

**ASSOCIATED STUDENTS OF THE  
UNIVERSITY OF CALIFORNIA, HASTINGS  
COLLEGE OF THE LAW (“ASUCH”)**

**BYLAWS**

(Current as of Spring 2015)<sup>1</sup>

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<sup>1</sup> (Adopted Spring 2000; Amended by the General Council August 27, 2003; Amended by the General Council April 12, 2006; Amended by the General Council September 10, 2008; Amended by the General Council April 1, 2009; Amended by the General Council January 23, 2013; Amended by the General Council September 11, 2013; Amended by the General Council April 1, 2015)

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## **SECTION 1. GENERAL PROVISIONS**

### **1.10 Adoption of By-Laws**

- (a) The General Council shall by majority vote, at the beginning of every session, adopt these By-Laws to govern its conduct for the life of the term. Nothing in these Bylaws shall conflict with the ASUCH Constitution.
- (b) Any provisions of the Bylaws may be amended or suspended by a two-thirds (2/3) vote of the General Council.

### **1.20 Execution of Powers**

- (a) Pursuant to Article 6, Section 9 of the ASUCH Constitution, the General Council shall have the power to enact legislation necessary and proper to exercise its powers, and to delegate the authority required to execute these powers.

## **SECTION 2. INTERPRETATION OF THE ASUCH CONSTITUTION AND BYLAWS**

### **2.10 Interpretative Power**

- (a) The powers of interpretation of the ASUCH Bylaws shall be vested in the Parliamentarian, designated by the President at the beginning of the session. Rulings on questions of parliamentary law may be appealed in accordance with Robert's Rules of Order. Per Article VII of the Constitution, all questions of interpretation of the Constitution shall be decided by a majority vote of the General Council.
- (b) The President may designate a new Parliamentarian only when a vacancy arises.

## **SECTION 3. MEMBERSHIP**

### **3.10 Removal**

- (a) A Member of the General Council may be removed from office without discretion in the following instances:
  - (1) Failure to satisfy the attendance requirement;
  - (2) Failure to satisfy the service hour requirement.
- (b) A Member of the General Council may be removed from office with discretion in the following instance:
  - (1) Actions found to be unbecoming/unprofessional of an ASUCH General Council Member
    - (i) The President shall nominate a Member's removal. Upon nomination, the Member shall have the ability to reply to the accusation either personally or through an intermediary.
    - (ii) After such Member has been heard, and upon 3/4 vote of the General Council, the Member may be removed.

### **3.20 Proper Notice**

- (a) Before removal, the Secretary must provide proper notice to the General Council, Student Body, and to the Member facing pending removal detailing the reasons for removal.
- (b) For the Member and the General Council, proper notice shall only be obtained through direct communication in an email.
- (c) For the Student Body, proper notice may be obtained through publication in the ASUCH Weekly, or any other appropriate means of communication.

### **3.30 Upon Removal**

- (a) The Secretary must properly notify the General Council, Student Body, and the Member Removed.

### **3.40 Reinstatement**

- (a) Member may be reinstated by requesting the Internal Vice-President to conduct an election for the student body for her or his reinstatement. A majority of those voting must approve of her or his reinstatement.

### **3.50 Attendance Requirement**

- (a) Attendance at ASUCH General Council Meetings is governed as follows:
  - (1) If a General Council member misses two consecutive meetings the member is automatically removed from their position.
  - (2) If a General Council member misses two nonconsecutive meetings in a semester, the Secretary shall notify the member of pending removal.
  - (3) After the third absence in a semester the member shall be automatically removed.
- (b) Attendance at ASUCH Executive Board Meetings is governed as follows:
  - (1) If an Executive Board member misses two consecutive meetings the member is automatically removed from their position.
  - (2) If an Executive Board member misses two nonconsecutive meetings in a semester, the Secretary shall notify the member of pending removal.
  - (3) After the third absence in a semester the member shall be automatically removed.
- (c) Late arrival or early departure to General Council and Executive Board Meetings in excess of 15 minutes will be treated as an absence.

### **3.60 Service Hour Requirement**

- (a) All Members of the General Council shall serve a minimum of 15 hours in their respective capacities per semester.
- (b) Certification of service hours shall be vested with the President. However, he or she may delegate such power to Executive Board Members and Committee or Task Force Chairs.
- (c) All completed service hours must be submitted to the ASUCH Secretary, by email to [sec@uchastings.edu](mailto:sec@uchastings.edu), for approval by 5:00 p.m. on the last day of the academic calendar for the given semester.

(d) If a member fails to satisfy the service hour requirement by the above deadline, the member will automatically be removed pursuant to Section 3.30.

### **3.70 Vacant Positions**

(a) The President shall fill vacancies in the General Council pursuant to Article 3, Section 14 of the ASUCH Constitution.

## **SECTION 4. ADMINISTRATION**

### **4.10 Rules of Order**

(a) Except as provided in this subsection, all General Council meetings shall be conducted pursuant to Robert's Rules of Order (found online at [www.RobertsRules.org](http://www.RobertsRules.org)).

(b) After debate is closed, the maker of a motion may have one minute to restate and clarify the motion.

(c) During debate of a resolution, no member shall speak a second time until everyone has had a chance to speak a first time.

(d) Governing Council meetings shall not exceed two hours but may be extended by motion.

### **4.20 Parliamentarian**

(a) At the first General Council meeting of the year the President shall appoint a Parliamentarian.

(b) The Parliamentarian shall provide an outline of the rules of order to the General Council at the first meeting where all classes are represented.

### **4.30 Historian**

(a) At the first General Council meeting of the year the President shall appoint a Historian or Co-Historians.

(b) A Historian shall document by photographs and video student life here at Hastings and make them accessible to the Student Body.

### **4.40 Minutes**

(a) The Secretary shall keep written minutes of each meeting. The minutes shall include the meeting agenda, all resolutions submitted, a summary of significant arguments raised regarding each resolution, a copy of all resolutions as adopted, and all other pertinent information at the discretion of the Secretary.

(b) The minutes shall reflect the vote of the General Council for every Resolution brought to a vote; if a roll call vote is requested and seconded for a particular resolution, the minutes shall reflect the vote of each member of the General Council.

(c) The minutes shall be adopted by the General Council at the following ASUCH meeting; a draft shall be made available to members with the agenda for the following meeting.

(d) Once adopted, the Secretary shall cause to be posted all minutes on the ASUCH Bulletin Board or Website, and attach a copy to the ASUCH Weekly.

#### **4.50 Meals at General Council Meetings**

(a) All meals served at General Council meetings shall provide a vegetarian option, and, upon request, a meal that can satisfy specific dietary needs.

(b) The Director of Community Affairs shall execute this provision, unless designated to another member of the General Council by the Director of Community Affairs.

#### **4.60 ASUCH Updates**

(a) ASUCH shall publish or cause to be published, in hard copy or electronic form, an update of its activities, meetings, other relevant information in order to improve student participation in and understanding of ASUCH.

(b) Such updates, if electronic, may be distributed via the ASUCH Weekly.

#### **4.70 Transparency**

(a) The General Council shall strive to maintain transparency in all of its activities. All members of ASUCH shall have the right to access and review the following documents:

- (1) The ASUCH Constitution and Bylaws;
- (2) Any and all Resolutions adopted by the General Council;
- (3) Committee rules and regulations;
- (4) A reasonably current statement indicating the financial condition of ASUCH and a report of budget allocations made to student organizations; and
- (5) Copies of the Minutes of all General Council meetings of the current academic year.

(b) The General Council must make every reasonable effort to:

(1) Post the proposed agenda and Resolutions for each student meeting two days in advance of the meeting on either the website or in a publicly viewable location on campus

(2) Post a reasonably current statement of the financial condition of ASUCH as well as a report of all budget requests and awards online or in a public location at least once a semester

(3) Publicly announce and remind the student body of upcoming ASUCH meeting times and room location by doing any or all of the following:

- (i) Posting the calendar of ASUCH meetings in a public location on campus
- (ii) Submitting the meeting times and proposed agenda for inclusion in weekly update emails from the Administration or
- (iii) Posting this information on the website

(4) Encourage dialogue with the student body outside meetings by taking actions to ensure the student body can at all times easily find out who their representatives are and how to contact them.

(i) The ASUCH Office can be used to satisfy the duties set forth in Section 4.70(b)(4).

#### **4.80 ASUCH Office Key**

(a) A key to the ASUCH office shall be kept at the security desk of 200 McAllister for use only by authorized users.

(b) The Secretary shall provide UC Hastings security personnel with a list of names of authorized users of the key.

### **SECTION 5. GENERAL AUTHORITY: RESOLUTIONS**

#### **5.10 Resolutions Generally**

(a) The resolution process is the means by which ASUCH speaks to its members, Hastings College of the Law, and the public.

(b) Any matter that affects the quality of legal education or student life, or that pertains to the ASUCH Constitution or By-Laws or any action taken under their authority, is a proper subject for a resolution.

(c) Resolutions to be considered in the regular course of business shall be submitted to the Secretary in hard copy or electronic form no later than forty-eight (48) hours prior to each General Council meeting.

(d) The Secretary shall establish formatting rules for proper submission of resolutions.

(e) Resolutions shall only be heard during the semester in which the event occurred. At no time will ASUCH General Council vote on, approve, or fund Emergency Resolutions from previous Semesters.

#### **5.20 Emergency Resolutions**

(a) Resolutions to be considered as an Emergency Resolution, pursuant Article V, Section 5(a) of the ASUCH Constitution, may be considered immediately upon the approval of two-thirds of the General Council present at a General Council meeting.

(b) Resolutions shall not be included into the agenda and shall not be heard unless they are correctly and timely submitted.

(i) Resolutions that are promptly corrected and submitted shall be entered into agenda in the order they are received to be voted upon by the General Council.

(c) Emergency Resolutions shall be voted upon by the General Council in the order the Secretary received them.

(d) Emergency Resolutions shall only be heard during the semester in which the event occurred. At no time will ASUCH General Council vote on, approve, or fund Emergency Resolutions from previous Semesters.

#### **5.30 Required Components**

(a) Financial Report Requirement.

(1) All resolutions shall include a “Financial Report” disclosing the financial impact of the resolution on ASUCH. If the resolution will not require any financial expenditure if passed, the financial report should read as follows: “This resolution will not require any financial expense for ASUCH.” If following reasonable inquiry, such expenditure is unknown, the financial report shall state that such expenditure is unknown.

(b) Disclosure Requirement.

(1) If an ASUCH member is sponsoring or co-sponsoring an ASUCH resolution that directly effects through finances or resources, an organization in which he or she is a member, the ASUCH member shall disclose his or her position within that student organization.

(c) Executive Provision.

(1) If a resolution requires action on the part of the General Council, it must include an enforcement provision. It must vest such action in an Executive Board Member or Committee.

## **SECTION 6. APPROPRIATIONS**

### **6.10 Budget Process**

(a) The Treasurer shall, prior to the finalized newly admitted Student Handbook, inform Student Services that the ASUCH Allocated Reimbursement Request Form, referenced within the Student Handbook, is up-to-date and accurate.

(b) The Treasurer shall, at the beginning of every session, propose regulations for the budget process (Budget Regulations) with the agenda and resolutions for the first meeting where all classes are represented. The General Council shall adopt the Budget Regulations by a majority vote. The budget process shall be conducted according to the Budget Regulations. These rules shall include, but not be limited to, the following:

(1) The Treasurer shall hold a mandatory budget orientation within 72 hours of the approval of the budget regulations at the first ASUCH meeting. Attendance by all student organizations requesting ASUCH funding through the initial budget process is mandatory. Failure for an organization to attend will result in exclusion from receiving funds from the initial ASUCH budget appropriations.

(2) Applications for funding, known as the budget request form, shall be distributed and/or available within 72 hours of the approval of the budget regulations at the first ASUCH meeting to registered student organizations.

(3) The Finance Committee shall meet and develop a proposed distribution of funds within one week of the application deadline, distribute the proposal to all student organizations and the General Council by the Monday before the next General Council meeting, and present it to the General Council for review, revision and approval at that meeting.

(4) Finance Committee meetings shall be open to any silent observers subject to the sole discretion of the Treasurer.



- (5) Finance Committee members shall be required to attend the General Council meeting at which the budget proposal is addressed to comment on the rationale behind specific allocations.
- (6) Any student organization wishing to appeal an appropriations decision by the ASUCH General Council or asking for an appropriation of funds shall submit this motion to the Secretary and Treasurer in hard copy or electronic form no later than seventy-two (72) hours prior to each General Council meeting.
- (7) The ASUCH General Council requires that a representative of the student organization appealing an appropriations decision or asking for an appropriation of funds to attend the meeting of the General Council where the appeal will be heard. The representative must be ready to answer any questions that the General Council asks the representative regarding the organization's budget and other financial matters. Failure for said representative to attend will result in the request for appeal or appropriation to be summarily denied.
- (8) Funding shall be allocated in a manner consistent with state law, federal law, and *Smith v. Regents* (1993) 4 Cal.4th 843.

## **SECTION 7. ELECTIONS**

### **7.10 Election Guidelines**

- (a) The Internal Vice-President shall issue regulations for all student body elections and referendums with the agenda and resolutions for the first meeting where all classes are represented.
- (b) At the first meeting where all classes are represented, the General Council shall adopt the Elections Regulations by a majority vote. Any elections or referendums during the session, and the 1L election in the following fall, shall be conducted according to the Election Regulations adopted.

### **7.20 Public Notice of Candidacy Statements.**

- (a) Any statement of candidacy that was timely submitted shall be posted.
- (b) Such posting shall be made in a public place likely to be seen by members of the student body, such as in the lobby of the 198 or 200 McAllister buildings.
- (c) Such posting shall occur no later than three days before the first scheduled day of the Spring General Election, and shall remain posted until the polls are closed.
- (d) Additional measures may be taken to provide the student body with the opportunity to view candidacy statements and other election materials, such as by emailing the candidacy statements to the student body in PDF format.

### **7.30 Tied Elections**

- (a) In the event of a tied vote, another debate and a vote shall occur. Upon consecutive ties, the winner shall be determined by flipping a coin.
- (1) The flipper of the coin shall be the President, subject to the consent of both candidates.
- (2) Both candidates shall be present for the coin flip.

#### **7.40 Voter Turnout Required**

(a) No student shall be elected as class representative unless he or she receives the vote of five percent (5%) of the class from which he or she was elected. The size of the class shall be determined by final registration figures immediately preceding the election. For 1L Representative elections, no student shall be elected as a section representative unless he or she receives the vote of fifteen percent (15%) of the section from which he or she was elected.

#### **7.50 Election Process – Guidelines for ASUCH General Council Candidates**

(a) All candidates for the ASUCH General Council pledge to run their campaigns in a professional, responsible, and ethical manner.

#### **7.60 All Presently Sitting ASUCH General Council Members Running for Another Office Shall:**

- (1) Not discourage other students from running for any position on ASUCH nor misrepresent ASUCH in order to discourage other students from running.
- (2) Continue to perform the duties of their current position as normal.

### **SECTION 8. STUDENT SERVICES**

#### **8.10 Student Organization Meetings**

- (a) The Internal Vice-President shall call a student organization meeting at least once a semester preferably during an academic free hour.
- (b) The Internal Vice-President may, at any time, call other student organization meetings during any academic free hour.
- (c) A representative from each student organization shall attend each such meeting.
- (d) The Internal Vice-President, per council from the Treasurer, shall inform student organizations at the initial student organization meeting of the fall semester of potential funding sanctions as per Section 6.10(b)(1).

### **SECTION 9. APPOINTMENTS TO NON-ASUCH LED COMMITTEES**

#### **9.10 Application**

(a) The President shall solicit applications from Members of the ASUCH General Council for appointment to ASUCH Committees, Task Forces, and Student-Faculty Committees at the first meeting where all classes are represented.

#### **9.20 Student-Faculty Appointments**

- (a) Pursuant to Article 6, Section 5 of the ASUCH Constitution, the President shall submit appointments to the Council of Committees for student representation on the student-faculty committees.
- (b) Appointment to a student faculty committee will hinge on a members ability to attend meetings.

(c) If a General Council member is unable to attend meetings consistently, (i.e. due to scheduling conflicts between a class and the committee meeting time) such member will forgo his/her membership to another General Council Member able to attend.

## **SECTION 10. ASUCH COMMITTEES**

### **10.10 ASUCH Committees and Task Forces Generally**

- (a) Committees and Task Forces may be formed by the General Council, Executive council, or President as needed to address specific needs of ASUCH.
- (b) The President shall appoint and fill vacancies for all task force and committee members, including a chair.
- (c) At least one General Council member shall serve on each task force or committee.
- (d) Each committee and subcommittee shall be chaired by a member of the ASUCH Executive Board or General Council.
- (e) All committees and task forces shall consist of an odd number of voting members.
- (f) The ASUCH President shall serve as an ex-officio member on all committees and task forces.
- (g) Non-members or students at-large may serve in an ex-officio capacity.
- (h) All committees and task forces shall be governed by parliamentary procedure as detailed in Robert's Rules of Order (found online at [www.RobertsRules.org](http://www.RobertsRules.org)).
- (i) All committees (including task forces and the 3L Council) shall have the authority to promulgate regulations governing their activities. Committee regulations shall not be inconsistent with the ASUCH Constitution and Bylaws.
- (j) All committee regulations shall be published and available for inspection by any ASUCH member.
- (k) Committee regulations may be amended by a majority vote of the General Council.

### **10.15 Council of Committees**

- (a) The Secretary will chair the Council of Committees.
- (b) A representative from each committee, including the student-faculty committees, will submit reports to the Secretary seventy-two (72) hours before the General Council meeting.
- (c) Reports will be included in the General Council agenda as well as published to general student body with the agenda and resolutions.

### **10.20 Finance Committee**

- (a) This committee will review all student organization budget requests and propose student allocations to the General Council for approval. This committee shall propose allocations once per semester.

(b) The Treasurer shall chair this committee and shall appoint the committee members from among the General Council. The Treasurer's appointments shall be subject to the President's approval.

(c) For fall semester the committee shall be comprised either of one-half 3Ls and one-half 2Ls or an equal number of 1Ls, 2Ls, and 3Ls. For spring semester the committee shall be comprised of an equal number of 1Ls, 2Ls, and 3Ls.

#### **10.30 Elections Committee**

(a) The Internal Vice-President shall chair this committee.

(b) This committee will manage the 1L elections in the fall, the ASUCH elections in the spring, and any other referendums during the year.

(c) Membership in this committee shall be limited to the Internal Vice-President and third year students.

(1) If the Internal Vice President chooses to run for an ASUCH Executive Board Position, the Internal Vice President shall promptly notify the committee and recuse themselves for the duration of the election.

(i) After the polling procedures have been accomplished, the Internal Vice President shall be reinstated to notify the student body of the results.

#### **10.40 Student Life Committee**

(a) The Director of Community Affairs shall chair this committee and oversee all subcommittees under its jurisdiction.

(b) This committee will plan social and athletic events for Hastings students.

(c) Subcommittees: The following subcommittees shall be responsible for assisting the Director of Community Affairs.

(1) Social Events

(i) The Social Events Subcommittee shall be responsible for planning Beer-on-the-Beach, Bar Reviews and Barrister's Ball.

(2) Athletic Services

(i) The Athletics Services Subcommittee shall be responsible for the athletic and fitness programs at Hastings, including but not limited to gym equipment and scheduling.

#### **10.50 Outreach Committee**

(a) The Director of Communications shall chair this committee.

(b) This committee shall organize the Town Hall Meeting between Students and Administration, maintain the ASUCH website, and will be in charge of planning other publicity for ASUCH-sponsored programs and events.

#### **10.60 Professional Development Committee**

(a) The External Vice-President shall chair this committee.

(b) This committee shall be responsible for cultivating professional opportunities for students by working on issues with the Office of Career Services and the Office of Alumni Services.

(c) The committee shall work with the administration in coordinating the managing the business cards program.

(c) The committee shall work with the administration in coordinating the six at six alumni events and any other events the External Vice President shall see fit.

**10.70 Health Services Committee**

(a) This committee shall voice student concerns and interests to the administration as they relate to the programs offered by the Office of Health Services. (b)

Members will work directly with the Health Services.

**10.80 Bylaws Committee**

(a) The parliamentarian shall chair this committee.

(b) This committee shall review the ASUCH Bylaws and propose amendments as needed.

**10.90 Student Organization Continuance Committee**

(a) The Internal Vice President shall chair this committee

(b) This committee shall acquire all bylaws and other operating materials of a retiring organization in order to facilitate the possible rejuvenation of that organization at a later time.