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

No. 18/10-01

Revising the Law Student Division Election Cycles

AMERICAN BAR ASSOCIATION
LAW STUDENT DIVISION
COUNCIL

RESOLUTION

To amend Association’s Law Student Division’s Bylaws to align all Council positions to a spring election in order to create equal candidate access, attract diverse law student applicants for key positions in leadership, and create an -elect/transition period for all Council positions.

BE IT RESOLVED that the Law Student Division hereby adopts the attached amendment to its bylaws.

REPORT

With almost 115,000 members, the Law Student Division (the “Division”) is the second largest membership entity within the American Bar Association (“ABA”). It actively participates in the governance of the ABA with three voting delegates in the ABA House of Delegates, a voting member on the Association’s Board of Governors, and voting liaison members to the ABA Standing Committee on Membership and the ABA Section of Legal Education and Admissions to the Bar. In addition, the Division has liaisons serving over fifty (50) ABA entities, many of them as voting members of the entity councils. It is vital that its top leadership positions - those who make up the Division Council - are held by the best possible candidates.

Per its current bylaws, The Law Student Divisions’ seven Council members are selected in two elections cycles:

1
Spring Cycle - Division Chair, Law Student At-Large on the ABA Board of Governors, and Education Director. These three (3) positions are elected in the spring by an electronic campaign and electronic vote. They serve for three to four months in an -elect capacity, learning the elements of their respective positions and working directly with their predecessors to ensure a smooth, effective transition before taking office in August.

Summer Cycle - Division Vice Chair and three (3) Assembly Delegates. These four (4) positions campaign electronically and in-person and are elected during the ABA Annual Meeting in early August. They take their respective offices immediately upon election, having no time for formal transition or training.

This Resolution seeks to align all elections within the currently existing “Spring Cycle” for the purposes of creating equal candidate access, promoting diversity and inclusion, and providing for adequate training in an -elect period.

The summer election cycle ends with two days of in-person campaigning at the Annual Meeting. This effectively limits some students’ access to the full electoral process by disproportionately affecting students who have work and family responsibilities over the summer as well as students without the financial means to travel to the Annual Meeting. Shifting the summer cycle to align with the spring cycle allows equal access for all law student candidates and gives all seven elected council members the opportunity to transition together in an -elect capacity prior to taking office.

1. Creating Equal Access

Ensuring equal access for candidates to Law Student Division Council positions is vital to the continued recruitment of effective student leaders. The current spring election cycle serves as a prime example of that access. Under the spring election cycle, applications are solicited online through multiple channels. The Nominating Committee screens applicants and nominates those properly qualified for the election. At which point, an online campaign season begins consisting of informational meetings, question and answer sessions, as well as voter outreach. This culminates in an election taking place in April. With this model, candidates for the three positions elected during the spring election cycle have equal access to all aspects of the election process from application though campaigning and election.

The summer election cycle strays from this goal. Under the summer election cycle, candidates apply and are subject to the same nominations process through the Nominating Committee. However, for those who are nominated to run, the campaign culminates in in-person campaigning at the ABA Annual Meeting where the vote is held during the meeting. In recent years, it has become clear that candidates who attend the Annual Meeting have an overwhelming advantage in the Council elections. This model is deeply concerning because of the disparity it creates for those who cannot attend the Annual Meeting due to financial or time-based reasons. In order to level the field of campaigning, this Resolution seeks to align the election of all seven Council positions with the
spring election cycle in order to ensure that no law student is disadvantaged when it comes to running for the Law Student Division Council.

Furthermore, Annual Meeting tends to occur in the middle of most law schools’ On-Campus Interview Programs (“OCI”). OCI presents the best chance for students to obtain either a summer internship or a full-time job opportunity. Asking students to skip this time in order to attend Annual Meeting disproportionately affects those who do not have offers yet. Every law student should be able to participate in OCI.

Creating equal access by shifting all seven elections to the spring cycle will allow all law students to participate without stifling their access to employment opportunities.

2. Diversity and Inclusion

Due to financial, family, and job commitments, certain students lack the means to attend Annual Meeting and are left out of the entire election process. This cuts against the Law Student Divisions’ commitment to diversity and inclusion as non-traditional students and law students of color are more likely impacted by these impediments than other law students.

A recent Brookings Institute Study from 2016 found that, on average, students of color graduate with almost twice as much debt as their counterparts. Because of this, finances are an important factor when non-traditional students and/or students of color make decisions about which opportunities to pursue during law school. Likewise, students with families are burdened financially and in addition have time constraints that keep them from participating in law school activities.

This Resolution remedies this issue by providing that all elections be conducted remotely and electronically in the spring. By ensuring that barriers like finances and time commitments do not interfere with a candidate’s ability to run for office, the Law Student Division hopes to attract additional diverse qualified candidates who are dedicated to the mission and success of the Division.

3. Effective Transition Period and Preservation of Institutional Knowledge

Finally, aligning all seven positions with the spring election cycle creates an -elect training period for all seven members of the Council. Currently, only three of seven positions - the Division Chair, Law Student at-Large on the Board of Governors, and Education Director - are offered the opportunity to train at the side of their predecessors in the months leading

1https://www.brookings.edu/research/black-white-disparity-in-student-loan-debt-more-than-triples-after-graduation/
up to their term starting in August. The Vice-Chair and three Assembly Delegates should benefit from the same opportunity.

Prior to taking on top ABA leadership positions, most other ABA Section volunteer leaders have years of experience within the ABA and within that particular Section. Often the path to leadership in other ABA Sections requires one volunteer for several years in a series of roles within that Section leading up to one's role on the Council. On the other hand, the leaders of Law Student Division Council often take on their roles with no prior ABA experience, and no association experience. This puts Law Student Division leaders at a tremendous deficit when they take office. They must learn, on the fly, basic aspects of their particular position. They must get acclimated with the requirements and business practices associated with running an ABA entity. All this, while acting as national leaders who set and enact the agenda of the Division for the year on behalf of law students across the country. By passing this resolution, all seven Council leaders will have a critical five to six month training period, ensuring they are more effective national representatives when they take office.

Furthermore, once this Resolution is implemented, the entirety of the incoming Division Council will be able to establish relationships with the outgoing Council during the training period. This ensures that if questions arise about the duties of their respective positions, Council Members can feel more comfortable contacting their predecessors in order to further advance the Law Student Division as a whole. By providing overlap between Division Councils, it is more likely that impactful initiatives and institutional knowledge will be carried from year to year, and the Council will more effectively represent law students nationwide.

CONCLUSION

Since its inception, the Law Student Division has sought to speak for this nation’s law students. However, in a time of great reflection and change within the American Bar Association, it is fitting that its entities take the opportunity to do the same. The Resolution offers the Law Student Division the ability to adapt to changing times, technology, and thought processes in higher education.

No change is more glaring than the need to re-align half of the Divisions’ election cycle. By moving all elections to the spring, the Law Student Division can ensure that all candidates have equal access to the election process, preserve the Divisions’ commitment to diversity and inclusion, and ensure the preservation of institutional knowledge between multiple years of Division Councils through an effective transition period for all officers.
For these reasons, the Law Student Division so submits the foregoing resolution.

Respectfully Submitted,

Negeen Sadeghi-Movahed
Chair, Law Student Division
American University
Washington College of Law
negeen.sadeghi@student.american.edu

Matthew W. Wallace
Law Student at Large, ABA Board of Governors
Syracuse University College of Law
mwwallac@syr.edu

Taurus Myhand
Vice Chair, Law Student Division
University of Alabama School of Law
taurus.myhand@law.ua.edu

Miosotti Tenecora
Delegate of Diversity, Law Student Division
Boston University School of Law
tenecora@bu.edu

Erika Lessane
Delegate of Communication, Law Student Division
Northwestern University School of Law
Erikalessane2020@nlaw.northwestern.edu
American Bar Association
Law Student Division Bylaws

Effective November 12, 2016

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 empower law students to achieve excellence in the legal profession through substantive programming; to advocate on a national scale for policies that benefit law students and that affect legal education; 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 Division's Council 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; gender identity; gender expression; 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, registered with the Association and in good standing, and paying dues, if necessary, as provided for in this Article.

§ 2.2 Dues
The Association shall prescribe dues on the recommendation of and in consultation with the Assembly or the Division’s Council.

§ 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, if necessary, even if he or she graduates from law school. Should Division dues be set at $0, membership shall be renewed automatically for every year in which the member is eligible to join. 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 Good Standing
A member enjoys good standing if he or she has met their financial obligations to the Division in full for the current year.

§ 2.5 Premium Programs
Under such conditions as prescribed by the Association and in consultation with Division Council, the Association may offer a “Premium Program” or programs that, for a fee, include offerings and benefits in addition to those offered through standard Division membership.
§ 2.6 Termination
A person whose dues are delinquent by a period set by the Association Board of Governors, or a person who is otherwise ineligible for Association membership, shall cease to be a member of the Division. A Premium Program participant who cancels, opts not to renew, or becomes ineligible for the Premium Program retains standard Division membership as long as the person is otherwise eligible for Division membership.

Article 3
Law Schools

§ 3.1 Law Student and Law School
(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, otherwise known as a Juris Doctorate.

(b) “Law school” or “school” is one that is accredited by the Council of the ABA Section of Legal Education and Admissions to the Bar. For ease of reference, law schools accredited by the Council are referred to as “ABA-approved.”

(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 school is no longer “ABA-approved.”

§ 3.2 Student Bar Associations
(a) “Student Bar Association” or "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.

§ 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 Division Council, or the Division’s Vice Chair prescribes.

(b) If a Student Bar Association has not provided for the election or appointment of an ABA Representative by October 1 in each academic year, the Division may submit a call for applications from ABA members of the school from which the Chair and/or Vice Chair may appoint an ABA Representative.

(c) The ABA Representative from each school will report to and work with the Vice Chair of the Division in association with the Association’s membership and marketing functions.

(d) The primary roles of the ABA Representative are to promote ABA membership at the school, provide ABA programming at the school, increase awareness of regional ABA meetings, and promote ABA entity opportunities for law students (i.e. scholarships, programs, and competitions).

§ 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 the Assembly. No person may hold more than two proxy votes. The Assembly or the Division Council may regulate voting by proxy, including the method of appointing the proxy. Only a member in good standing is eligible to be a delegate or a proxy.

Article 4
Assembly

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

§ 4.2 Composition and Voting
§ 4.2.1 Voting Membership. The voting membership of the Assembly is composed of: the two delegates from each school, the SBA president and the ABA representative or their respective proxy voters; the Division liaisons to other ABA entities; and up to three (3) representatives appointed by affiliate student legal associations.

§ 4.2.2 Non-Voting Membership. The nonvoting membership of the Assembly is composed of the members of the Division Council.

§ 4.2.3 Voting. The Assembly may provide for proxy voting in the Assembly.
§ 4.2.4 Duty to Attend. A member of the Assembly shall attend or designate a proxy to attend and vote on behalf of the member.

§ 4.3 Meetings
The Assembly shall meet during the Annual Meeting at a time designated by the Chair or the Division Council. The Annual Meeting must be in-person and not hosted electronically, and no voter shall be allowed to participate remotely. The Resolutions Committee shall prescribe the order of business. As deemed necessary by the Council through its designated Resolutions Committee, the Council may submit a resolution to Assembly for an electronic vote. Prior to voting on a resolution electronically, the Assembly must be given adequate notice of the time, manner, and process by which the resolution will be voted upon, and the Assembly must be given a period of at least 15-days to provide comment on the resolution to the Council and the Resolutions Committee.

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

Article 5
Division Council

§ 5.1 Function
The general executive and administrative authority resides in the Division Council. Between meetings of the Assembly, the Council may perform, consistent with the action taken by the Assembly, 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.

§ 5.2 Composition and Voting
§ 5.2.1 Voting membership. The Council shall consist of the—

(a) Chair;

(b) Vice Chair - Membership;

(c) Law Student At-Large of the Association’s Board of Governors;

(d) Education Director;
§ 5.2.2 Non-voting membership. Any Council members-elect shall be nonvoting members. The Council may create other nonvoting memberships provided that the cost of all such memberships does not exceed that of four voting memberships.

§ 5.2.3 The Chair shall preside and the Division Delegates shall jointly share the responsibility of recording the proceedings.

§ 5.3 Meetings

(a) The Council shall meet in-person three times a year—during the Annual Meeting, in the fall at the time of the Section Officers’ Conference, and at the time of the Midyear Meeting. The Council shall otherwise meet regularly as ordered by the Assembly.

(b) The Division Council may provide for voting by mail, e-mail or other electronic means, telephone, or proxy. A Council member may only proxy his or her vote to another voting Council member, but no Council member shall hold more than one proxy in addition to their own vote.

§ 5.4 Law Student Division Advisory Committee

(a) At the Direction of the Law Student Division Council, the Division Advisory Committee’s mission is to provide advice and guidance, support for, and advocacy on behalf of the Division. The Committee’s role is advisory to the Law Student Division Council. The Committee is also responsible for strengthening relationships between the Division and the rest of the Association, and working with Division leaders to expand opportunities for student involvement in the Association.

(b) Members of the Advisory Committee shall consist of the following and shall not exceed more than thirteen (13) individuals; Three being Immediate Past Officers of the Division, Two At-Large members selected by the Division’s Council, and the rest selected by the participating entities.

1. Two Non-Student At-Large Members selected by the Division’s Council

2. Immediate Past Chair of the Law Student Division

3. Immediate Past Vice Chair of the Law Student Division

4. Immediate Past Law Student At-Large of the Association’s Board of Governors

5. ABA Board of Governors Liaison to the Division

6. Liaison from the Young Lawyers Division
7. Liaison from the Section Officers Conference

8. Liaison from the Standing Committee on Membership (SCOM)

9. Liaison from the Council for Racial and Ethnic Diversity in the Educational Pipeline

10. Liaison from the Section on Legal Education and Admissions to the Bar

11. Two Liaisons from the House of Delegates (Chosen by the House Chair)

(c) Each member of the Advisory Committee except the three (3) Immediate Past Division Officers shall serve a term of three (3) years with appointments staggered so that no more than four members exit the board in any given year. After the conclusion of a member’s term, no member shall serve more than two consecutive terms on the Advisory Committee.

(d) The three Immediate Past Division Officers shall only serve for one year after the completion of their terms in office. However, they may be appointed to represent one of the participating ABA entities upon the completion of their year of service.

(e) The Division’s Council selects two non-student At-Large members of the Committee to serve for three years. Any member of the Division’s Council can make a recommendation of an individual to serve in this position by submitting a written statement to the Division Chair. At-large members will be voted by the Division Council prior to the ABA Annual Meeting.

(f) Any vacancy on the Committee may be remedied by the participating ABA entity appointing a replacement member to fill the vacancy. An individual appointed to fill a vacancy shall be appointed for the unexpired term of the predecessor. Should one of the three Immediate Past Division Officers vacate the Committee, the position shall remain vacant. Should one of the At-Large members vacate the Committee, the Division Council shall select a replacement to serve for the unexpired term of the member.

(g) The Immediate Past Division Chair shall serve as the Chair of the Committee. The Committee Chair shall preside over all Committee meetings and serve as the principal representative of the Committee. Should the Immediate Past Division Chair resign from the Committee or choose not to serve as Chair, the Immediate Past Division Vice-Chair shall chair the Committee. Should the Immediate Past Division Vice-Chair resign from the Committee or choose not to serve as Chair, the Immediate Past Law Student At-Large on the Association’s Board of Governors shall chair the Committee.

(h) The Committee Chair will work with the Division Officers to create the agenda for each meeting. The national Division Officers and Delegates shall attend all meetings
of the Advisory Committee. The Division Chair and Committee Chair have the discretion to invite others to participate in the meetings.

(i) The Committee shall also elect a Secretary who will be responsible for keeping accurate minutes of the meetings and working with the Division staff to see that members receive notices of meetings and meeting materials prior to the meeting, and performing any additional duties necessary for the Committee to perform its designated responsibilities.

(j) The Advisory Committee shall meet two times a year, at the ABA’s Midyear Meeting and Annual Meeting. However, the Division Chair has the authority to convene additional conference calls of the Advisory Committee as necessary. Additionally, a special conference call meeting can be called if four (4) Advisory Committee members request the call, or if four (4) Council members request the call. Members of the Committee who cannot attend in-person meetings may participate via accepted forms of communication. The Committee and/or the Division Chair may invite other individuals to participate in meetings to help the Committee adequately support the Division’s needs. All meetings shall be led by the Committee Chair.

Article 6
Officers

§ 6.1 National 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 Council, 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) The Council shall consist of each officer of the Division and shall have general supervision of the Division’s affairs between the Council’s meetings. They shall perform such duties as the Assembly or the Chair prescribes.

(d) The Council shall work with the Division Director and Division staff to implement and oversee the programs that the Assembly or the Division Council has approved. The Director shall be a professional full-time 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 Division’s Assembly prescribes.
§ 6.2 Qualifications

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

(a) enjoys good standing as a member;

(b) will be a law student for the duration of the academic year coinciding with the term of office (typically defined as being enrolled as a law student for both the fall and spring academic semesters coinciding with the term, but not meant to exclude those who graduate upon completion of the spring or summer semesters immediately prior to the completion of their term in office);

(c) has not received his or her first degree in law;

(d) enjoys good academic standing according to his or her school, as verified by an academic officer of the school;

(e) has never been removed from office; and

(f) meets each other qualification for the office that the Assembly, the Division Council, or the Association staff has prescribed.

§ 6.3 Division Nominating Committee.

§ 6.3.1 The Division shall have a Nominating Committee which shall consist of up to nine members appointed by the Chair of the Division. The Division Nominating Committee shall include three (3) presidents of Student Bar Associations, three (3) ABA Representatives, the Chair of the Division, the Immediate Past Chair of the Division, and the Immediate Past Law Student on the Association’s Board of Governors. The immediate past chair of the Division will serve as the Chair of the Division Nominating 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 Nominating Committee, the Division Chair shall promptly appoint a replacement. To the extent possible, members selected to serve on the Division Nominating Committee shall represent a broad spectrum of the membership.

§ 6.3.2 The Division Nominating Committee will

(a) review all officer applications;

(b) interview candidates;

(c) publish and forward the name(s) of qualified/certified nominees to the voting bodies in each respective election.
§ 6.3.3 The Division Nominating Committee is permitted to recommend no more than four (4) candidates for any respective position. If no qualified candidates apply, the Committee shall re-announce the position and request/recruit new applicants.

§ 6.3.4 Candidates nominated by the Committee must receive a majority vote of voting Nominating Committee members to be put forward as a qualified/certified candidate.

§ 6.3.5 The Division Nominating Committee will look for diversity when selecting candidates to put forward to the voters (including factors such as: geographic, socioeconomic, experiential, and other historically diverse factors as well as past ABA attendance or involvement).

§ 6.4 Chair

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

§ 6.4.2 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 Council 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 Council, these bylaws and implement each vote of the Assembly or the Council;

(d) in the absence of the Vice Chair-Membership and the Education Director, 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 Council 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, in accordance with Association policy;

(h) represent the Division to the governing body of the Young Lawyer’s Division;

(i) undertake or delegate any responsibility not otherwise provided for;

(j) keep the Assembly informed of the activities of the Division; and

(k) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.
§ 6.4.3 Term. The term of a Chair begins at the adjournment of the Annual Meeting and ends at the adjournment of the next Annual Meeting.

§ 6.4.4 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.

§ 6.4.5 Vacancy. The Assembly or the Council 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 Council 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.

§ 6.5 Chair-Elect

§ 6.5.1 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 Council;

(c) in the absence of the Education Director 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.

§ 6.5.2 Term. The term of a Chair-Elect begins at the adjournment of the spring election of the Chair and ends at the adjournment of the Annual Meeting.

(a) § 6.5.3 Election. The members of the Division Assembly shall electronically elect a Chair-Elect after the conclusion of the Midyear Meeting, from amongst candidates set forth by the Division's Nominating Committee.; and

(b) upon a vacancy in the office of Chair-elect, to assume office of Chair-elect immediately and serve the remainder of the vacated term.

§ 6.6 Vice Chair - Membership

§ 6.6.1 Duties. The Vice Chair –Membership (“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 Council;

(c) preside at meetings of the ABA Representatives;

(d) in the absence of the Education Director, preside at meetings of the presidents of the Student Bar Associations;

(e) maintain and develop membership programs and plan for the Division;

(f) serve as the Division’s liaison to the ABA Standing Committee on Membership;

(g) keep apprised of each Governors’ activities in the area of membership and programs;

(h) plan and coordinate the ABA Representative training and membership programs;

(i) liaise between the Division and the Student Bar Associations of the law schools;

(j) 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;

(k) promote SBA participation and membership in the Division;

(l) communicate with leadership of national organizations committed to representing interests of SBAs

(m) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

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

§ 6.6.3 Election. The Assembly shall elect a Vice Chair-Membership at the Annual Meeting to serve the next term. The Assembly shall electronically elect a nominee-elect for Vice Chair—

(a) after the Midyear 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.
§ 6.6.4 Vacancy. The Assembly or the Council 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 Council 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 Council, shall act as Vice Chair until a Vice Chair is elected to fill the vacancy.

§ 6.7 Education Director

§ 6.7.1 Duties. The Education Director shall—

(a) represent the Division to the Section of Legal Education and Admission to the Bar (“the Section”) by serving as the Law Student Division's voting representative on the Section’s Council, in accordance with the Section’s bylaws;

(b) as directed by the Division Council, advocate Division positions to the Section;

(c) work for adoption for Division initiatives, cosponsored initiatives, and initiatives directly affecting law students filed with the Section;

(d) inform the Division of actions pending before the Section as well as any action taken by the Section at the conclusion of each Section meeting;

(e) communicate regularly with the Division Council 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 Council activity and action;

(h) preside at meetings of the presidents of the Student Bar Associations;

(i) in the absence of the Vice Chair-Membership, preside at meetings of the ABA Representatives;

(j) and perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

§ 6.7.2 Term. The term of Education Director begins at the adjournment of the Annual Meeting and ends at the adjournment of the next Annual Meeting.

§ 6.7.3 Election. The Division Nominating Committee is permitted to recommend to the Division Council a number of candidates no less than that which is required by the Section’s bylaws. The Division Council shall then select the appropriate number of nominees to
recommend to the Section of Legal Education and Admissions to the Bar by May 1. The Section will then select its Council’s Law Student Division representative from among those nominees, in accordance with its bylaws. The nominee chosen by the Section serves simultaneously as the Division’s Education Director for the aforementioned term.

§ 6.7.4 This Article shall not supersede any bylaws or prescriptions of the Section of Legal Education and Admissions to the Bar, nor the policies or actions of the Council of the Section.

§ 6.8 Law Student At-Large on the Association’s Board of Governors

§ 6.8.1 Duties. The Law Student At-Large on the Association’s Board of Governors shall—

(a) represent the Division to the Association Board of Governors;

(b) work for adoption for Division initiatives, cosponsored initiatives, and initiatives directly affecting law students filed with the ABA Board of Governors;

(c) 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;

(d) communicate regularly with the Division in order to assess the voice of law students on issues of concern to law students across the country;

(e) work with the Chair and other officers to execute the legislative agenda;

(f) prepare and submit comprehensive reports on Association, Division, and ABA Board of Governors activity and action; and

(g) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

§ 6.8.2 Term. The term of Law Student At-Large on the Association’s Board of Governors begins at the adjournment of the Annual Meeting and ends at the adjournment of the next Annual Meeting.

§ 6.8.3 Election. The Assembly shall electronically elect a nominee-elect for Division Law Student At-Large on the Association’s Board of Governors —

(a) after the Midyear Meeting to serve the next term; and

(b) upon a vacancy in the office of the Law Student At-Large on the Association’s Board of Governors, to assume office immediately and serve the remainder of the vacated term.

§ 6.8.4 Nomination. The Nominating Committee of the Association shall nominate the nominee-elect to the office of the Law Student At-Large on the Association’s Board of
Governors, upon which the nominee-elect becomes the nominee. The nominee becomes the Law Student At-Large on the Association’s Board of Governors in accordance with the Constitution and Bylaws of the Association.

§ 6.8.5 Vacancy. The Assembly or the Division Council shall define when a vacancy shall occur and prescribe how such a vacancy shall be filled. If the office of Law Student At-Large on the ABA Board of Governors is vacant—

(a) the Board of Governors of the Division shall elect a Law Student At-Large on the Association’s Board of Governors to assume office immediately and serve the remainder of the vacated term; and

(b) an interim Law Student At-Large on the Association’s Board of Governors, appointed by the Assembly or the Council, shall act as Law Student At-Large on the Association’s Board of Governors until a Law Student At-Large on the Association’s Board of Governors is elected to fill the vacancy.

§ 6.9 Delegate of Communications, Publications and Outreach

§ 6.9.1 Duties. The Delegate of Communications, Publications, and Outreach (“Communications Delegate”) 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 Council, and the presidents of the student bar associations, and post such record in a manner that it is accessible to the membership;

(d) serve on editorial board of the Student Lawyer magazine. Reviews copy and provides comment;

(e) host or helps to choose the hosts the ABA Law Student Podcast with the Legal Talk Network Producers and Chair;

(f) appoint and oversee in consultation with the Division staff and the Chair any nonvoting, non-traveling LSD communications & publications appointees such as Student Lawyer Editor and any specialized communications positions created by the Chair.

(g) represent the Division in the Association House of Delegates;
(h) inform the Division Council of actions taken by senior bar entities;

(i) work with the Chair to execute the Division’s legislative agenda;

(j) oversee and communicate regularly with the Council, liaisons to ABA entities, and Assembly;

(k) solicit the opinion of the Division Council and Assembly on matters subject to vote in the House of Delegates and abide by instructions of the Assembly regarding such matters;

(l) keep the Assembly informed of votes and activities on behalf of the Division;

(m) keep the membership of the Division informed of matters of the Association pertaining to law students; and

(n) perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

§ 6.9.2 Vacancy. The Assembly or the Division Council 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 Council 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 Council, shall act as Delegate(s) until a Delegate(s) is elected to fill the vacancy

§ 6.9.3 Term. The terms of the Communications Delegate begin at the adjournment of the Association Annual Meeting and end at the adjournment of the next Association Annual Meeting.

§ 6.9.4 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 Division’s 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. The Assembly shall electronically elect a nominee-elect for Communications Delegate—

(a) after the Midyear Meeting to serve the next term; and

(b) upon a vacancy in the office of Communications Delegate, to assume office immediately and serve the remainder of the vacated term.
§ 6.9.5 Vacancy. The Assembly or the Division Council 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 Council 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 Council, shall act as Delegate(s) until a Delegate(s) is elected to fill the vacancy.

§ 6.10 Delegate of Diversity and Inclusion

§ 6.10.1 Duties. The Delegate of Diversity and Inclusion (“Diversity Delegate”) shall—

(a) promote full and equal participation in the Division for a membership inclusive of lawyers of varying gender, national origin, racial and ethnic backgrounds, sexual orientation and gender identity, and of lawyers with disabilities.

(b) chair the Division's Diversity Committee

(c) promote and oversee the Grant Fund

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

(e) represent the Division in the Association House of Delegates

(f) inform the Division Council of actions taken by senior bar entities

(g) work with the Chair to execute the Division’s legislative agenda;

(h) oversee and communicate regularly with the Council, liaisons to ABA entities, and Assembly;

(i) solicit the opinion of the Division Council and Assembly on matters subject to vote in the House of Delegates and abide by instructions of the Assembly regarding such matters;

(j) keep the Assembly informed of votes and activities on behalf of the Division;

(k) keep the membership of the Division informed of matters of the Association pertaining to law students; and

(l) Perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.
§ 6.10.2 Vacancy. The Assembly or the Council 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 Council 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 Council, shall act as Delegate(s) until a Delegate(s) is elected to fill the vacancy

§ 6.10.3 Term. The terms of the Diversity Delegate begin at the adjournment of the Association Annual Meeting and end at the adjournment of the next Association Annual Meeting.

§ 6.10.4 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 Division’s 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. The Assembly shall electronically elect a nominee-elect for Diversity Delegate—

(a) after the Midyear Meeting to serve the next term; and

(b) upon a vacancy in the office of Diversity Delegate, to assume office immediately and serve the remainder of the vacated term.

§ 6.10.5 Vacancy. The Assembly or the Division Council 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 Council 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 Council, shall act as Delegate(s) until a Delegate(s) is elected to fill the vacancy

§ 6.11 Delegate of Programming

§ 6.11.1 Duties. The Delegate of Programming (“Programming Delegate”) 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) promote the Division’s programs, activities, and national competition through regular communications with the ABA SDFs
(c) serving as the primary contact for Division Liaisons to other Association entities (other than the Section of Legal Education and Admission to the Bar) to the 65+ Law Student

(d) work in cooperation with Chair to oversee and coordinate the Division’s liaison program

(e) develop live and virtual events, programming, and content for law students, in conjunction with the Young Lawyers Division and other Association entities, as well as in-person programs at Association conferences and law schools in collaboration with Association entities and members

(f) help to coordinate programming at Annual and Midyear meetings

(g) represent the Division in the Association House of Delegates inform the Division Council of actions taken by senior bar entities

(h) work with the Chair to execute the Division’s legislative agenda; oversee and communicate regularly with the Division Council, liaisons to ABA entities, and Assembly;

(i) solicit the opinion of the Division Council and Assembly on matters subject to vote in the House of Delegates and abide by instructions of the Assembly regarding such matters;

(j) keep the Assembly informed of votes and activities on behalf of the Division;

(k) keep the membership of the Division informed of matters of the Association pertaining to law students; and

(l) Perform such other duties and acts as usually pertain to the office or as may be designated by the Assembly.

§ 6.11.2 Vacancy. The Assembly or the Division Council 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 Council 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 Council, shall act as Delegate(s) until a Delegate(s) is elected to fill the vacancy

§ 6.9.3 Term. The term of the Programming Delegate begins at the adjournment of the Association Annual Meeting and end at the adjournment of the next Association Annual Meeting.
§ 6.9.4 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 Division’s 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. The Assembly shall electronically elect a nominee-elect for Programming Delegate —

(a) after the Midyear Meeting to serve the next term; and

(b) upon a vacancy in the office of Programming Delegate, to assume office immediately and serve the remainder of the vacated term.

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

(a) the Division Council 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 Council, shall act as Delegate(s) until a Delegate(s) is elected to fill the vacancy.

Article 7
Removal

§ 7.1 Officers. The Assembly or the Division Council shall provide for the removal of any officer for cause by the electing or appointing body or officer, by the Assembly or the Division Council, 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 evidence must be presented in a written record and shared with the officer and appropriate electing/appointing body to constitute appropriate notice. Before the removal is to be brought for a vote, the appropriate electing/appointing body must provide the officer with an opportunity to voluntarily resign. The Assembly or the Division Council 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 Council 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. All communications and discussions surrounding the removal proceedings, no matter the ultimate outcome, shall remain confidential.
§ 7.2 ABA Representative
(a) The Division Council, in consultation with the SBA president of the ABA Representative’s school, may remove an ABA Representative for good cause.

Article 8
Liaisons to the ABA Entities

§ 8.1 Liaisons
The Assembly or the Division Council 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 Council prescribes, shall appoint (or, if the entity reserves the power of appointment, shall nominate) each such liaison. ABA entities may provide such funding and voting power to the liaisons as the governing body of the ABA entity approves from time to time.

Article 9
Meetings

§ 9.1 Open Meetings
Any meeting of the Division 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 Council, and such others as the vote excepts may attend.

§ 9.2 Parliamentary Authority
The current edition of Robert's Rules of Order governs the proceedings of each meeting, and in the case of the Annual Meeting Assembly, in conjunction with any Standing Rules.

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

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

§ 9.3.3 SBA Conference. The student bar association conference shall consist of the president of each student bar association or his or her proxy and the Education Director as chair. The
conference shall meet at the Annual Meeting to advise the Assembly on matters relating to student bar associations, and for such other purposes as the conference or the Education Director prescribes. The conference may adopt standing rules. The Education Director shall perform such duties as the conference prescribes. Another Division Council member may preside in the absence of the Education Director.

§ 9.3.4 Proceedings. The Division Council may provide for the proceedings of the Annual Meeting to be published.

Article 10
Resolutions

§ 10.1 Resolutions Committee
The Resolutions Committee shall consist of the Division Delegates, the Law Student At-Large on the Association’s Board of Governors, and up to three ABA Representatives and three SBA Presidents.

§ 10.2 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 Council, 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 Council shall consider the resolution until the objection is cured to the committee’s satisfaction.

§ 10.3 Procedure
Any member or group of members 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 registered delegate to the Annual Meeting.

§ 10.4 Action of the Association
Division Council action 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 Council shall choose which resolutions to transmit to the Association.
Article 11
Committees

§ 11.1 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 Council shall organize other standing committees on operations, membership and Student Bar Associations, programming, and communications and publications (although not necessarily under those groupings or names). The Chair shall appoint each committee from the members of the Division Council, the SBA Presidents and the ABA Representatives. Each of these three groups may not make up more than 1/3 of the membership of any committee.

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

§ 11.2 Special Committees
The Assembly, the Division Council, 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 Council (or the Chair-Elect if the Chair created the committee) continues it.

§ 11.3 Oversight
The Division Council may review or revise any action of a committee.

§ 11.4 Competitions Committee
The Law Student Division Competitions Committee (“Competitions Committee”), comprising of volunteer ABA members, shall administer the Law Student Division's national competitions in accordance with guidelines and rules developed by the Competitions Committee.
Article 12
Finance

§ 12.1 Budget
(a) The Chair and the Division Director, after a report to the Division Council, 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.

(c) Except as provided in § 12.1(a), the Assembly and the Division Council will not have financial or budgetary authority, and such authority will lie with the Division staff, the Association staff, and the Association's Board of Governors.

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

§ 12.3 Reimbursement
(a) The Treasurer of the Association shall reimburse any officer for an official expense upon appropriate documentation as the Division's Chair defines subject to review by the Division Council.

(b) The Division Council 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.

§ 12.4 Dissolution
The Association shall succeed the Division in case of dissolution.

Article 13
Publications

§ 13.1 Editorial Control
The Communications Delegate shall exercise or delegate to a standing committee editorial control over the Division's publications.
§ 13.2 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 Council prescribes.

§ 13.3 Other Publications
The Division may issue any other publication that the Division Council finds worthy of the Division and the Association.

§ 13.4 Copyright
Any publication shall be copyrighted in the name of the Association.

Article 14
Amendment

§ 14.1 Ratification
The Assembly may amend these Bylaws by a resolution adopted by a two-thirds vote.

§ 14.2 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.

§ 14.3 Correction
The Division Council may correct the punctuation, grammar, wording, and numbering of these Bylaws or any amendment if the correction does not change the meaning.