



*We the Students of The George Washington University Law School, in order to form a more perfect student government, establish justice and ensure the educational values of student life, provide a responsive forum for varying student viewpoints, encourage accountability among the students, faculty, administration, alumni and surrounding community, promote the general welfare of the student body, and secure a tradition of academic excellence and professional growth to ourselves and our successors, do ordain and establish this Constitution for the Student Bar Association of The George Washington University Law School.*

**Article I—Legislative Powers**

**Section 1. Vestment of Legislative Power**

(Sole Clause) The legislative power herein granted shall be vested in a Senate of the Student Bar Association—but the students reserve to themselves the power to propose legislative measures and laws and to enact or reject the same at the polls, independent of the Senate, and the students shall also have the power to approve or reject at the polls any Act or item passed by the Senate, with such exceptions as shall be herein provided.

**Section 2. Senate of the Student Bar Association**

(Clause 1) The Senate of the Student Bar Association shall be composed of the following members: one at-large Division Senator from the Full-Time Juris Doctorate Division, chosen every academic year by the students of the Classes thereof; one at-large Division Senator from the Part-Time Juris Doctorate Division, chosen every academic year by the students of the Classes thereof; one at-large Division Senator from the Master of Laws and Doctor of Juridical Science programs, known collectively as the Post-Juris Doctorate Division, chosen every academic year by the students of the Classes thereof; and an apportioned number of Class Senators from each Class, chosen every academic year by the students of the several Classes, in such manner and for such terms as shall be herein specified. On any question that shall be before the Senate, the members thereof shall each have one vote.

(Clause 2) The Executive Vice President of the Student Bar Association shall preside over meetings of the Senate, but the presiding officer shall have no vote on any question before it, unless the Senate is equally divided. In the absence of the Executive Vice President, the Vice President of Finance shall preside; and in the absence of the Executive Vice President and the Vice President of Finance, the Chief of Staff shall preside. The Senate may by law provide for the case of the absence of the Executive Vice President, the Vice President of Finance and the Chief of Staff, declaring who shall act as presiding officer; and such person shall act accordingly until the Executive Vice President, Vice President of Finance or Chief of Staff is present.<sup>1</sup>

(Clause 3) Class Senators shall be apportioned among the several Classes according to their respective numbers, counting the whole number of persons in each Class. The actual enumeration shall be made within one year after the first meeting of the Senate, and shall thereafter be made every subsequent year, in such a manner as it shall by law direct. The number of Class Senators shall not exceed one for every eighty-five persons, but each Class shall have at least one Class Senator; and until such enumeration shall be made, the Full-Time Juris Doctorate Class of 2005 shall be entitled to choose four, the Part-Time Juris Doctorate Class of 2005 one, the Full-Time Juris Doctorate Class of 2006 four, the Part-Time Juris Doctorate Class of 2006 one, the Full-Time Juris Doctorate Class of 2007 four, the Part-

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<sup>1</sup> When this Constitution was adopted & ratified, it referred to the Vice President, Treasurer, and Secretary. To conform to actual practices of the Executive Branch and provide greater clarity, and without making any substantive alterations to the responsibilities or functions of these positions, all references within this document to the Vice President have been changed to the Executive Vice President; all references to the Treasurer have been changed to the Vice President of Finance; and all references to the Secretary have been changed to the Chief of Staff. These same semantic alterations have also been made to the Bylaws, which were enacted using terminology parallel to the ratified Constitution.

Time Juris Doctorate Class of 2007 one, the Part-Time Juris Doctorate Class of 2008 one, and the Post-Juris Doctorate Class of 2005 one.

- (Clause 4) No person except a student of The George Washington University Law School shall be eligible for membership to the Senate. No person shall be a Division Senator who is not a student of a Class belonging to the Division that he or she shall be chosen to represent; and no person shall be a Class Senator who is not a student of that Class from which he or she shall be chosen.
- (Clause 5) When vacancies happen in the representation of any Division or Class, the President of the Student Bar Association shall issue writs of election to fill such vacancies, under such regulations as may be prescribed by law; and if vacancies happen by resignation or otherwise during a recess of academic classes, the President shall be empowered to make temporary appointments until the students of the Division or of the Class, whichever the case may be, fill the vacancies by election upon resumption of academic classes. In either case, however, the Division Senator or Class Senator shall be a student of the respective Division or Class that he or she is selected to represent.
- (Clause 6) The Senate shall have the sole power of impeachment for offenses against the Student Bar Association by malfeasance in office, corruption, dereliction of duty, or other high crime or misdemeanor, but no person shall be impeached unless a majority of the members elected concur therein.
- (Clause 7) The court for the trial of impeachments shall be composed of the elected members of the Senate; when sitting for that purpose, they shall be on oath or affirmation to try the impeachment truly and impartially according to the evidence. The Chief Judge of the Student Bar Association shall preside over all trials of impeachment, except in the case of impeachment of the Chief Judge, when the Chief Pro Tempore shall preside; and no person shall be convicted without the concurrence of two-thirds of the members of the court.
- (Clause 8) Judgment in cases of Impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the Student Bar Association; but the party convicted shall nevertheless be liable and subject to charge, hearing, judgment, and punishment, pursuant to the rules and regulations of The George Washington University Law School and/or The George Washington University.

### **Section 3. Election, Terms of Office and Assemblage of Senators**

- (Clause 1) The Senate shall prescribe the Times, Places, and Manner of holding elections for Division Senators and Class Senators.
- (Clause 2) The Senate shall hold one day of elections in each semester. For the spring semester, the Senate shall prescribe a day of elections which shall be no later than the last Wednesday in February. For the fall semester, the day of elections shall be no later than the last Wednesday in September. The Senate shall also prescribe for each semester an auxiliary day for elections, to be invoked in the case of school closure or other emergency; and the auxiliary day in each case shall be in a week subsequent to the week for which the initial date is prescribed. In no case shall the auxiliary day be later than fourteen days following the initial date. All election results shall be ratified by the Senate within twenty-one days following the day on which the election is held.
- (Clause 3) The Class Senator(s) from the Full-Time Juris Doctorate Class that is in its second year of study during the spring semester, and the Senator(s) from the Part-Time Juris Doctorate Class that is in its third year of study during the spring semester shall each be chosen in the election held in the spring semester. They shall hold their offices for a term that begins on the day the results of their elections are ratified and ends at noon on the day of the graduation of their class from the Law School.
- (Clause 4) The Division Senator from the Full-Time Juris Doctorate Division, the Division Senator from the Part-Time Juris Doctorate Division, the Class Senator(s) from the Full-Time Juris Doctorate Class that is in its first year of study during the spring semester, the Class Senator(s) from the Part-Time Juris Doctorate Class that is in its second year of study in the spring semester, and the Class Senator(s) from the Part-Time Juris Doctorate Class that is in its first year of study during the spring semester shall be chosen in the election held in the spring semester. They shall hold their offices for a term that begins on the day the results of their elections are ratified and ends on the day the results of the

election held in the following spring semester are ratified; and the terms of their successors shall then begin.

- (Clause 5) The Class Senator(s) from the Full-Time Juris Doctorate Class that is in its first year of study during the fall semester and the Class Senator(s) from the Part-Time Juris Doctorate Class that is in its first year of study during the fall semester shall be chosen in the election held in the fall semester. They shall hold their offices for a term that begins on the day the results of their elections are ratified and ends on the day the results of the election held in the following spring semester are ratified.
- (Clause 6) The Division Senator from the Post-Juris Doctorate Division and the Class Senator from the Post-Juris Doctorate Class shall be chosen in the election held in the fall semester. They shall hold their offices for a term that begins on the day the results of their elections are ratified and ends at noon on the date of Commencement in the following spring semester.
- (Clause 7) The Senate shall assemble at least once in every semester and as many times as it shall by law prescribe; and such meeting shall begin at eight o'clock post meridiem (8:00 p.m.) on the first Tuesday following the beginning of classes for a semester, unless the Senate shall by law appoint a different day or time.

#### **Section 4. Proceedings and Rules of the Senate**

- (Clause 1) A majority of the members elected shall constitute a quorum to do business; but a smaller number may adjourn from meeting to meeting, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as the Senate may provide.
- (Clause 2) The Senate may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member from a meeting.
- (Clause 3) The Senate shall keep a record of its proceedings, and from time to time publish the same and make it available for public viewing, excepting such parts as may in its judgment require secrecy in order to protect the general welfare of the students. The yeas and nays of the members on any question shall, at the desire of one-fifth of those present, be entered on the record.
- (Clause 4) The meetings of the Senate and of the committees thereof that may be established shall be open to the student body, unless when the business is such that two-thirds of the Senate deems it necessary that a meeting be closed.
- (Clause 5) A vote of two-fifths of the members of the Senate shall be sufficient to call an emergency meeting of the full Senate.

#### **Section 5. Disqualifications and Impeachment of Senators**

- (Sole Clause) The Division Senators and Class Senators of the Senate shall be removed from office on impeachment for, and conviction of, malfeasance in office, corruption, dereliction of duty, or other high crimes and misdemeanors.

#### **Section 6. Passage of Bills and Joint Resolutions**

- (Clause 1) Every Bill which shall have passed the Senate shall, before it becomes a law, be presented to the President of the Student Bar Association; if the President approves, he or she shall sign it, but if not he or she shall return it with his or her objections to the Senate, who shall enter the objections at large on their record and proceed to reconsider it. If after such reconsideration, two-thirds of the Senate shall agree to pass the Bill, it shall become a law. But in all such cases the vote of the Senate shall be determined by yeas and nays, and the names of the persons voting for and against the Bill shall be entered on the record of the Senate. If any Bill shall not be returned by the President within seven days (Saturdays and Sundays excepted) after it shall have been presented to him or her, the same shall be a law in like manner as if he or she had signed it, unless the Senate by their adjournment prevents its return, in which case it shall not be a law.
- (Clause 2) Every Joint Resolution, except those that shall be passed in accordance with the provisions of the fifth Article of this Constitution, shall be presented to the President of the Student Bar Association; and before the same shall take effect, shall be approved by the President, or being disapproved by him

or her, shall be re-passed by two-thirds of the Senate, according to the rules and limitations prescribed in the case of a Bill.

### **Section 7. Initiative and Referendum**

- (Clause 1) The students of the Student Bar Association shall have the power to enact laws independently of the Senate by way of initiative. The students shall likewise have the power to approve or reject any Act or item passed by the Senate by way of referendum, except those items making appropriations for the expense of the Student Bar Association government or for a student organization existing at the time of the passage of such an Act.
- (Clause 2) The powers of initiative and of referendum shall be invoked upon the receipt by the Chief of Staff of the Student Bar Association of a petition bearing the valid signatures of no less than fifteen percent of the qualified electors of the Student Bar Association, and such petition shall set forth the proposed measure at length. The Chief of Staff shall submit the measure thus proposed to the students of the Student Bar Association at the first election held not less than twenty days after such petition shall have been filed.
- (Clause 3) A measure initiated shall become a law, and an Act or item referred shall be rejected, when a majority of the respective votes cast thereon, and not less than thirty-five percent of the total votes cast at the election at which initiative or referendum was submitted, are cast in favor thereof; and the measure or rejection, whichever the case may be, shall take effect upon proclamation by the President, which shall be made within seven days after the official certification of the results of the election. The veto power of the President shall not extend to measures initiated or Acts or items rejected by the students.
- (Clause 4) If conflicting initiatives submitted to the students at the same election are approved, the one receiving the highest number of affirmative votes shall thereby become law as to all conflicting provisions.
- (Clause 5) The same initiative, either in form or in essential substance, shall not be submitted to the students, affirmatively or negatively, more often than once in an academic year.
- (Clause 6) The limitations set forth in this Constitution regarding the scope and subject matter of laws enacted by the Senate shall in all cases apply to those enacted by initiative; and nothing in this Constitution shall be construed to abridge the power of the Senate to amend or repeal the provisions of an initiative which shall have become law, provided that such amendment or repeal shall comply with requirements set forth in the sixth section of this Article.

### **Section 8. Scope of Legislative Power**

- (Clause 1) The Senate shall have power—To faithfully represent student views and promote student interests to the administration, faculty, alumni and surrounding community in consideration of issues involving academic, social, administrative and community affairs;
- (Clause 2) To establish, execute and regulate any program which it deems necessary through the appropriate officers, departments, boards, committees, commissions, agencies, bureaus, clubs or organizations directly recognized and funded by the Student Bar Association;
- (Clause 3) To recognize and sponsor, and to withdraw recognition and sponsorship of, any student club or organization;
- (Clause 4) To impose fees to pay the debts and disburse funds for the common welfare of the Student Bar Association; but all fees shall be uniform throughout the Student Bar Association;
- (Clause 5) To establish and enact legislative codes and rules of public governance and finances;
- (Clause 6) To provide for the participation of the Student Bar Association in the prosecution of or defense against charges, conduction of hearings, rendering of judgments, and issuance of punishments or sanctions as may be appropriate under the rules and regulations of The George Washington University and The George Washington University Law School;
- (Clause 7) To promulgate rules and procedures for the conduction of elections and of votes for initiative measures and referendums, in accordance with the provisions of this Constitution;

- (Clause 8) To exercise exclusive legislation and authority over all places and property occupied or controlled by the Student Bar Association, and to dispose of and make all needful rules respecting the property belonging to the Student Bar Association;—And
- (Clause 9) To make all laws which shall be necessary and proper for carrying into execution the foregoing powers vested by this Constitution in the government of the Student Bar Association, or in any officer, department, board, committee, commission, agency, bureau, club or organization thereof.

### **Section 9. Limitations on Legislative Power**

- (Clause 1) No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.
- (Clause 2) The Senate shall pass no law that violates the rules and regulations of The George Washington University Law School or of the university at large, the municipal laws of the District of Columbia, or the United States Constitution and the laws made in pursuance thereof.

## ***Article II—Executive Powers***

### **Section 1. Vestment of Executive Power**

- (Sole Clause) The executive power shall be vested in a President of the Student Bar Association. The President and the Executive Vice President shall be elected in the spring semester and shall hold their offices for a term beginning on the date on which the results of their election are ratified and end on the date on which the results of the election held in the following spring semester are ratified; the terms of their successors shall then begin.

### **Section 2. Executive Election, Installation and Succession**

- (Clause 1) The President and Executive Vice President shall be chosen by the students of the Student Bar Association on the day of the general election held in the spring semester, at the places where the students shall vote for their Senators. The returns of every election for President and Executive Vice President shall be compiled on distinct lists from each such place, and said lists shall contain the names of all persons voted for as President and all persons voted for as Executive Vice President. The lists shall be signed and transmitted to the Executive Vice President, who shall publish them in the presence of the members of the Senate. The person having the greatest number of votes for President shall be President, if such number is a majority of the votes cast for that office; and if no person shall have a majority, then the students shall, in a run-off election, choose between the two persons having the highest number of votes for President. In the event that the candidates in the run-off election receive the same number of votes, the Class Senators of the newly-installed Senate shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by Class, the representation from each Class having one vote; a quorum for this purpose shall consist of a Class Senator or Class Senators from two-thirds of the Classes, and a majority of all classes shall be necessary to a choice. The person having the greatest number of votes for Executive Vice President shall likewise be Executive Vice President, if such number is a majority of the votes cast for that office; and if no person shall have a majority, then the students shall, in a run-off election, choose between the two persons having the highest number of votes for Executive Vice President. In the event that the candidates in the run-off election receive the same number of votes, the election shall be decided in like manner as in the case of the President. The administration of election contests for the offices of President and Executive Vice President shall be in such manner as may be prescribed by law.
- (Clause 2) No person except a student of The George Washington University Law School shall be eligible to the offices of President or Executive Vice President.
- (Clause 3) In the case of the removal of the President from office or of his or her death, resignation, or inability to discharge the powers and duties of the said office, the Executive Vice President shall become President.

- (Clause 4) Whenever there is a vacancy in the office of the Executive Vice President, the President shall nominate a Executive Vice President who shall take office upon confirmation by a majority vote of the Senate.
- (Clause 5) The Senate may by law provide for the case of removal, death, resignation or inability both of the President and Executive Vice President, declaring what officer shall then act as President; and such officer shall act accordingly, until the disability is removed or a President is elected.
- (Clause 6) If, at the time fixed for the beginning of the term of the President, the President-elect shall have died, become incapacitated, failed to qualify, or otherwise opted not to assume the powers of the Presidency, the Executive Vice President-elect shall become President. The Senate may provide by law for the case wherein neither a President-elect nor a Executive Vice President shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Executive Vice President shall have qualified.
- (Clause 7) Whenever the President transmits to the President Pro Tempore of the Senate his or her written declaration that he or she is unable to discharge the powers and duties of his or her office, and until he or she transmits to the President Pro Tempore a written declaration to the contrary, such powers and duties shall be discharged by the Executive Vice President as Acting President.
- (Clause 8) Before entering on the execution of his or her office, the President shall take the following oath or affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the Student Bar Association, and will to the best of my ability preserve, protect and defend the Constitution of the Student Bar Association."

### **Section 3. Powers of the President**

- (Clause 1) The President shall be the chief enforcer of the provisions contained within this Constitution, and shall take care that the laws be faithfully executed and that the affairs of the government be properly administered.
- (Clause 2) The President shall represent the Student Bar Association to the faculty and administration of The George Washington University Law School and of the university at large, to the Student Association of The George Washington University, to the American Bar Association, and to the community at large.
- (Clause 3) The President shall commission all the officers of the Student Bar Association and shall receive representatives from external organizations; commissions and grants shall run in the name of the Student Bar Association and be attested to by the President. The President may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices; and he or she shall hold a meeting of all such executive department heads no less than twice a semester.
- (Clause 4) The President, or at the discretion of the President, the Vice President of Finance of the Student Bar Association, shall present a report to the Senate no less than once a semester concerning the budget and financial status of the Student Bar Association.
- (Clause 5) The President, or his or her designee, shall have power to make external contracts on behalf of the Student Bar Association. Such contracts shall not require the consent of the ~~Board~~ Senate, provided that the contracted price does not exceed the allocated budget of the contracting entity.
- (Clause 6) The President shall nominate, and by and with the advice and consent of a majority of the Senate shall appoint; directors of executive committees, student members of faculty committees, Judges of the Supreme Court and inferior courts, and all other officers of the Student Bar Association whose appointments are not herein otherwise provided for, and which shall be established by law; but the Senate may by law vest the appointment of such inferior officers, as it thinks proper, in the President alone, in the Supreme Court, or in the directors of executive committees.
- (Clause 7) The President shall, as soon as practicable after his or her election, nominate a Vice President of Finance and Chief of Staff of the Student Bar Association to serve subordinate to the President, in accordance with the provisions of the sixth clause of this section.

- (Clause 8) The President shall have power to fill up all vacancies in non-elective offices that may happen during the recess of the Senate, by granting commissions which shall expire at the next meeting of the Senate, unless a majority thereof shall otherwise approve the appointments, in which case the officers shall serve as if appointed under sixth clause of this section.

#### **Section 4. State of the Student Bar Association; Special Sessions**

- (Clause 1) The President shall from time to time give to the Senate information on the State of the Student Bar Association, and shall recommend to their consideration such measures as he or she shall judge necessary and expedient.
- (Clause 2) The President may, on extraordinary occasions, convene the Senate by proclamation, stating therein the purpose for which they are convened, and the members of the Senate shall enter upon no business except that for which they were called.

#### **Section 5. Disqualification and Impeachment of the President, Executive Vice President, and other Executive Officers**

- (Clause 1) Neither the President nor the Executive Vice President shall be a member of the Senate during their continuance in office. Nor shall they hold any office, elective or appointive, under the authority of the Student Association of The George Washington University; and no person holding any such office under the authority of the Student Association shall be President or Executive Vice President during his or her continuance in that office.
- (Clause 2) The President, Executive Vice President and all other executive officers of the Student Bar Association, shall be removed from office on impeachment for, and conviction of, malfeasance in office, corruption, dereliction of duty, or other high crimes and misdemeanors, in accordance with the sixth, seventh and eighth clauses of the second section of the first Article.

### ***Article III—Judicial Powers***

#### **Section 1. Vestment of Judicial Power**

- (Sole Clause) The judicial power of the Student Bar Association shall be vested in one Supreme Court consisting of a Chief Judge and four Associate Judges.

#### **Section 2. Chief Judge Presides; Administrative Authority; Qualifications of Judges**

- (Clause 1) The Chief Judge shall preside at all terms and sittings of the Supreme Court, and in his or her absence or disability the Judges present shall select one of their number Chief Pro Tempore.
- (Clause 2) In accordance with rules established by the Supreme Court and not in conflict with other provisions of this Constitution and laws governing such matters, the general administrative authority over all courts in the Student Bar Association shall be vested in the Supreme Court and shall be exercised by the Chief Judge. The Chief Judge shall be the executive head of the courts and may appoint an administrative director thereof.
- (Clause 3) The Judges of the Supreme Court shall be students of The George Washington University Law School, and shall hold their offices during good behavior until their respective date of graduation, transfer to another school, failure to enroll for a fall or spring semester, resignation, death or removal from office.

#### **Section 3. Extent of Judicial Power**

- (Clause 1) The Supreme Court shall have the power to review all actions and decisions of the various committees of the Student Bar Association created under the authority of this Constitution; *provided* that standing to challenge the action or decision of a committee of the Student Bar Association shall be limited to members of such committee, or to students of The George Washington University Law School who can show by clear and convincing evidence that they have been subject to a concrete and particularized injury as a result of such action or decision.
- (Clause 2) The Supreme Court shall have the power to review any legislation enacted pursuant to the first Article of this Constitution, and any action taken in the administration thereof, for consistency with the

provisions of this Constitution; *provided* that standing to challenge the constitutionality of such legislation or action taken in the administration thereof shall be limited to members of the Senate, or to students of The George Washington University who can show by clear and convincing evidence that they have been subject to a concrete and particularized injury as a result of such legislation or action taken in the administration thereof.

- (Clause 3) In no case shall jurisdiction extend to matters involving appropriations or budgetary decisions by the Senate, the Vice President of Finance, or members of any financial committees that may be created by the Senate.
- (Clause 4) The Supreme Court shall have the power of review over the dismissals of all unelected executive officers of the Student Bar Association.
- (Clause 5) The Supreme Court shall have the power to issue advisory opinions on any matter certified to it by a vote of no less than one-fourth of the members of the Senate, but such power shall not be construed to diminish the power of the judiciary to review the constitutionality of legislation pursuant to the second clause of this section.
- (Clause 6) The Supreme Court shall have the power to review and resolve any other dispute or controversy submitted to it by a vote of no less than one-fourth of the members of the Senate, consistent with the provisions of this Article.
- (Clause 7) Pursuant to its powers of review under this Article, the Supreme Court may, at its discretion and whenever practicable, fashion declaratory or equitable relief for any party which it finds to be aggrieved. Such relief shall be consistent with the provisions of this Constitution, the rules and regulations of The George Washington University Law School and the university at large, and the laws of the District of Columbia and the United States, and shall not substantially interfere with the ability of the Student Bar Association and its officers to discharge their duties effectively. Any judicial invalidation of legislation, done pursuant to the power granted in this section, shall be manifestly within the interests of the student body.
- (Clause 8) Nothing in this Constitution shall be construed to limit or eliminate the right of any student to make and pursue a claim to the administration of The George Washington University Law School or the university at large, in accordance with the operative procedures and guidelines thereof.

#### **Section 4. Disqualification and Impeachment of Judges**

- (Clause 1) No Judge of the Supreme Court shall be a member of the Senate, or otherwise hold any other office, elective or appointive, under the authority of the Student Bar Association. Neither shall the Judges of the Supreme Court hold any office, elective or appointive, under the authority of the Student Association of The George Washington University; and no person holding any such office under the authority of the Student Association shall be a Judge of the Supreme Court or of the inferior courts during his or her continuance in that office.
- (Clause 2) The Judges, both of the Supreme Court and inferior courts, shall be removed from office on impeachment for, and conviction of, malfeasance in office, corruption, dereliction of duty, or other high crimes and misdemeanors, in accordance with the sixth, seventh and eighth clauses of the second section of the first Article.

### ***Article IV—Students***

#### **Section 1. Studentship, Privileges and Immunities, Due Process and Equal Protection**

- (Clause 1) All persons who are enrolled in a degree-granting program or otherwise registered for academic credit upon the student rolls of The George Washington University Law School are students of the Student Bar Association and of the Class to which they belong.
- (Clause 2) No student shall be deprived of any right which shall be created under this Constitution without due process of law; nor shall any student be denied the equal protection of the laws.

## **Section 2. Rights and Qualifications of Electors**

- (Clause 1) The right of a qualified elector to exercise the franchise shall not be infringed; and the votes of the students in all elections, initiatives, referendums shall be by ballot or by such other method as may be prescribed by law, provided that secrecy in voting is preserved.
- (Clause 2) No person shall be a qualified elector for any office established under this Constitution, or for any initiative or referendum proposed, who is not a student of the Student Bar Association.
- (Clause 3) No student shall be a qualified elector for a Division Senator unless that student is also a student of a Class belonging to the Division that said Senator shall be chosen to represent; and no student shall be a qualified elector for a Class Senator unless that student is also a student of the Class from which said Senator shall be chosen.

## **Section 3. Other Rights Retained by the Students**

- (Sole Clause) The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the students.

### ***Article V—Amendments***

- (Sole Clause) The Senate, whenever two-thirds of the members of the thereof deem it necessary, shall by Joint Resolution propose Amendments to this Constitution, or, on the receipt and certification of the Chief of Staff of the Student Bar Association of a petition bearing the valid signatures of no less than one-fourth of the qualified electors of the Student Bar Association, shall call a convention for proposing Amendments, which in either case shall be valid to all intents and purposes as part of this Constitution when ratified by three-fourths of the Classes of the Student Bar Association, or by conventions in three-fourths of the Classes (if a majority of the qualified electors in each such Class have concurred in the formation of the convention thereof), as the one or the other mode of ratification may be proposed by the Senate.

### ***Article VI—General Provisions***

## **Section 1. Separate and Distinct Branches of Government**

- (Sole Clause) The legislative, executive and judicial branches of this government shall be separate and distinct, and no person or collection of persons being one of these branches shall exercise any power properly belonging to either of the others, except as heretofore directed or permitted.

## **Section 2. Previous Governing Instruments and Laws Null and Void; Exceptions**

- (Clause 1) Upon the ratification and establishment of this Constitution, all previous governing instruments of the Student Bar Association, and all laws made in pursuance thereof, shall, on the date this Constitution takes effect, be null and void, *provided*:—That all debts contracted and engagements entered into before the ratification of this Constitution shall be as valid against the Student Bar Association under this Constitution as under the preceding system of student government which it shall, upon its effective date, supercede;
- (Clause 2) That on the date this Constitution takes effect, the student serving as Executive Vice President for the Full-Time Juris Doctorate Division under the previous and superceded governing instruments shall become the Division Senator for that Division, and the student serving as Executive Vice President for the Part-Time Juris Doctorate Division under said instruments shall become the Division Senator for that Division; and a Executive Vice President shall thereafter be chosen consistent with the fourth clause of the second section of the second Article of this Constitution;
- (Clause 3) That unless otherwise provided herein, nothing in this Constitution shall be construed to affect the tenure, term or status of any person holding any elective office in the Student Bar Association on the date this Constitution takes effect;—And

(Clause 4) That all persons holding any such elective shall retain their office until the ratification of the results of the first spring semester election held after the date this Constitution takes effect, or conversely, where appropriate, until such time as the semester in which said election is held shall conclude.

### **Section 3. Supremacy of Constitution; Uniform System of Government; Oath of Office**

(Clause 1) This Constitution, and the laws of the Student Bar Association which shall be made in pursuance thereof, and all external contracts made or which shall be made under the Student Bar Association, shall be the supreme law of the student body of The George Washington University Law School; and all student organizations shall be bound thereby, any thing in the constitutions or policies of those organizations to the contrary notwithstanding.

(Clause 2) The right to a uniform system of governance being fundamental to the harmony and unity of the student body, no government independent of, or separate from, the government established herein shall be elected or established within the jurisdiction of the Student Bar Association.

(Clause 3) The Division Senators and Class Senators and all executive and judicial officers of the Student Bar Association shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the Student Bar Association.

### ***Article VII—Ratification and Establishment***

#### **Section 1. Method of Ratification**

(Sole Clause) The ratification of the conventions of six Classes shall be sufficient for the establishment of this Constitution, which shall be enrolled and deposited in the archives of the Student Bar Association; and printed copies shall be prefixed to the books containing the laws of this Student Bar Association, and all future editions thereof.

#### **Section 2. Effective Date**

(Sole Clause) This Constitution, once duly ratified by the method set forth in the first section of this Article, shall take effect on the first day of September in the year Two Thousand and Four, and on that date the officers of the Student Bar Association shall thenceforth proceed to faithfully perform the business of government under the authority and guidance of this Constitution of the Student Bar Association of The George Washington University Law School.

*Done in Convention by the unanimous consent of the Classes present the tenth day of February in the year Two Thousand and Four, and in the year of The George Washington University Law School the one hundred fortieth. In witness whereof, we have hereunto subscribed our names:*