governors of the Division as many candidates as they desire. Members of the Division Nominations Committee shall not be eligible for election to the position of the Division Representative to the ABA Board of Governors.

§ 7.10.4 Election. The Board of Governors of the Division shall elect a nominee-elect for Division Representative to the ABA Board of Governors—
(a) at the annual election meeting to serve the next term; and
(b) upon a vacancy in the office of the Division Representative to the ABA Board of Governors, to assume office immediately and serve the remainder of the vacated term.

§ 7.10.5 Nomination. The Nominating Committee of the Association shall nominate the nominee-elect to the office of the Division Representative to the ABA Board of Governors, upon which the nominee-elect becomes the nominee. The nominee becomes the Division Representative to the ABA Board of Governors in accordance with the Constitution and Bylaws of the Association.

§ 7.10.6 Vacancy. The Assembly or the Division Board of Governors shall define when a vacancy shall occur and prescribe how such a vacancy shall be filled. If the office of Division Representative to the ABA Board of Governors is vacant—

- (a) the Board of Governors of the Division shall elect a Division Representative to the ABA Board of Governors to assume office immediately and serve the remainder of the vacated term; and
- (b) an interim Division Representative to the ABA Board of Governors, appointed by the Assembly or the Division Board of Governors, shall act as Division Representative to the ABA Board of Governors until a Division Representative to the ABA Board of Governors is elected to fill the vacancy.

Article 8 Removal

§ 8.1 Officers

The Assembly or the Division Board of Governors shall provide for the removal of any officer for cause by the electing or appointing body or officer, by the Assembly or the Division Board of Governors, by any of them in the alternative, or by such other body or officer as these Bylaws prescribe. Removal shall require a two-thirds vote of the appropriate body after at least two weeks notice to the officer and an opportunity for the officer to challenge any evidence against him or her. The Assembly or the Division Board of Governors may also provide for the suspension of any officer against whom a removal proceeding is pending. A removed officer may appeal the removal to the next meeting of the Division Board of Governors or the Assembly (but not both and neither body shall act on any matter relating to the removal once an appeal has been taken to the other body), which may by a two-thirds vote reinstate him or her.

§ 8.2 ABA Representative

- (a) A Circuit Governor, in consultation with the Vice Chair, Vice Chair, SBA, and SBA president of the ABA Representative's school, may remove an ABA Representative for good cause.
- (b) A National Officer, with the consent of the circuit Governor or by a majority vote of the Board of Governors, and in consultation with the Vice Chair, Vice Chair, SBA and

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SBA president [of the ABA Representative's school](#), may remove an [ABA Representative](#) for good cause.

[§ 8.3 Vice Chair-SBA](#)

The SBA presidents shall have at least as much authority to remove the [Vice Chair-SBA](#) as the [Division Board of Governors](#) or the [Assembly](#).

Article 9 [Liaisons to the ABA Entities](#)

[§ 9.1 Liaisons](#)

The Assembly or the [Division Board of Governors](#) may create a liaison with any other entity within the Association; or with an entity outside the Association subject to approval by the Operations Committee of the Association, [Board of Governors](#) and by the [Association Board of Governors](#). The Chair, subject to such rules or review as the [Assembly](#) or [Division Board of Governors](#) prescribes, shall appoint (or, if the entity reserves the power of appointment, shall nominate) each such liaison.

Article 10 [Meetings](#)

[§ 10.1 Open Meetings](#)

Any meeting of the Division or a circuit shall be open to each member and to the news media. A meeting may, by a two-thirds vote, close its proceedings on an extraordinary occasion for a stated reason in which case only the members of the meeting, the national officers, and such others as the vote excepts may attend.

[§ 10.2 Parliamentary Authority](#)

The current edition of [Robert's Rules of Order](#) governs the proceedings of each meeting.

[§ 10.3 Annual Meeting](#)

[§ 10.3.1 Time and Place](#). The membership shall annually meet at the call of the [Division Board of Governors](#). The meeting shall ordinarily coincide approximately with the Association's Annual Meeting.

[§ 10.3.2 Program](#). The Chair and the [Division Board of Governors](#) shall plan substantive workshops and other programs for the educational and professional benefit and orientation of the members and officers.

[§ 10.3.3 SBA Conference](#). The student bar association conference shall consist of the president of each student bar association or his or her proxy and the [Vice Chair-SBA](#) as chair. The conference shall meet at the Annual Meeting to [elect](#) candidates for [Vice Chair-SBA](#), to advise the Assembly on matters relating to student bar associations, and for such other purposes as the conference or the [Vice Chair-SBA](#) prescribes. The conference may adopt standing rules. The [Vice Chair-SBA](#) shall perform such duties as the conference prescribes.

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§ 10.3.4 Proceedings. The Division Board of Governors may provide for the proceedings of the Annual Meeting to be published.

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§ 10.3.5 Committees. The following committees shall exist for the Annual Meeting:

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(a) The Credentials Committee shall consist of a chair appointed by the Chair; and one member from each circuit appointed by each circuit governor.

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(b) The Elections Committee shall consist of a chair appointed by the Chair; and one member from each circuit appointed by each circuit governor.

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Article 11 Resolutions

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§ 11.1 Resolutions Committee

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The Resolutions Committee shall consist of the Division Delegates and up to five other members of the Division Board of Governors.

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Any matter that can be decided or considered by an officer or entity within the Association that affects the quality of legal education or student life or that pertains to these Bylaws or any action taken under their authority is a proper subject for a resolution. Each such resolution shall be introduced in a form suitable for consideration by the House of Delegates. The Resolutions Committee, subject to review by the Assembly or the Division Board of Governors, shall define suitable form. The committee shall judge the form of each resolution and may return a resolution to the mover with a stated objection in which case neither the Assembly nor the Division Board of Governors shall consider the resolution until the objection is cured to the committee's satisfaction.

§ 11.3 Procedure

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Any member or group of members (including an officer, a delegate, the Division Board of Governors, a committee, a circuit, or a student bar association) may introduce a resolution. The Assembly may consider any resolution submitted by June 15 with notice to the membership via the Division website. Each resolution so introduced shall be distributed to each reregistered delegate to the Annual Meeting.

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§ 11.4 Action of the Association

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A resolution adopted by the Assembly or the Division Board of Governors does not represent the policy of the Association unless adopted by or under the authority of the Association House of Delegates or the Association Board of Governors. The Division Board of Governors shall choose which resolutions to transmit to the Association.

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Article 12
Committees

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§ 12.1 Standing Committees

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The Chair shall appoint each standing committee (except ex officio members):

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(a) The Resolutions Committee shall be a standing committee.

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(b) The Division Board of Governors shall organize other standing committees on operations and finance, membership and programs, and communications and publications (although not necessarily under those groupings or names). The Chair shall appoint each committee from the members of the Division Board of Governors except as the Division Board of Governors otherwise authorizes.

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(c) The Assembly or the Division Board of Governors may by a two-thirds vote create any other necessary standing committee. The Assembly or the Division Board of Governors may by simple majority instruct such a committee or amend or rescind its charter.

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§ 12.2 Special Committees

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The Assembly, the Division Board of Governors, or the Chair may create any necessary special committee, which the Chair shall appoint. Each special committee shall expire by the next Annual Meeting unless the Assembly or the Division Board of Governors (or the Chair-Elect if the Chair created the committee) continues it.

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§ 12.3 Oversight

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§ 13.3 Annual Meeting ¶

The Division Board of Governors may review or revise any action of a committee.

The following committees shall exist for the Annual Meeting: ¶
¶

(a) The Credentials Committee shall consist of a chair appointed by the Chair; and one member from each circuit appointed by each circuit governor. -

(b) The Elections Committee shall consist of a chair appointed by the Chair; and one member from each circuit appointed by each circuit governor. ¶

Article 13
Finance

§ 13.1 Budget

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(a) The Chair, the Secretary-Treasurer, and the Division Director, after a report to and subject to review by the Division Board of Governors, shall annually recommend a budget to the Association. The budget shall estimate income and shall request appropriations from the Association.

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(b) The Division's fiscal year shall coincide with the Association's.

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§ 13.2 Assets

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Any income or other property of the Division shall be held by the Treasurer of the Association for the Division's benefit.

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§ 13.3 Reimbursement

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(a) The Treasurer of the Association shall reimburse any officer for an official expense upon appropriate documentation as the Division's Secretary-Treasurer defines subject to review by the Division Assembly or Division Board of Governors.

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(b) The Division Board of Governors shall provide for reimbursement for the Annual Meeting as the Association authorizes.

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(c) Neither the Division nor the Association is liable for an unauthorized expense that an officer or member incurs.

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§ 13.4 Dissolution

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The Association shall succeed the Division in case of dissolution.

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**Article 14
Publications**

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§ 14.1 Editorial Control

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The Division Board of Governors shall exercise or delegate to a standing committee editorial control over the Division's publications.

§ 14.2 Magazine

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The official publication of record shall be Student Lawyer, which the Association shall publish with the advice of the Director subject to such policies and procedures as the Division Board of Governors prescribes.

§ 14.3 Other Publications

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The Division may issue any other publication that the Division Board of Governors finds worthy of the Division and the Association.

§ 14.4 Copyright

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Any publication shall be copyrighted in the name of the Association.

**Article 15
Amendment**

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§ 15.1 Ratification

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The Assembly may amend these Bylaws by a resolution adopted by a two-thirds vote provided that the number of votes in favor of ratification is at least (1) one-third the number of certified delegates at the Annual Meeting and (2) half the number of law schools (regardless of how many schools actually participate).

§ 15.2 Approval

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Such a resolution shall not take effect until approved by the Association and shall expire if not so approved before the next Annual Meeting.

§ 15.3 Correction

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The Division Board of Governors may correct the punctuation, grammar, and numbering of these Bylaws or any amendment if the correction does not change the meaning.

LAW STUDENT DIVISION BYLAWS (UPDATED)

Article 1 General Provisions

§ 1.1 Name

This division of the American Bar Association (“the Association”) is named the Law Student Division (“the Division”).

§ 1.2 Purposes

The purposes of the Division are the purposes of the Association, and further to represent law students in the Association and to represent the Association to law students; to help shape the policies and priorities that affect legal education; and to create a deliberative forum for the exchange and expression of law student views and a voice to advocate those views; and to promote diversity and equal opportunity within the profession.

§ 1.3 Status

The Division is a constituent of the Association whose Constitution and Bylaws and action taken under their authority supersedes and controls these Bylaws and action taken under their authority.

§ 1.4 Authority

These Bylaws and action taken under their authority that is not inconsistent with the Association’s Constitution and Bylaws and action taken under their authority are the basis for the conduct of all business in the Division. The Assembly or the Board of Governors may make rules or adopt policies and procedures that supplement these Bylaws. Any action by the Division must be approved by the House of Delegates or the Association’s Board of Governors before the action can be effective as the action of the Association.

§ 1.5 Antidiscrimination

The Division shall not discriminate on the basis of ancestry, color, or race; cultural or ethnic background; economic disadvantage; ideological, philosophical, or political belief or affiliation; marital or parental status; national or regional origin; physical disability; religion, or religious or denominational affiliation; sex; sexual orientation; or age. The Division shall not encourage or condone discrimination, either implicitly or explicitly, and shall actively discourage discrimination on any such basis.

Article 2 Membership

§ 2.1 Eligibility

The membership of the Division consists of those members who are enrolled in law schools, paying dues as provided for in this Article.

§ 2.2 Dues

The Association shall prescribe dues on the recommendation of the Assembly or the Division Board of Governors.

§ 2.3 Term

A membership shall continue through the end of August in each year in which the member is eligible to join and has paid dues even if he or she graduates from law school. Law school graduates who are members remain members of the Division until they are admitted to the bar or eighteen (18) months have passed, whichever occurs first.

§ 2.4 Termination

Any member of the Division whose dues are more than six months past due shall cease to be a member of the Division.

§ 2.5 Good Standing

A member enjoys good standing if he or she has paid Division dues in full for the current year.

Article 3 Law Schools

§ 3.1 Law Student and Law School

- (a) A "law student" means a candidate who is, or will be for at least part of the school year, in residence for their first professional law degree.
- (b) A "law school" or "school" means a law school currently accredited or provisionally accredited by the Association.
- (c) Independent Campuses. Upon the request of a law school, the Division may recognize substantially independent campuses of a law school as separate law schools for the purposes of the Division.
- (d) A law school loses its representation and each member at the law school loses his or her membership in the Division if the Association withdraws the law school's accreditation.

§ 3.2 Student Bar Associations

- (a) A student bar association ("SBA") means the student government of a law school by any name.
- (b) The participation of a student bar association in the Division is voluntary. The Division does not bind or subject a student bar association to an obligation it does not voluntarily assume. As a condition of participation, however, a student bar association must comply with the Bylaws and the rules, policies, and procedures that supplement them to the extent that they concern the school's representation in the circuit and the Assembly.

ABA Representative

- (a) The student bar association shall provide for the election or appointment from each law school of an ABA representative. The ABA representative shall represent the Division to the school and vice versa and shall perform such other duties as the Assembly, the Board of Governors, the circuit, or the circuit governor prescribes.
- (b) Each law school may organize a chapter, subject to such rules as the Assembly or the Board of Governors prescribes, which the ABA representative shall chair. The student bar association may prescribe the chapter's relationship with the student bar association.

§ 3.4 Representation

Each law school may send two delegates, one the SBA president, or his or her proxy, and the other the ABA representative, or his or her proxy, to its circuit meetings and the Assembly. The Assembly or the Division Board of Governors may regulate voting by proxy. Only a member in good standing is eligible to be a delegate.

Article 4 Circuits

§ 4.1 Geographical Composition

The administrative units of the Division are circuits. The Division shall organize the law schools into circuits as follows:

- First** Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont
- Second** New York
- Third** Delaware, Maryland, New Jersey, and Pennsylvania
- Fourth** North Carolina, South Carolina, Virginia (except George Mason University), and West Virginia
- Fifth** Alabama, Florida, Georgia, Mississippi, Puerto Rico, and Tennessee
- Sixth** Kentucky, Michigan, and Ohio
- Seventh** Illinois, Indiana, and Wisconsin
- Eighth** Iowa, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota
- Ninth** Southern California and Hawaii
- Tenth** Arkansas, Kansas, and Oklahoma
- Eleventh** District of Columbia and George Mason University
- Twelfth** Alaska, Idaho, Montana, Oregon, and Washington
- Thirteenth** Louisiana and Texas
- Fourteenth** Northern California and Nevada
- Fifteenth** Arizona, Colorado, New Mexico, Utah, and Wyoming

§ 4.2 Meetings

§ 4.2.1 Composition. The voting membership of a circuit is composed of the SBA president and ABA representative from each of the law schools within the Circuit.

§ 4.2.2 When required. Each circuit shall meet three times a year—a fall roundtable in September or October, a spring conference and annual election meeting in February or March, and a summer caucus during the Annual Meeting.

§ 4.2.3 Notice. The Circuit Governor shall notify in writing each of the voting membership of the circuit at least ten days before a meeting, except meetings at the Annual Meeting.

§ 4.2.4 Quorum. The delegates present at such a meeting shall constitute a quorum.

§ 4.3 Circuit Rules

Each circuit may, subject to review by the Assembly or the Division Board of Governors, make rules or adopt policies and procedures for the conduct of its business that are not inconsistent with these Bylaws or action taken under their authority.

§ 4.4 Circuit Governor

§ 4.4.1 Duties. Each Circuit Governor shall—

- (a) promote the Division programs, activities, and competitions to circuit members;
- (b) oversee ABA Law Student Division regional activities at every ABA-approved law school within the circuit;
- (c) represent the interests and communicate the needs of law students attending the ABA-approved law schools in circuit to the Division;
- (d) communicate to circuit members information about the national concerns, interests and activities of the Division's Board of Governors, Division programs, activities, leadership positions, and encourage participation in the same;
- (e) develop a plan of action for the Circuit to include public interest initiatives, programming, and membership outreach;
- (f) select a cabinet of Lieutenant Governors to implement a Circuit plan of action;
- (g) have the power to create and appoint any necessary office or committee unless the circuit prescribes otherwise;
- (h) communicate regularly with ABA Representatives, SBA Presidents, and Liaisons at each law school in the circuit;
- (i) plan and develop programming, training, and social activities for the Fall and Spring circuit meetings;
- (j) facilitate communications among circuit members; and
- (k) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

§ 4.4.2 Term. The term of a circuit governor begins at the Spring meeting of the Division Board of Governors and ends at the next Spring meeting of the Division Board of Governors.

§ 4.4.3 Election. The members of the Assembly of the law schools within a given circuit shall elect a Circuit Governor—

- (a) at the annual election meeting to serve the next term; and
- (b) upon a vacancy in the office of circuit governor, to assume office immediately and serve the remainder of the vacated term.

§ 4.4.4 Vacancy. The Assembly of the law schools within a given Circuit shall declare who shall act as circuit governor if the office is vacant, until a circuit governor is elected to fill the vacancy.

**Article 5
Assembly**

§ 5.1 Function

The highest policymaking body is the Assembly, which may act on behalf of the Division in any matter.

§ 5.2 Composition and Voting

§ 5.2.1 Voting Membership. The voting membership of the Assembly is composed of the two delegates from each school—

- (a) the SBA president; and
- (b) the ABA representative.

§ 5.2.2 Non-Voting Membership. The nonvoting membership of the Assembly is composed of—

- (a) the members of the Division Board of Governors; and
- (b) the Division Liaisons to ABA entities.

§ 5.2.3 Voting. The Assembly may provide for proxy voting in the Assembly and at meetings of the voting membership of the Circuits, uniform throughout the Circuits.

§ 5.2.4 Duty to Attend. A member of the Assembly shall attend or designate a proxy to attend and vote on behalf of the member.

§ 5.3 Meetings

The Assembly shall meet during the Annual Meeting and at a time designated by the Chair or the Division Board of Governors. The Resolutions Committee shall prescribe the order of business.

§ 5.4 Division Board of Governors

The Division Board of Governors is the administrative agency of the Assembly. The Board shall draft and submit for consideration the standing rules and shall correct and approve the minutes of the Assembly.

**Article 6
Board of Governors**

§ 6.1 Function

The general executive and administrative authority resides in the Board of Governors. Between meetings of the Assembly, the Board of Governors may perform, consistent with the action taken by the Assembly during the last three Annual meetings, the functions the Assembly itself may perform except—

- (a) electing any officer of whom the election is vested in the Assembly; or
- (b) amending these bylaws.

§ 6.2 Composition and Voting

§ 6.2.1 Voting membership. The Board shall consist of the—

- (a) Chair;
- (b) Vice Chair;
- (c) Vice Chair-SBA;
- (d) Secretary-Treasurer;
- (e) Division Delegates;
- (f) Division Representative to the Association Board of Governors;
- (g) Circuit Governors.

§ 6.2.2 Non-voting membership. The national officers-elect and division delegate-elect shall be nonvoting members. The Division Board of Governors may create other nonvoting memberships provided that the cost of all such memberships does not exceed that of four voting memberships.

§ 6.2.3 The Chair shall preside and the Secretary-Treasurer shall record the proceedings.

§ 6.3 Meetings

- (a) The Division Board of Governors shall meet three times a year—during the Annual Meeting, in the fall, and in the spring at the call of the Chair. The Board shall otherwise meet as ordered by a majority of its membership.
- (b) The Division Board of Governors may provide for voting by mail, e-mail, telephone, or proxy. A Board member may only proxy his or her vote to another voting Board member.

Article 7 Officers

§ 7.1 Officer Defined

For the purposes of this article, and throughout the Bylaws unless the context suggests otherwise:

- (a) An "office" means one that is created by these Bylaws, by the Assembly or the Board of Governors, or by a circuit, or that is created by or under the authority of such an office.
- (b) An "officer" includes both the incumbent and any successor already elected.
- (c) An "officer" includes a school representative but not a SBA president.

§ 7.2 National Officer Defined

- (a) The national officers shall be Chair; Vice Chair; Vice-Chair for Student Bar Associations ("Vice Chair-SBA"), and Secretary-Treasurer.
- (b) The national officers shall be the executive committee of the Board of Governors and shall have general supervision of the Division's affairs between the Board's meetings. They shall perform such duties as the Assembly, the Division Board of Governors, or the Chair prescribes.
- (c) The national officers shall work with the Director to implement and oversee the programs that the Assembly or the Division Board of Governors has approved. The

Director shall be a professional employee of the Association appointed by the Association. The Director shall supervise the staff that supports the Division and shall perform such other duties as the Association or the Division's Assembly or Board of Governors prescribes.

§ 7.3 Qualifications

§ 7.3.1 A member is eligible for an office only if, at the beginning of the term of office, he or she—

- (1) enjoys good standing as a member;
- (2) will be a law student during the term;
- (3) has not received his or her first degree in law;
- (4) enjoys good academic standing according to his or her school;
- (5) has never been removed from office; and
- (6) meets each other qualification for the office that the Assembly or the Division Board of Governors has prescribed.

§ 7.3.2 The Assembly or the Board of Governors may prospectively and generally prescribe that an incumbent of a certain office is ineligible for another certain office or offices during all or part of his or her term, provided that no officer's tenure shall be thereby affected in any office to which he or she has already been elected, appointed, or nominated.

§ 7.4 Chair

§ 7.4.1 Chief Executive. The chief executive, administrative, and presiding officer is the Chair.

§ 7.4.2 Duties. The Chair shall—

- (a) call, subject to the directions and approval of the Assembly, and preside at meetings of the membership of the Division, the Assembly, and the Division Board of Governors or appoint a chair pro tempore;
- (b) coordinate and oversee the work of each officer and committee;
- (c) enforce and interpret, subject to review by the Assembly or the Division Board of Governors, these bylaws and implement each vote of the Assembly or the Board of Governors;
- (d) in the absence of the Vice Chair-SBA, preside at meetings of the presidents of the Student Bar Associations;
- (e) appoint the Chairs and members of all committees of the Division who are to hold office during the Association year, except as otherwise provided by the Assembly;
- (f) work with the National Officers and Division Director to implement and oversee the activities of the Division, subject to the directions and approval of the Assembly;
- (g) represent the Division and serve as the Division's official spokesperson;
- (h) undertake or delegate any responsibility not otherwise provided for;
- (i) keep the Assembly informed of the activities of the Division; and
- (j) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

§ 7.4.3 Term. The term of a Chair begins at the adjournment of the Annual Meeting and ends at the adjournment of the next Annual Meeting.

§ 7.4.4 Induction. The Chair-Elect becomes the Chair—

- (a) upon the beginning of the next term; or
- (b) upon a vacancy in the office of the Chair.

§ 7.4.5 Vacancy. The Assembly or the Board of Governors shall define when a vacancy shall occur and prescribe how such a vacancy shall be filled. If the offices of the chair and chair-elect are vacant—

- (a) the Division Board of Governors shall elect a Chair to assume office immediately and serve the remainder of the vacated term; and
- (b) the Vice Chair shall act as Chair until a Chair is elected to fill the vacancy.

§ 7.5 Chair-Elect

§ 7.5.1 Duties. The Chair-Elect shall—

- (a) aid the Chair in the performance of the responsibilities of the Chair in such a manner and to such extent as the Chair may request;
- (b) in the absence of the Chair, preside at meetings of the membership of the Division, the Assembly, and the Division Board of Governors;
- (c) in the absence of the Vice Chair-SBA and the Chair, preside at meetings of the presidents of the student bar associations; and
- (d) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

§ 7.5.2 Term. The term of a Chair-Elect begins at the adjournment of the annual election meeting of the Division Board of Governors and ends at the adjournment of the Annual Meeting.

§ 7.5.3 Election. The Division Board of Governors shall elect a Chair-Elect—

- (a) at the annual election meeting to serve the next term; and
- (b) upon a vacancy in the office of Chair-elect, to assume office immediately and serve the remainder of the vacated term.

§ 7.6 Vice Chair

§ 7.6.1 Duties. The Vice-Chair shall—

- (a) aid the Chair in the performance of the responsibilities of the Chair in such manner and to such extent as the Chair may request;
- (b) in the absence of the Chair and the Chair-elect, preside at meetings of the membership of the Division, the Assembly, and the Division Board of Governors;
- (c) in the absence of the Vice-Chair for Student Bar Associations, the Chair, and the Chair-elect, preside at meetings of the presidents of the student bar associations;
- (d) maintain and develop membership programs and plan for the Division;
- (e) serve as the Division's liaison to the ABA Standing Committee on Membership;
- (f) keep apprised of each Governors' activities in the area of membership and programs;
- (g) plan and coordinate the ABA Representative training and membership programs;
- (h) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

§ 7.6.2 Term. The term of a Vice-Chair begins at the adjournment of the annual election meeting of the Board of Governors of the Division and ends at the adjournment of the next annual election meeting of the Board of Governors of the Division.

§ 7.6.3 Election. The Board of Governors of the Division shall elect a Vice Chair—

- (a) at the annual election meeting to serve the next term; and
- (b) upon a vacancy in the office of Vice-Chair, to assume office immediately and serve the remainder of the vacated term.

§ 7.6.4 Vacancy. The Assembly or the Board of Governors shall define when a vacancy shall occur and prescribe how such a vacancy shall be filled. If the office of the Vice Chair is vacant—

- (a) the Board of Governors of the Division shall elect a Vice Chair to assume office immediately and serve the remainder of the vacated term; and
- (b) an interim Vice Chair, appointed by the Assembly or the Division Board of Governors, shall act as Vice Chair until a Vice Chair is elected to fill the vacancy.

§ 7.7 Vice Chair for Student Bar Associations

§ 7.7.1 Duties. The Vice-Chair for Student Bar Associations (“Vice Chair-SBA”) shall—

- (a) aid the Chair in the performance of the responsibilities of the Chair in such manner and to such extent as the Chair may request;
- (b) preside at meetings of the presidents of the student bar associations;
- (c) in the absence of the Chair, the Chair-Elect, and the Vice Chair, preside at meetings of the membership of the Division, the Assembly, and the Division Board of Governors;
- (d) liaise between the Division and the student bar associations of the law schools;
- (e) aid in the coordination of the implementation of programs and initiatives of the Division by the student bar associations, subject to the directions and approval of the Assembly;
- (f) promote SBA participation and membership in the Division;
- (g) communicate with leadership of national organizations committed to representing interests of SBAs;
- (h) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

§ 7.7.2 Term. The term of a Vice-Chair for Student Bar Associations begins at the adjournment of the Annual Meeting and ends at the adjournment of the next Annual Meeting.

§ 7.7.3 Election. The presidents of the student bar associations shall elect a Vice Chair-SBA—

- (a) at the Annual Meeting to serve the next term; and
- (b) upon a vacancy in the office of Vice-Chair for Student Bar Associations, to assume office immediately and serve the remainder of the vacated term.

§ 7.7.4 Vacancy. The Assembly or the Division Board of Governors shall define when a vacancy shall occur and prescribe how such a vacancy shall be filled. If the office of the Vice Chair-SBA is vacant—

- (a) The Division Board of Governors shall elect a Vice Chair-SBA to assume office immediately and serve the remainder of the vacated term; and
- (b) an interim Vice Chair-SBA, appointed by the Assembly or the Division Board of Governors, shall act as Vice Chair-SBA until a Vice Chair is elected to fill the vacancy.

§ 7.8 Secretary-Treasurer

§ 7.8.1 Duties. The Secretary-Treasurer shall—

- (a) consult with and assist the officers of the Division in the work of the Division in the manner and to the extent requested;

- (b) liaise between the Division and the Association staff with respect to the retention and maintenance of books, records, papers, documents, and information in any form, and other property pertaining to the work of the Division;
- (c) keep a true record of the proceedings of all meetings of the membership of the Division, the Assembly, the Division Board of Governors, and the presidents of the student bar associations, and post such record in a manner that it is accessible to the membership;
- (d) along with the Division Director and Chair and subject to the review by the ABA Board of Governors, recommend and submit a budget including estimated income and appropriations requests to the Association;
- (e) advise the Assembly of the effect of any proposed action by the Division that would have a substantial impact on the financial condition of the Division;
- (f) prepare such other recommendations and reports on financial affairs of the Division as may be requested by the Chair or the Assembly; and
- (g) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

§ 7.8.2 Term. The term of a Secretary-[Treasurer](#) begins at the adjournment of the annual election meeting of the Board of Governors of the Division and ends at the adjournment of the annual election meeting of the Board of Governors of the Division.

§ 7.8.3 Election. The Board of Governors of the Division shall elect a Secretary-Treasurer—

- (a) at the annual election meeting to serve the next term; and
- (b) upon a vacancy in the office of Secretary-Treasurer, to assume office immediately and serve the remainder of the vacated term.

§ 7.8.4 Vacancy. The Assembly or the Division Board of Governors shall define when a vacancy shall occur and prescribe how such a vacancy shall be filled. If the office of the Secretary-Treasurer is vacant—

- (a) the Division Board of Governors shall elect a Secretary-Treasurer to assume office immediately and serve the remainder of the vacated term; and
- (b) an interim Secretary-Treasurer, appointed by the Assembly or the Division Board of Governors, shall act as Secretary-Treasurer until a Secretary-Treasurer is elected to fill the vacancy.

§ 7.9 Division Delegates

§ 7.9.1 Duties. The Division Delegates shall—

- (a) represent the Division in the Association House of Delegates;
- (b) inform the Division Board of Governors of actions taken by senior bar entities;
- (c) work with the Chair to execute the Division's legislative agenda;
- (d) oversee and communicate regularly with the Division Board of Governors, liaisons to ABA entities, and Assembly;
- (e) solicit the opinion of the Division Board of Governors and Assembly on matters subject to vote in the House of Delegates and abide by instructions of the Assembly regarding such matters;
- (f) keep the Assembly informed of votes and activities on behalf of the Division;
- (g) keep the membership of the Division informed of matters of the Association pertaining to law students; and
- (h) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

§ 7.9.2 Term. The terms of the Division Delegates begin at the adjournment of the Association Annual Meeting and end at the adjournment of the next Association Annual Meeting.

§ 7.9.3 Election. The Assembly shall elect the Division Delegates to the House of Delegates by preferential voting. The rules relating to the election shall be available on the Division website and the Annual Meeting Elections Committee shall arbitrate and decide any question or dispute that arises in regard to the election. Each delegate-elect shall take office when both the House of Delegates and the Division's Assembly have adjourned sine die for that Division Annual Meeting.

§ 7.9.4 Vacancy. The Assembly or the Division Board of Governors shall define when a vacancy shall occur and prescribe how such a vacancy shall be filled. If the office or offices of the Division Delegate(s) are vacant—

- (a) the Division Board of Governors shall elect a Delegate(s) to assume office immediately and serve the remainder of the vacated term; and
- (b) an interim Delegate(s), appointed by the Assembly or the Division Board of Governors, shall act as Delegate(s) until a Delegate(s) is elected to fill the vacancy.

§ 7.10 Division Representative to the ABA Board of Governors

§ 7.10.1 Duties. The Division Representative to the Association Board of Governors shall—

- (a) represent the Division to the Association Board of Governors;
- (b) as directed by the Division Board of Governors, advocate Division positions to the ABA Board of Governors;
- (c) work for adoption for Division initiatives, cosponsored initiatives, and initiatives directly affecting law students filed with the ABA Board of Governors;
- (d) inform the Division of actions pending before the ABA Board of Governors as well as any action taken by the Board at the conclusion of each ABA Board of Governors meeting;
- (e) communicate regularly with the Division in order to assess the voice of law students on issues of concern to law students across the country;
- (f) work with the Chair and other officers to execute the legislative agenda;
- (g) prepare and submit comprehensive reports on Association, Division, and ABA Board of Governors activity and action; and
- (h) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

§ 7.10.2 Term. The term of Division Representative to the Association Board of Governors begins at the adjournment of the Annual Meeting and ends at the adjournment of the next Annual Meeting.

§ 7.10.3 Division Nominating Committee. The Division shall have a Nominations Committee which shall consist of five members appointed by the Chair of the Division. The Division Nominations Committee shall include two officers (one of which may be the Division Chair), one Division Delegate, one Circuit Governor and the immediate past chair of the Division who will serve as the Chair of the Division Nominations Committee. The appointed members shall serve a one-year term, and except for the immediate past chair, shall be eligible for not more than one succeeding one-year term. If a vacancy occurs on the Division Nominations Committee, the Division Chair shall promptly appoint a replacement. To the extent possible, members selected to serve on the Division Nominations committee shall represent a broad spectrum of the membership.

§ 7.10.3.1 The Division Nominations Committee will

- (a) review all nomination applications;
- (b) interview candidates;
- (c) forward the name(s) of qualified/certified nominees to the Division's Board of Governors for consideration/election at the spring meeting.

§ 7.10.3.2 The Division Nominations Committee is permitted to recommend to the Board of Governors of the Division as many candidates as they desire. Members of the Division Nominations Committee shall not be eligible for election to the position of the Division Representative to the ABA Board of Governors.

§ 7.10.4 Election. The Board of Governors of the Division shall elect a nominee-elect for Division Representative to the ABA Board of Governors—

- (a) at the annual election meeting to serve the next term; and
- (b) upon a vacancy in the office of the Division Representative to the ABA Board of Governors, to assume office immediately and serve the remainder of the vacated term.

§ 7.10.5 Nomination. The Nominating Committee of the Association shall nominate the nominee-elect to the office of the Division Representative to the ABA Board of Governors, upon which the nominee-elect becomes the nominee. The nominee becomes the Division Representative to the ABA Board of Governors in accordance with the Constitution and Bylaws of the Association.

§ 7.10.6 Vacancy. The Assembly or the Division Board of Governors shall define when a vacancy shall occur and prescribe how such a vacancy shall be filled. If the office of Division Representative to the ABA Board of Governors is vacant—

- (a) the Board of Governors of the Division shall elect a Division Representative to the ABA Board of Governors to assume office immediately and serve the remainder of the vacated term; and
- (b) an interim Division Representative to the ABA Board of Governors, appointed by the Assembly or the Division Board of Governors, shall act as Division Representative to the ABA Board of Governors until a Division Representative to the ABA Board of Governors is elected to fill the vacancy.

Article 8 Removal

§ 8.1 Officers

The Assembly or the Division Board of Governors shall provide for the removal of any officer for cause by the electing or appointing body or officer, by the Assembly or the Division Board of Governors, by any of them in the alternative, or by such other body or officer as these Bylaws prescribe. Removal shall require a two-thirds vote of the appropriate body after at least two weeks notice to the officer and an opportunity for the officer to challenge any evidence against him or her. The Assembly or the Division Board of Governors may also provide for the suspension of any officer against whom a removal proceeding is pending. A removed officer may appeal the removal to the next meeting of the Division Board of Governors or the Assembly (but not both and neither body shall act on any matter relating to the removal once an appeal has been taken to the other body), which may by a two-thirds vote reinstate him or her.

§ 8.2 ABA Representative

- (a) A Circuit Governor, in consultation with the Vice Chair, Vice Chair-SBA, and SBA president of the ABA Representative's school, may remove an ABA Representative for good cause.
- (b) A National Officer, with the consent of the circuit Governor or by a majority vote of the Board of Governors, and in consultation with the Vice Chair, Vice Chair-SBA and SBA president of the ABA Representative's school, may remove an ABA Representative for good cause.

§ 8.3 Vice Chair-SBA

The SBA presidents shall have at least as much authority to remove the Vice Chair-SBA as the Division Board of Governors or the Assembly.

Article 9 Liaisons to the ABA Entities

§ 9.1 Liaisons

The Assembly or the Division Board of Governors may create a liaison with any other entity within the Association; or with an entity outside the Association subject to approval by the Operations Committee of the Association Board of Governors and by the Association Board of Governors. The Chair, subject to such rules or review as the Assembly or Division Board of Governors prescribes, shall appoint (or, if the entity reserves the power of appointment, shall nominate) each such liaison.

Article 10 Meetings

§ 10.1 Open Meetings

Any meeting of the Division or a circuit shall be open to each member and to the news media. A meeting may, by a two-thirds vote, close its proceedings on an extraordinary occasion for a stated reason in which case only the members of the meeting, the national officers, and such others as the vote excepts may attend.

§ 10.2 Parliamentary Authority

The current edition of *Robert's Rules of Order* governs the proceedings of each meeting.

§ 10.3 Annual Meeting

§ 10.3.1 Time and Place. The membership shall annually meet at the call of the Division Board of Governors. The meeting shall ordinarily coincide approximately with the Association's Annual Meeting.

§ 10.3.2 Program. The Chair and the Division Board of Governors shall plan substantive workshops and other programs for the educational and professional benefit and orientation of the members and officers.

§ 10.3.3 SBA Conference. The student bar association conference shall consist of the president of each student bar association or his or her proxy and the Vice Chair-SBA as chair. The conference shall meet at the Annual Meeting to elect candidates for Vice Chair-SBA, to advise the Assembly on matters relating to student bar associations, and for such other purposes as the conference or the Vice Chair-SBA prescribes. The conference may adopt standing rules. The Vice Chair-SBA shall perform such duties as the conference prescribes.

§ 10.3.4 Proceedings. The Division Board of Governors may provide for the proceedings of the Annual Meeting to be published.

§ 10.3.5 Committees. The following committees shall exist for the Annual Meeting:

- (a) The Credentials Committee shall consist of a chair appointed by the Chair; and one member from each circuit appointed by each circuit governor.
- (b) The Elections Committee shall consist of a chair appointed by the Chair; and one member from each circuit appointed by each circuit governor.

Article 11 Resolutions

§ 11.1 Resolutions Committee

The Resolutions Committee shall consist of the Division Delegates and up to five other members of the Division Board of Governors.

§ 11.2 Content and Form

Any matter that can be decided or considered by an officer or entity within the Association that affects the quality of legal education or student life or that pertains to these Bylaws or any action taken under their authority is a proper subject for a resolution. Each such resolution shall be introduced in a form suitable for consideration by the House of Delegates. The Resolutions Committee, subject to review by the Assembly or the Division Board of Governors, shall define suitable form. The committee shall judge the form of each resolution and may return a resolution to the mover with a stated objection in which case neither the Assembly nor the Division Board of Governors shall consider the resolution until the objection is cured to the committee's satisfaction.

§ 11.3 Procedure

Any member or group of members (including an officer, a delegate, the Division Board of Governors, a committee, a circuit, or a student bar association) may introduce a resolution. The Assembly may consider any resolution submitted by June 15 with notice to the membership via the Division website. Each resolution so introduced shall be distributed to each reregistered delegate to the Annual Meeting.

§ 11.4 Action of the Association

Division Board of Governors does not represent the policy of the Association unless adopted by or under the authority of the Association House of Delegates or the Association Board of Governors. The Division Board of Governors shall choose which resolutions to transmit to the Association.

Article 12 Committees

§ 12.1 Standing Committees

The Chair shall appoint each standing committee (except ex officio members):

- (a) The Resolutions Committee shall be a standing committee.
- (b) The Division Board of Governors shall organize other standing committees on operations and finance, membership and programs, and communications and publications (although not necessarily under those groupings or names). The Chair shall appoint each committee from the members of the Division Board of Governors except as the Division Board of Governors otherwise authorizes.
- (c) Division Board of Governors may by a two-thirds vote create any other necessary standing committee. The Assembly or the Division Board of Governors may by simple majority instruct such a committee or amend or rescind its charter.

§ 12.2 Special Committees

The Assembly, the Division Board of Governors, or the Chair may create any necessary special committee, which the Chair shall appoint. Each special committee shall expire by the next Annual Meeting unless the Assembly or the Division Board of Governors (or the Chair-Elect if the Chair created the committee) continues it.

§ 12.3 Oversight

The Division Board of Governors may review or revise any action of a committee.

Article 13 Finance

§ 13.1 Budget

- (a) The Chair, the Secretary-Treasurer, and the Division Director, after a report to and subject to review by the Division Board of Governors, shall annually recommend a budget to the Association. The budget shall estimate income and shall request appropriations from the Association.
- (b) The Division's fiscal year shall coincide with the Association's.

§ 13.2 Assets

Any income or other property of the Division shall be held by the Treasurer of the Association for the Division's benefit.

§ 13.3 Reimbursement

- (a) The Treasurer of the Association shall reimburse any officer for an official expense upon appropriate documentation as the Division's Secretary-Treasurer defines subject to review by the Division Assembly or Division Board of Governors.

- (b) The Division Board of Governors shall provide for reimbursement for the Annual Meeting as the Association authorizes.
- (c) Neither the Division nor the Association is liable for an unauthorized expense that an officer or member incurs.

§ 13.4 Dissolution

The Association shall succeed the Division in case of dissolution.

**Article 14
Publications**

§ 14.1 Editorial Control

The Division Board of Governors shall exercise or delegate to a standing committee editorial control over the Division's publications.

§ 14.2 Magazine

The official publication of record shall be Student Lawyer, which the Association shall publish with the advice of the Director subject to such policies and procedures as the Division Board of Governors prescribes.

§ 14.3 Other Publications

The Division may issue any other publication that the Division Board of Governors finds worthy of the Division and the Association.

§ 14.4 Copyright

Any publication shall be copyrighted in the name of the Association.

**Article 15
Amendment**

§ 15.1 Ratification

The Assembly may amend these Bylaws by a resolution adopted by a two-thirds vote provided that the number of votes in favor of ratification is at least (1) one-third the number of certified delegates at the Annual Meeting and (2) half the number of law schools (regardless of how many schools actually participate).

§ 15.2 Approval

Such a resolution shall not take effect until approved by the Association and shall expire if not so approved before the next Annual Meeting.

§ 15.3 Correction

The Division Board of Governors may correct the punctuation, grammar, and numbering of these Bylaws or any amendment if the correction does not change the meaning.

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one that the Association accredits

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A "law student" or a "student" means a candidate who is, or will be for at
least part of the school year, in residence for a professional law degree.

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A campus that is geographically distant from the rest of a school may be treated
as a separate school for purposes of representation.

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These Bylaws, the rules, policies, and procedures that supplement them, and any other action taken by the Assembly or the Board of Governors do not bind a student bar association or subject it to an obligation that it does not voluntarily assume.

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Each circuit shall elect a governor at each Spring Conference who shall take office at the

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Spring meeting of the Board of Governors. The governor shall perform such duties as the Assembly, the Board of Governors, or the circuit prescribes. The governor may create and appoint any necessary office or committee unless the circuit prescribes otherwise.

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(a) The Board shall consist of the national officers, the division delegates, and the circuit governors.
(b) The national officers-elect and division delegates-elect shall be nonvoting members. The Board may create other nonvoting memberships, provided that the cost of all such memberships does not exceed that of four voting memberships.

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§ 6.4 Assembly

The Assembly may exercise any power or review any action of the Board other than an election or appointment. The Board may return an action to the Assembly with objections at the Annual Meeting (or, if the Assembly has adjourned sine die, to the delegates at the Fall Roundtables) in which case the action shall stand vacated unless affirmed by two-thirds of the delegates voting (provided, in the case of the Fall Roundtables, that a majority of the circuits return a result).

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Article 8

National Officers

§ 8.1 National Officers Listed

The national officers shall be a Chair; a Vice-Chair; a Vice-Chair for Student Bar Associations or "Vice-Chair/SBA;"

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a Secretary-Treasurer; and a Division Representative to the ABA Board of Governors.

§ 8.2 Election

The Board of Governors shall elect the national officers. The rules relating to these elections shall be

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available on the Division website. Each officer-elect shall perform such duties as the Chair prescribes and shall take office during the next Annual Meeting.

(a) The Board shall elect the national officers other than the Vice-Chair/SBA at its

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Spring meeting.

(b) The Board shall elect the Vice-Chair/SBA from

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the top nominees elected by the SBA conference at the Annual Meeting. A member is eligible for Vice-Chair/SBA only if he or she has participated in a student bar association.

§ 8.3 Duties

(a) The national officers shall be the executive committee of the Board of Governors and shall have general supervision of the Division's affairs between the Board's meetings. They shall perform such duties as the Assembly, the Board of Governors, or the Chair prescribes.

(b) The national officers shall work with the Director to implement and oversee the programs that the Assembly or the Board of Governors has approved. The Director shall be a professional employee of the Association appointed by the

Association. The Director shall supervise the staff that supports the Division and shall perform such other duties as the Association or the Division's Assembly or Board of Governors prescribes.

§ 8.4 Chief Executive

The chief executive, administrative, and presiding officer is the Chair who shall chair the Assembly and the Board of Governors or appoint a chair pro tempore; shall coordinate and oversee the work of each officer and committee; shall enforce and interpret (subject to review by the Assembly or the Board of Governors) these Bylaws and implement each vote of the Assembly or the Board of Governors; shall undertake or delegate any responsibility not otherwise provided for; and shall be the Division's general representative and official spokesperson.

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Division Delegates and

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§ 9.1 Division Delegates

The Assembly shall elect the Division Delegates to the House of Delegates by preferential voting. The rules relating to the election shall be

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available on the Division website and the Annual Meeting Elections Committee shall arbitrate and decide any question or dispute that arises in regard to the election. Each delegate-elect shall take office when both the House of Delegates and the Division's Assembly have adjourned sine die for that Annual Meeting.

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Article 11
Annual Meeting

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