

CHAPTER THREE
SBA EXECUTIVE BYLAWS

PREAMBLE

The following rules and procedures are enacted in accordance with Article III of the SBA Constitution. In creating these Bylaws, the SBA Senate wishes to establish the authority of the SBA Executive Branch and expresses its intent that the SBA Executive Branch is limited to only those powers granted to it by the SBA legislative branch via the SBA Constitution and associated Bylaws. Such powers may be amended or removed at a future date through appropriate Constitutional and/or Bylaw amendment(s).

I. Title – Executive Bylaws

II. Constitutional Conformity

- A. The SBA Executive Bylaws shall not conflict with the SBA Constitution.
- B. These bylaws shall take effect at the first SBA Senate meeting immediately after the Spring 2003 SBA General Elections.

III. Executive Branch Act

- A. The Executive Branch shall be composed of all executive offices outlined in the SBA Constitution and the SBA Executive Branch Bylaws. The power of the Executive Branch shall be vested in the SBA President.
- B. The Executive Branch shall be responsible for the enforcement and execution of the SBA Constitution & Bylaws.

IV. Purpose

- A. To clearly state the powers and limitations of the SBA Executive Branch, as it regards to the formation of the Executive Cabinet.
- B. This act shall take effect at the first SBA Senate meeting, immediately following the Spring 2003 SBA Elections.

V. **Executive Cabinet Act**

A. Power of Formation

1. The power to form the SBA Executive Cabinet shall vest exclusively in the SBA President. The president shall have the power to appoint current law students to his cabinet. Once such appointments first occur, then the president has exercised his/her cabinet formation power.
2. Within the first two months of assuming office, the President must inform the full Senate of the size of his/her cabinet. If, later during the year, the President deems that additional cabinet positions are necessary, then the President shall inform the full Senate of his appointment before he/she makes the appointment official.
3. The Senate shall have the power to approve the SBA President's executive cabinet nominations only where a particular cabinet level position has an advise and consent provision, clearly stated, in these Bylaws. All other cabinet positions shall not require Senate approval.
4. Statutory executive officers shall be defined as cabinet officials, excluding members of the Executive Board, who shall require a simple majority vote of the Senate members, present and voting, to be confirmed. Non-statutory executive officers shall not require any vote of approval by the Senate. All statutory officers and non-officers terms shall last for only one academic calendar year and end at the conclusion of the incumbent SBA president's term.
5. Should a vacancy occur on the executive board it shall be the responsibility of the SBA President to present a nominee to the Senate for confirmation as outlined in the SBA General Bylaws. Two-thirds vote of the Senate members present and voting shall be required to confirm an Executive Board vacancy. However, it shall not be mandatory for the SBA President to fill the vacancies of statutory or non-statutory executive officers.
6. If an Executive Cabinet has been formed, it must meet at least once a month after its formation.

B. Executive Cabinet Composition

1. Once a cabinet is formed, it shall include, but not be limited to, the following constitutional and statutory officers of the SBA: President, Vice-President, Secretary, Treasurer, ABA Representative, Historian, Attorney General, Social Events Coordinator, Dean's Cup Coordinator and Chief of Staff. The President shall have the authority to include or exclude all other executive appointments from his/her cabinet.

VI. Statutory Executive Officers

The following Executive Cabinet positions shall be considered Statutory Executive Officers:

A. Chief of Staff

The Chief of Staff shall:

1. Serve as the SBA President's main executive assistant and shall execute any discretionary task for the SBA President or SBA Vice President.
2. Be a member of the SBA Executive Cabinet and he/she shall be appointed by the SBA President.
3. Oversee the progress and completion of projects of the executive cabinet, under the direction of the SBA President.
4. Be responsible for developing a policy of operation for the SBA Executive Branch.
5. Assist the SBA President and Vice President by screening and making preliminary recommendations of candidates for Presidential appointments.
6. Use the media resources to inform and educate the Student Body of Student Government's activities.
7. Oversee all public relations activities for the Executive Branch.
8. Maintain strong lines of communication between the SBA Executive Branch and other entities within the Student Bar Association.

9. Work, in conjunction with the SBA Secretary, to inform the press of the actions of the SBA.

B. Attorney General

The Attorney General shall:

1. Represent the interests of the Student Bar Association, before the SBA Supreme Court, in all cases in which a SBA branch, affiliated agency, or student organization is a party.
2. Be a member of the SBA Executive Cabinet. He/she shall be appointed by the SBA President with the advice and consent of the SBA Senate.
3. Conduct systematic, continuous, and tenacious study of all SBA Bylaws for the purpose of reducing inconsistencies and improving clarity. He/she shall submit a report, each semester, to the SBA Speaker of the Senate and the Chair of the Constitution and Bylaws Committee, detailing any inconsistencies within the Student Body Statutes for the purpose of revision.
4. Provide the SBA President and any other Executive Board member procedural opinions on the SBA Constitution or bylaws. These opinions shall have no legal binding effect.
5. Be thoroughly familiar with the Bylaws of the SBA Supreme Court.

C. Social Events Coordinator

The Social Events Coordinator shall:

1. Organize all SBA social activities and events. These events shall include, but not be limited to Beer on the Bricks, SBA Parties, sport activities (excluding Dean's Cup), picnics and any other event he/she is assigned to oversee by the SBA President.
2. Work with the appropriate SBA Senate committee on all SBA social projects.

3. Be a member of the SBA Executive Cabinet. He/she shall be appointed by the SBA President with the advice and consent of the SBA Senate.
4. Submit a written report, each semester, to the SBA Speaker of the Senate and the Chair of the Senate Social Committee, detailing the status of all SBA Social Programs and Events.
5. Submit to the SBA Treasurer and the Senate Budget & Finance Committee budget requests for all social programs.
6. Help promote all SBA social events on and off campus.
7. This act and the duties therein shall take effect at the first SBA Senate meeting after the Spring 2004 SBA Elections.

D. Director of Student Affairs & Career Planning

The SACP Director shall:

1. Serve as the executive cabinet's liaison to the Career Planning Office and help to coordinate SBA Firm Night and Job Fairs.
2. Be a member of the SBA Executive Cabinet. He/she shall be appointed by the SBA President with the advice and consent of the SBA Senate.
3. Serve as the SBA President's Ambassador/liaison to all post juris doctorate programs as well as to all the inter-graduate programs at the University of Miami (i.e. the UM Business School, the UM Medical School, etc.).
4. Assist the SBA President in negotiating SBA co-sponsorships of student organization events.
5. Serve as one of the student representatives on the University's Computing, Library, and Campus Security Faculty Committees and assist the SBA Executive Administration in lobbying the school for improvements in computer services and campus security.
6. Assist all Senators in their lobbying efforts as they pertain to student affairs issues.

7. Issue a written report to the SBA Senate, each Semester, outlining the status of all of his/her projects and the fulfillment of all of his/her current duties and assigned responsibilities.

VII. Executive Veto Power

- A. The SBA President may veto any Senate appropriation bill, proposed amendment to the SBA Bylaws, resolutions, and any other Senate legislation, excluding amendments to the SBA Constitution or referendums, but must do so within 48 hours following the end of the Senate meeting in which the legislation was enacted. Legislation is considered final if not vetoed during that period of time.
- B. If vetoing a piece of legislation, the SBA President shall notify the Speaker of the SBA Senate in writing within the 48 hour period and also post that writing on the SBA office door.

Emergency Executive Powers Act (Adopted 11/02/03 – SB03-40)

- VIII. Whenever the SBA President transmits to the Speaker of the SBA Senate and the Dean of Students Office, his/her written declaration that he/she is unable to discharge the powers and duties of his/her office, and until he/she transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.
 - A. Whenever a two-third majority of the SBA Executive Board members, during an emergency meeting of the Executive Board, transmits to the Speaker of the SBA Senate their written declaration that the President is unable to discharge the powers and duties of his/her office, the Vice President shall immediately assume the powers and duties of the office as Acting President. Whenever an emergency meeting of SBA Executive Board convenes for the purpose of this section, the meeting shall be held in executive session and the President shall be permitted to vote on the issue. Before the Speaker receives the written declaration, the Executive Board members who advocate in favor of transferring Executive power to the Vice-President shall take their written declaration to the Office of the Dean of Students for verification. If a majority of a panel of the deans agree that there were sufficient grounds to transfer power to the Vice President, then they shall defer to the judgment as stated in the declaration, and the Executive Board shall proceed to transmit the declaration to the Speaker of the SBA Senate.
 - B. Thereafter, when the President transmits to the Speaker of the SBA Senate his written declaration that no inability exists, he/she shall resume the powers and duties of his/her office unless the Vice President and/or a majority of the SBA Executive Board transmit within four days to the Speaker of the Senate their

written declaration that the President is unable to discharge the powers and duties of his office. Thereafter, the matter shall be referred to and adjudicated by a panel of the Office of the Dean of Students.

IX. Other (Adopted 2/09/03 – SB03-01)

- A. Bylaws shall be renumbered and re-lettered where appropriate to provide for the proper sequence of numbers and letters.