

Student Bar Association

Tulane University Law School
John Giffen Weinmann Hall
6329 Freret Street
New Orleans, Louisiana 70118-6231
504/865-5991 Fax: 504/865-6748
www.law.tulane.edu



Spring 2009 Elections

Elections Timeline

- Friday, April 3: Nomination Forms Due: by 12pm in Room 261 SBA office
- Saturday, April 4: Elections Committee Email posting on the intranet announcing the candidates running for office
- Sunday, April 5: Candidate Write-up Due by 12pm, emailed to jserrano@tulane.edu
Write-up must be less than 200 words. It will be reviewed and posted on the intranet by an Elections Committee member on or by Monday, April 6, 2008.
- Monday, April 13, 12:00am: Campaign Begins
- Wednesday, April 15: Presidential Candidate Debate
- Thursday, April 16, 9am-4pm: Elections. No Campaigning is allowed to take place in the lobby. Results will be posted on the intranet, emailed to the candidates, and posted outside of the SBA office.
- Friday, April 17, 9am-4pm: Runoff Election if needed

All posters and campaign materials must be removed no later than 24 hours following the election.

Positions for Election

SBA Executive President
SBA Executive Vice President
SBA Executive Chair of Communication
SBA Executive Chair of Student Affairs and Community Service
SBA Executive Chair of Social Affairs
SBA Executive Chair of Finance
3L/2L President
3L/2L Vice President
3L/2L Secretary
3L/2L Treasurer
Civil Law Representative
Common Law Representative
3-3L Honor Board Representatives
3-2L Honor Board Representatives
3L GAPSAs Representative
2L GAPSAs Representative
At Large GAPSAs Representative
ABA Representative
IT Representative

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Officer Duties

In addition to the specific tasks outlined below, each SBA officer serves as a representative for the student body and should always be accessible and open to students who may have suggestions or complaints. Furthermore, all officers, except Honor Board Representatives, are required to attend bi-weekly General Assembly meetings throughout the year and committee meetings as scheduled, participate in class and SBA wide fundraisers and community service events.

EXECUTIVE BOARD:

SBA President:

The President shall represent the SBA and the law school externally. They will preside at Assembly meetings. Act as liaison between the law school student body and the law school, university faculty and administration. Serve on the Deans Advisory Committee. Serve as a GAPSA Senator. Enforce the Constitution, laws, decrees and bylaws of the SBA. Make appointments when allowed or required. Will also serve as one of the two Law School representatives at the school-wide commencement ceremony and speak at the Law School diploma ceremony.

SBA Executive Vice-President:

The EVP shall act as a liaison between the SBA and the student organizations and journals. They Chair the Executive Committee and shall call Executive Committee meetings as needed to fulfill the duties of the committee. Creates the agenda for SBA meetings. Act as Chief Operating Officer and Coordinator of All SBA Committees. They are in charge of refreshments for SBA meetings. They will exercise the powers of the President in their absence and shall cast the tie breaking vote in all Committee matters.

SBA Executive Chair of Communication:

The ECC is responsible for all external and internal communications for the SBA. The ECC shall chair the Communications committee and will call meetings as necessary to fulfill the duties of the committee.

SBA Executive Chair of Student Affairs and Community Service:

The ECSC shall be responsible for all issues related to student affairs, including but not limited to academics, facilities, student life and community service. They chair the Student Affairs and Community Service committee. They administrate the SBA locker sale. They serve as a member of the Academic Affairs Committee.

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SBA Executive Chair of Social Affairs:

The ECSA shall be responsible for all issues related to social events. The ECSA will chair the Social Affairs Committee. This committee organizes SBA social events which include but are not limited to: Barristers Ball, Spring Fling, Recesses and the SBA Banquet.

SBA Executive Chair of Finance:

The ECF shall have the authority to reconcile all credits and debts of the SBA as they arise. They shall chair the Finance committee and shall call meetings as necessary to fulfill the duties of the committee. They shall make regular reports to the EVP, the Assembly, and the SBA membership regarding the financial posture of the SBA. They are responsible for attending GAPSA finance meetings and preparing the law school budgets.

CLASS OFFICERS:

3L President:

Organize the first bar review of the fall semester. Organize a bar review during the first week of Mardi Gras. Organize graduation week events. Purchase the class gift. Serve on the Student Affairs Committee and help plan and organize community service events. Will also serve as one of the two Law School representatives at the school-wide commencement ceremony and speak at the Law School diploma ceremony.

2L President:

Organize a bar review. Organize the outline sale for the fall semester and the brief binding sale. Serve on the Social Affairs Committee.

1L President:

Organize a bar review. Organize the outline sale for the spring semester. Serve on the Social Affairs Committee.

1L, 2L and 3L Vice President:

Assist the Class President in the organization of each bar review. Help plan and coordinate fundraising activities. Assist in the promotion and advertisement of the bar review(s) and fundraising events. Shall serve on the Student Affairs Committee. Help plan and organize community service events.

1L, 2L and 3L Secretary:

The Class Secretary is responsible for keeping a record of discussion at class meetings. They will assist the other class officers in the organization of each bar review and fundraising activities. They will assist in advertising the bar reviews and fundraising activities. They shall serve on the Communications Committee.

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1L, 2L and 3L Treasurer:

They shall make deposits to the class account. They will monitor and keep up to date records of their classes' 9 account. They will assist the other class officers in the organization of each bar review and fundraising activities. They will assist in advertising the bar reviews and fundraising activities. They shall serve on the Finance Committee.

1L, 2L and 3L Senators to the Graduate and Professional Students Association (GAPSA):

Attend bi-weekly General Assembly meetings and represent the interests of the law school at GAPSA meetings. They should also attend any required ASB meetings. They are responsible for reporting Law School information to GAPSA and vice-versa and for helping with the organization of any GAPSA activities.

AT LARGE POSITIONS:

At Large Senator to the Graduate and Professional Students Association (GAPSA):

Attend bi-weekly General Assembly meetings and represent the interests of the law school at GAPSA meetings. They should also attend any required ASB meetings. They are responsible for reporting Law School information to GAPSA and vice-versa and for helping with the organization of any GAPSA activities.

ABA Representative:

They shall act as a liaison between the law school and ABA law student division. They shall organize relevant ABA sponsored events (e.g. work-a-day, diversity day, mental health initiative programming). They shall attend the ABA Annual Conference, the Fall Roundtable Meeting and the Spring Circuit Meeting. They shall work to increase ABA membership among law students.

Civil Law Representative:

They will serve as a member of the Academic Affairs Committee. They will serve as a member of the Student Affairs and Community Service Committee. They will represent the concerns of the civil law students to the SBA.

Common Law Representative:

They will serve as a member of the Academic Affairs Committee. They will serve as a member of the Student Affairs and Community Service Committee. They will represent the concerns of the common law students to the SBA.

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Information Technology Representative:

They shall attend all SBA meetings. They will perform upkeep on the website and electronic announcements. Assist the ECC in maintaining consistent and reliable communication with the student body. They will serve as a member to the Communication Committee. The website shall display at least contact information for each of the committees, an updated calendar and all documents pertaining to SBA including, but not limited to: minutes, agendas, Robert's Rules and budget.

LLM Representative:

Shall represent the interests of the graduate law students. Shall attend all SBA meetings. Serve as a member of the Student Affairs and Community Service Committee.

HONOR BOARD:

Honor Board Representatives:

Investigate alleged violations of the Honor Code and participate in Honor Code judicial proceedings. The Honor Board Chief Justice is a 3L Honor Board Representative elected by a majority vote of both the incoming and outgoing Honor Board Representatives who do not wish to be the Chief Justice. The Honor Board Chief Justice is the Elections Committee Chair for the Elections. There will be three (3) members of the Honor Board for every class.

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Tulane Student Bar Association Election Code

(last revised 03/2009)

Pursuant to Article III, §14(b)(ii) of the Student Bar Association (hereinafter, “SBA”) Constitution, the Assembly enacts the following bylaws to govern all elections and votes sponsored or coordinated by the SBA, which shall be known as the Tulane Student Bar Association Election Code.

Article 1

All elections are to be conducted exclusively by the Elections Committee. Members of the Elections Committee shall remain neutral arbiters at all times. If a Committee member becomes a candidate for office, a replacement shall be nominated and approved by the Assembly if time allows, otherwise by the SBA President. If the Chairperson becomes a candidate, the Committee shall nominate and select a Chairperson from its members. The Committee may unanimously designate any law student who is not a candidate in an SBA election to act as an election official, e.g., poll worker or ballot counter. No other person shall be allowed to participate in any way. Election officials shall remain neutral during the course of their official duties.

Article 2

All candidates must affirm on their nomination petitions that they are members in good standing of the SBA, meet any and all qualifications for the office which they seek, and have read and will follow the provisions of the Election Code. No candidate can seek, hold, or campaign for more than one office.

Article 3

All candidates for office shall be currently registered in Tulane Law School and shall have at least a 2.00 cumulative grade point average. First year students and LLM candidates shall be exempt from this provision. An officeholder whose cumulative grade point average falls below 2.00, who takes a leave of absence, or who otherwise is not registered at Tulane Law School for a period of more than two (2) weeks may be removed from office.

Article 4

REMOVED (3/16/09)

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Article 5

Candidates for Common Law and Civil Law Representative must have completed or be enrolled in a minimum of two (2) common law or civil law courses, respectively.

Article 6

Individuals who hold the office of Graduate and Professional Students Association (GAPSA) Senator shall also serve in the Associated Student Body (ASB) Senate. One third (1/3) of the Law School's seats in the GAPSA Senate shall be reserved for and elected from among entering first year students during their fall elections. Any fraction that results from dividing the total number of seats available by three (3) shall be discarded in determining the number of first year students' seats. The SBA President shall have the power to appoint temporary Senators until the first year student Senators are elected.

Article 7

- A. The nomination period begins from the election information meeting and runs through the nomination deadline.
- B. No official campaigning for office shall be allowed until the campaign period begins. "Official campaigning" is defined as the posting or distribution of campaign material. The general campaign period will begin three (3) school days prior to the election day. A run-off campaign period will begin following the posting of the election results.

Article 8 Guidelines for Campaigns

- A. The following are campaign material placement and medium guidelines:
 - 1. Each candidate is limited to fifteen (15) signs. For the purposes of this section, a "campaign sign" is defined as any posted campaign material and should be read consistent with other provisions of this Elections Code. "Campaign material" is defined as anything on which a candidate's name appears for purposes of an election.
 - 2. Each candidate's name is limited to one campaign sign per classroom.
 - 3. No signs exceeding 8 1/2" x 11" may be placed in the classrooms or on the bulletin boards over student folders, and they may only be posted from the cork strip above the sideboards in the classrooms. No sign shall exceed 11" x 17". No sign shall cover any other sign.
 - 4. Each candidate is limited to one campaign sign per bulletin board.
 - 5. Signs may not be placed on class tables or podiums or in the slots by classroom doors where class cancellation notices are placed.
 - 6. Campaign material may not be posted in the law library or computer room.
 - 7. No latex balloons are allowed

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8. Mass solicitation is prohibited in the law library and computer room.
 9. Campaign material may not be placed inside the elevators or on the elevator doors.
 10. Campaign material may not be hung from exit signs, ceilings, clocks, window blinds, or from the top of locked bulletin boards.
 11. Campaign material may not be posted on any painted, wood, brick, concrete, or glass surface using tape, stickers, chalk, nails, gum, wire, or any other destructive medium.
 12. Campaign material shall not be placed in the plants or on the stairs; this does not include the landings.
 13. Candidates are prohibited from sending or causing to be sent “mass e-mails” containing language relating to their campaign. For this purpose, mass e-mails are defined as any e-mail to two or more individuals. PLEASE SEE ELECTRONIC MEDIA ATTACHMENT.
 14. Websites and other similar electronic media created by students will be counted within the restrictions in Article 8 A 1. The contents of said websites and other similar electronic media are subject to the SBA Elections Code. PLEASE SEE ELECTRONIC MEDIA ATTACHMENT.
- B. Placement of campaign materials in student mail folders is permitted; however, nothing shall be placed in the folders that exceeds the size of the folder or obstructs their movement. Each candidate is limited to one (1) placement of non-paper campaign materials during any campaign period. No campaign food of any kind is allowed in student folders.
- C. Language of campaign material should be in the spirit of competition, and should embody the professional atmosphere of Tulane Law School. All language and campaign material MUST conform to the policies and provisions found in the Tulane Law School Student Handbook and this Election Code. (Including but not limited to the Tulane Law School’s Alcohol Beverage Policy.) Offensive language, including but not limited to language regarding: race, sex, gender, and religion will not be tolerated. Candidates and their materials may be subject to Article 9 and Article 25 of the Election Code.
- D. Any questions as to the applicability of this article, including the definitions of destructive media and offensive language, should be directed to a member of the Elections Committee before the material is used or disseminated.
- E. Spending
1. Except as otherwise stated in (2), the Elections Committee shall set a spending limit for all campaigns that shall not exceed fifty percent of the maximum limit set for the Associated Student Body President. Candidates shall not combine funds with any other candidate. Each candidate affiliated with or responsible for any item used for campaign purposes shall have the full value of that candidate’s spending limit.
 2. There shall be no spending limit on two-dimensional paper campaign materials. For example, one and two-sided fliers, signs, and poster-board will not count toward the spending limit. However, large cardboard cutouts and multidimensional paper objects are subject to the spending limit of subsection (1).

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3. A candidate may file a complaint as provided in Article 26 against another candidate alleging violation of the spending limit. Within one (1) school day of the request, the respondent must produce official documentary evidence (i.e., invoices, receipts, etc.) to the Elections Committee for all material bought, purchased, donated, or otherwise acquired for the campaign. If the Election Committee finds that the respondent has not produced sufficient documentary evidence for any of the materials listed in the complaint, the value of those materials will be assessed by the Committee at fair market value.
4. Candidates who qualify for a run-off election shall be permitted to spend for the run-off campaign an additional amount not to exceed twenty-five percent (25%) of the amount permitted in Section (1).

Article 9

The Elections Committee reserves the right to remove improper campaign material, including excessive or improperly placed material. The Elections Committee shall notify a candidate whose campaign material has been removed of the causes for its removal within twenty-four (24) hours of its removal.

Article 10

The polls shall be open continuously between the hours of 9:00am and 4:00pm on the day of the election.

Article 11

The names of the nominated and qualified candidates for each office shall appear in alphabetical order by surname on the ballot.

Article 12

Write-in candidates will be allowed if their names are entered in the spaces provided on the ballots. Write-in candidates are subject to the requirements for office set forth in Articles 1-9. In order for a write-in candidate to be eligible to participate in a run-off or to hold office, the candidate must file with the Elections Committee a nomination petition within twenty-four (24) hours of the posting of the official results. Write-in votes will not be counted in a run-off election.

Article 13

No election shall be held on Saturday, Sunday, or school holidays.

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Article 14

Removed (08-24-04)

Article 15

All balloting shall take place wherever a student may access the internet.

Article 16

No one shall be allowed to solicit votes for a candidate inside the lounge or in the vicinity of the polls during voting hours. Candidates shall not loiter in the vicinity of the polls. Boundaries of the polls' vicinity shall be set by the Elections Committee.

Article 17

The Elections Committee shall count and verify the ballots. A majority of the Committee shall be present at the counting, and no voting member of the SBA who is not a candidate for the election shall be excluded from witnessing the counting of the ballots.

Article 18

Elections Committee members present at the counting of the ballots may remove any person from the area for just cause upon a majority vote.

Article 19

A tally of the votes shall be placed in the SBA Office. At any time during this period, a defeated candidate may demand and receive one (1) recount.

Article 20

Posters, signs, etc. shall be removed no later than twenty-four (24) hours following the general election, or, if a run-off election is required for a particular position, no later than twenty-four (24) hours following the run-off election.

Article 21

Each single seat office shall be filled by the candidate who receives a majority of the votes cast for that office. If no candidate receives a majority, the two candidates with the highest number of votes shall be in a run-off election. The candidate receiving the majority of the votes cast for that office in the run-off shall be elected.

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Article 22

Each multi-seat office shall be filled by those candidates who secure more than the percentage of 1/the number of seats. If the number of candidates receiving majorities is insufficient to fill the seats, a run-off election shall be held. The run-off election shall consist of (a) enough candidates to fill the vacant seats plus one, or (b) in the event that the number of candidates is equal to or exceeds three times the amount of seats, enough candidates to fill the vacant seats plus two. These candidates shall be those who received the highest number of votes in the primary election. The candidates receiving the highest number of votes in the run-off election shall be elected.

Article 23

The result of all elections shall be posted within eight (8) hours after the polls have closed, if possible. The results shall be final twenty-four (24) hours after the polls have closed, provided that a complaint to the Elections Committee has not been filed within that period.

Article 24

All run-offs must be held within three (3) school days after the prior election.

Article 25

The Election Committee shall have the power to levy sanctions against any candidate who violates any provision of this Code, the SBA Constitution, or any provision/policy in the Tulane Law School Student Handbook. Depending on the severity of the infraction, the Elections Committee shall have the discretion to impose any or all of the following sanctions and no others: restrictions on campaign material dissemination; loss or suspension of sign posting privileges; loss, suspension, or restriction on use of student folders for campaign purposes; addition of a notation on the ballot indicating that the individual has violated the Code; removal from the ballot, and disqualification from the election.

Article 26

Any student or administrator may file a complaint with the Committee alleging a violation of the Election Code or the SBA Constitution by another law student. A properly filed complaint must contain:

- a. the name of the person(s) bringing the complaint (complainant),
- b. the name of the person(s) who committed or participated in the alleged conduct (respondent),
- c. the alleged conduct
- d. the date and approximate time of the alleged conduct, and
- e. any and all witnesses to the alleged conduct and any and all supporting documentary evidence.

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The Committee shall convene a hearing consisting of a majority of its members within twenty-four (24) hours after the complaint is filed. At any party's request, the SBA President shall have the authority to appoint a member of the SBA to assist that party in preparing the complaint. The Committee shall hear and consider testimony and evidence from the complainant and respondent. The Committee may, when justice demands, hear testimony from third parties.

Article 27

After a review has been conducted pursuant to Article 26, a complainant or respondent may appeal to the Assembly by filing with the SBA President no later than twenty-four (24) hours after the Committee's decision. By majority vote, the Assembly can decline to review the appeal. By majority vote, the Assembly can reverse any specific finding by the Committee, but only if it determines that the Committee's decision is against the overwhelming weight of the evidence presented to the Committee. By majority vote, the Assembly shall have the authority to reduce or enhance any penalty issued by the Committee. For purposes of this review only, proxy votes and those of Committee members shall not count. Such action by the Assembly must occur no later than forty-eight (48) hours after the appeal has been filed with the President. This may delay the finalization and release of the results in question.

Article 28

Except complaints filed under Article 26, all other decisions by the Committee shall be by majority vote.

Article 29

If a candidate is disqualified from an election after the voting is complete, the candidate's votes shall be disregarded, and the counting shall proceed as normal. In the event that an office is left unfilled, a new election shall be held within three (3) school days. The Elections Committee shall determine the rules and procedures governing such an election.

Article 30

A recall election shall be held by the Elections Committee upon petition of one third (1/3) of those eligible to vote for the office in question. An officeholder who is recalled shall be eligible to run for re-election without qualifying by nomination. The election shall be held within five (5) school days following receipt of the petition.

Article 31

If for any reason an SBA Executive office other than President is vacated, the President may temporarily appoint a qualified student body member to serve. The Elections Committee shall provide for a special election to be held within fourteen (14) days of the office's vacancy. In the event that an office is vacated less than sixty (60) days prior to the normal expiration date of that term, the election need not be held.

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Article 32

Once the nomination period has begun, all interpretation of the Election Code shall be left to the determination of the Election Committee, subject to the provisions of Article 27.

Organizational / Individual Endorsement Policy (3/30/09)

No endorsements by student organizations will be allowed, either publically or privately. Any individual, in either a personal or private capacity, who does will be found in violation of the election code. All invitations to speak at student org meeting shall be extended to all candidates running for the position.

No elected member of the General Assembly of the SBA may give any public endorsements.

SBA Elections Committee

Electronic Media Policy

1. Mass Emails may not be sent out, nor may the candidate cause them to be sent on his/her behalf. Additionally, should it be discovered that mass emails were sent endorsing the candidate, the candidate will be held responsible.
2. Programs and applications that cause emails to be sent out on behalf of the candidate announcing their candidacy are not allowed. The words “vote,” “SBA,” the name of any position sought, “election,” “candidate,” or any derivation may not be included in the title, location, description, or other administrator created portion of the electronic media. Additionally, said portions of the electronic media shall not include any language that can be construed as advocacy. It does not matter if the candidate or a friend, associate, or peer of the candidate has created the electronic media. This includes but is not limited to Facebook , Friendster, or Myspace groups or events or TWEN site. The SBA Elections Committee reserves the right to add other electronic media sources and further restrictions to this non-inclusive list as they see fit.

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3. Any electronic media page, event, website and so forth will be counted as 1 sign towards the candidate's limit.
4. These regulations apply to any and all electronic media sources utilized by candidates before, during and after election and campaign periods and the promulgation of this Electronic Media Policy.