

SECTION 2. The Executive Board.

- A. The Executive Board shall share legislative authority with the Board of Bar Governors. The Executive Board shall execute the directives of this Constitution, the By-Laws, and the legislation of the Administrative Council.
- B. The Executive Board shall consist of a President; Vice-President; Secretary; Treasurer; Bar Associations Representative; the SGA Senator, and any other office that may be provided through the By-Laws or the exercise of Article IV, § (2) (L) (2).
- C. The President. The President shall preside over all functions of the SBA and shall work with other officers to coordinate the affairs of the SBA. The President shall have the authority to appoint and remove such committees as deemed necessary. The President shall possess all powers granted by this Constitution and have other duties as follows:
 - (1) Shall oversee the execution of all Administrative Council policies, activities, and general business.
 - (2) Shall submit, at the first Administrative Council meeting of his term in office, a report of the programs and activities that the SBA should strive to obtain under his leadership. The President shall direct the Secretary to maintain a copy of this report and to make the copy available to any student that wishes to view it.
 - (3) Shall recommend needed legislation and resolutions to the Board.
 - (4) Shall call meetings of the Administrative Council.
 - (5) Shall post and maintain a schedule of regular office hours, which shall not be less than five (5) hours per week.
 - (6) In the event of a permanent vacancy of any elected position, shall appoint a successor, subject to confirmation by a majority vote of the Administrative Council.
 - (7) Shall break all tie votes of the Administrative Council.
 - (8) Shall have the power to veto any vote of the Administrative Council. This veto may be overturned by a two-thirds (2/3) vote of the Administrative Council.
 - (9) Shall have the power to spend no more than one hundred dollars (\$100.00) per month, non-cumulative, without prior Administrative Council approval.
 - (10) Shall have such other powers as are necessary to carry out the duties of the office.
 - (11) Shall also perform other duties as supplemented by the By-Laws.

D. The Vice President. There shall be a Vice President who, with the President, shall equitably divide the committee assignments and have other duties as follows:

- (1) In the temporary absence of the President, shall serve in place of the President.
- (2) If the office of President should become permanently vacant, then shall become President and the office of Vice-President shall be elected by a majority vote by the Administrative Council, as provided in Article VI, § (5) of this Constitution.
- (3) Shall act as advisor to the President and ensure the effective operation of the Administrative Council.
- (4) Shall act as the custodian of this Constitution, along with the SGA Senator and Faculty Advisor to the SBA (collectively "Custodians"), and ensure compliance with this Constitution by the Administrative Council and all members of SBA. Each spring semester following an election, the Vice President shall create a Constitutional Review Committee, which must include the SGA Senator, for the purpose of reviewing this Constitution and By-Laws and to propose any changes to the SBA.
 - (a) There must only be three (3) modifiable versions of this Constitution (herein "Modifiable Versions"), electronic or otherwise, one (1) version each to be held by Custodians.
 - (b) Custodians are charged with the following duties:
 - i. Duty to Safeguard: in an effort to prevent unauthorized alterations of the Constitution, the Custodians will restrict access to modifiable versions of the Constitution document to members of the Constitution Committee, the President, the Vice President, and the Faculty Advisor. Modifiable versions should be distributed only as needed to draft and discuss amendments and conduct other Constitution Committee business as needed.
 - ii. Duty to Maintain Integrity: to the extent reasonably possible, the Custodians will ensure that no unauthorized changes or unauthorized amendments are made to the Constitution, unless such changes or amendments are made pursuant to the amendment process in Article X of this Constitution or made to modifiable versions during the ordinary business of the Constitution Committee.
 - (c) The Faculty Advisor to the SBA is charged with the duty to make certain that this provision is followed and abided by when there is any transition of the Vice President and the SGA Senator, whether that transition occurs following an election or otherwise.
- (5) Shall act as an ex-officio member of all non-standing SBA committees and shall be responsible for the effective operation of such committees, ensuring that at least three members exist within each SBA committee.
- (6) Shall also perform other duties as supplemented by the By-Laws.

- E. The Secretary. The Secretary shall be chief reporter and correspondent of the SBA. The Secretary shall create the agenda for the meeting, as well as keep the records and minutes of the Administrative Council. These minutes shall be available to any SBA member to view upon request and have other duties as follows:
- (1) Shall take attendance at every meeting of the Administrative Council.
 - (2) Shall make note of which members of the Administrative Council did not notify the President or delegated officer of their absence in advance.
 - (3) Shall also perform of duties as supplemented by the By-Laws.
- F. The Treasurer. The Treasurer shall keep a record of the expenses and the financial condition of the SBA, which shall be submitted to the new Treasurer at the end of the term of office. The Treasurer shall have all financial information pertaining to the SBA for any SBA member to view upon request and have other duties as follows:
- (1) Shall update the Administrative Council on the state of SBA's finances during each weekly meeting and have such other duties as are delegated by the President.
 - (2) Shall also perform of duties as supplemented by the By-Laws.
- G. Bar Associations Representative. The Bar Associations Representative shall represent the SBA at all meetings of local and national bar associations, including the Memphis Bar Association, the Tennessee Bar Association, and the American Bar Association Law Student Division. The Bar Associations Representative shall be one of the University of Memphis' official voting delegates, along with the President, at the Circuit and National ABA–LSD meetings. This officer is responsible for promoting student membership in all bar associations and for distributing information about the bar associations to the student body. The Bar Associations Representative shall act as Election Commissioner as outlined in Article VI, § (1) and have other duties as follows:
- (1) Shall make an oral or written report to the Administrative Council within one week of attendance of any bar association meeting. This report shall include all propositions and the Bar Associations Representative's vote on the issues and other such other duties as are delegated by the President.
 - (2) Shall also perform of duties as supplemented by the By-Laws.

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H. SGA Senator. The SGA Senator shall serve a period of one (1) academic year or until a successor has been has been nominated, elected, and implemented pursuant to Article VI, § (2) of the SGA By-Laws, as well as be responsible for acting as The Student Government Association Senator (herein respectively “SGA” and “SGA Senator”) on main campus and member of the SBA Executive Board at the law school, and other duties as follows:

- (1) Shall abide by and enforce the code of conduct for both SGA and SBA, and in the case of misconduct dismissed from his or her position.
- (2) Shall attend all meetings scheduled for both SGA and SBA, as well as abide by attendance policies for both SGA and SBA.
- (3) Shall attend all conferences scheduled for both SGA and SBA, and otherwise serve as the student representative, as such representation pertains to the law school seeking main campus resources.
- (4) Shall oversee all other affairs regarding main campus, as such affairs pertain to the law school including, but not limited to: conceptualizing, drafting, and seeking implementation of legislation through SGA.
- (5) Shall assist the SBA Election Commissioner in the nominating, electing, and implementation of a successor Senator Elect pursuant to Article VI, § (2).
- (6) Shall act as Chair for the *Student Leadership Council*.
- (7) Shall assist in publicizing SGA activities and events.
- (8) Shall assist the Vice President in forming the Constitutional Review Committee for annual review of this Constitution and By-Laws.
- (9) Perform other duties as supplemented by By-Laws of both SGA and SBA.

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I. Other Executive Officers and Committees.

- (1) The Administrative Council may create new executive offices and new committees through By-Laws. The name of the office, duties of the officer, term of office, means of assuming office and whether the officer is to have a vote in the business of the Administrative Council shall be specified in the By-Laws and approved by a vote of the Administrative Council. The name of the committee, purpose or goals of the committee, and term of the committee shall be specified in the By-Laws and approved by a vote of the Administrative Council.
- (2) The President shall retain the right to appoint any other member of the SBA to the Executive Board, if a position is deemed necessary for the success of the SBA. Further, any member appointed by the President under this part must be approved by a majority vote of the Administrative Council.

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SECTION 3. Board of Bar Governors.

- A. The Board of Governors shall share Legislative authority of the SBA with the Executive Board. The Board of Bar Governors shall resolve questions of interpreting this Constitution and its By-Laws, unless interpretation regards the SGA—in this case, the SGA Executive Board must be included.
- B. The Board of Bar Governors shall be comprised of three (3) representatives from the 3L class and three (3) representatives from the 2L class, along with two (2) representatives from each 1L class section.

SECTION 4. Other Officers.

- A SGA Senator-Elect. The SGA Senator-Elect shall be a voting member in the SBA. The SGA Senator-Elect shall be an honorary, or otherwise non-voting, member of the SGA—as governed by the SGA Constitution and SGA Senate. Additionally, prior to taking office, the SGA Senator-Elect shall be responsible for acting as a “shadow” of the SGA Senator with good faith intention and commitment to learn and understand the SGA process for not less than one (1) academic year, as such pertains to serving in the SGA Senator role, and other duties as follows:
 - (1) Abide by and help enforce the code of conduct for both SGA and SBA, and in the case of misconduct dismissed from his or her position;
 - (2) Attend all meetings scheduled for both SGA and SBA, as well as abide by attendance policies for both SGA and SBA;
 - (3) Assist the SBA Election Commissioner and SGA Senator in nominating, electing, and implementation of a successor Senator Elect pursuant to Article VI, § (2) of the SGA By-Laws;
 - (4) Commit entire 2L year to serve as an honorary, or otherwise non-voting, counterpart to SGA Senator, and a voting member of SBA;
 - (5) Commit entire 3L year to serving as SGA Senator, after not less than one (1) academic year serving as SGA Senator-Elect;
 - (6) Act as Secretary for the *Student Leadership Council*;
 - (7) Assist in publicizing SGA activities and events;
 - (8) Perform other duties as delegated by SGA Senator or SBA President;
 - (9) Perform other duties as supplemented by the By-Laws of either SGA or SBA.

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ARTICLE V

QUALIFICATION OF OFFICERS

SECTION 1. Administrative Council General Requirements. No person shall serve in any office of the Executive Board of Bar Governors unless qualified as follows:

- A. Every candidate must have a minimum of a 2.0 grade point average on a 4.0 scale at the time of election for a position.
- B. Nomination by filing a petition with the required number of signatures at the proper time and place with the Bar Associations Representative, acting as Election Commissioner, as specified by the election rules.
- C. Every candidate shall certify to the Bar Associations Representative, acting as Election Commissioner, a good faith pledge which indicates that in the event of being elected to office, the candidate will continue to be enrolled as a student of the Law School during the entire term of the office. Application for early graduation will result in the immediate termination of the officer's term.

SECTION 2. Qualification for Executive Board Officers. In addition to the general qualifications for all other Administrative Council officers, the Executive Board officers shall also meet these additional qualifications where applicable:

- A. The SBA President. Each candidate for SBA President must be a rising 3L.
- B. The ABA/LSD Representative. Each candidate for ABA Representative shall meet the requirements of said office by complying with the applicable rules of the ABA, which rules are incorporated herein by reference.
- C. Other Executive Offices Created Through the By-Laws. Other executive officers may be created through the By-Laws, which shall enumerate the qualifications for each office.

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SECTION 3. Qualifications for Board of Bar Governors. In addition, to the general qualifications for all other Administrative Council officers, the Board of Bar Governors shall also meet these additional qualifications where applicable:

- A. The Candidates for 3rd Year Bar Governors shall be students who have successfully completed thirty-six (36) hours.
- B. The Candidates for 2nd Year Bar Governors shall be students who have successfully completed twelve (12) hours.
- C. The Candidates for 1st Year Bar Governors shall be newly enrolled students who have completed zero (0) hours.

SECTION 4. Attendance Requirements of Executive Board Officers and Bar Governors.

- A. All members of the Administrative Council, including all Executive Board officers and all Bar Governors, are required to make a good faith effort to attend all meetings of the Administrative Council and to make a good faith effort to participate in all SBA events and activities. Failure to do so can result in the recall of the Executive Board officer or the Bar Governor per Article IV, § (1) (B) (2). Such a good faith effort includes notifying the President or delegated officer of any absence prior to an Administrative Council meeting or SBA event.
- B. A strike shall be automatically dispensed by the President to any Executive Board officer or Bar Governor that fails to attend an Administrative Council meeting(s) or an SBA event(s) and does not provide a valid reason for his or her failure to attend the meeting(s) or SBA event(s) prior to the meeting(s) or SBA event(s).
- C. If any member accumulates three (3) strikes, the Administrative Council must hold a recall vote in accordance with Article IV, § (1) (A) (4) (a).

SECTION 5. Qualifications for SGA Officers. As otherwise stated in Article VI, § (2) of the SGA By-Laws, no person shall serve as SGA Senator or SGA Senator-Elect office unless qualified with a strong academic record and high integrity as follows:

- A. Be a full-time, first-year law student.
- B. Have a 2.00 minimum grade point average.
- C. Be in good academic and conduct standing.
- D. Cannot be the president of SGA, SBA, or Graduate Student Association (herein “GSA”).

SECTION 6. Nomination and Election of SGA Officers. The SGA Senator-Elect shall be elected, not less than three (3) semesters (e.g. an academic year) prior to serving as SGA Senator and shall serve as SGA Senator-Elect immediately upon successful completion of nomination, vetting, and confirmation processes pursuant to Article VI, § (2) of the SGA By-Laws.

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ARTICLE VI

ELECTIONS

SECTION 1. Election Commissioner. The Bar Associations Representative shall be responsible for scheduling and conducting all SBA elections and referenda. The determination of any and all matters and rules pertaining to such election shall be within the jurisdiction of the Bar Associations Representative and its decision, subject to the approval of the SBA President, shall be final.

SECTION 2. Election of Executive Board Officers. Executive Board officers shall be elected for a period of one (1) year and shall take office upon graduation day. Executive Board officers, with the exception of appointed officers, shall be elected as follows:

- A. Election of Executive Board officers shall be held in the Spring General Election, using Tiger Zone.
- B. Executive Board officers shall be elected by the general membership of the SBA.
- C. The candidate for each Executive Board office who receives a simple majority of votes cast shall be elected.
- D. In the absence of one candidate receiving a majority of the votes cast, a run-off election shall be held between the two candidates who have received the most votes. The candidate receiving a simple majority of the votes in the run-off election shall be elected.
- E. In the case of a run-off tie, the position will be determined by a vote of the present Administrative Council.

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