

LAW STUDENT GOVERNMENT OF THE UNIVERSITY OF HAWAI‘I AT MĀNOA
William S. Richardson School of Law
2515 Dole Street
Honolulu, Hawai‘i 96822

CREATION OF THE RULES OF ORDER FOR THE SENATE

I. Declaration of purpose. All members defined in this Chapter shall be the Senate members and shall constitute the Senate of the Law Student Government. The purpose of the Senate is to perform assigned constitutional powers and duties and create official positions of the Student Bar Association. The formation and conduct of public policy of the Senate shall be conducted as openly as possible. To implement this policy the Senate declares that:

I.A. It is the intent to protect the people’s right to know;

I.B. The provisions requiring open meetings shall be liberally construed;

I.C. The provisions providing for exceptions to the open meeting requirements shall be strictly construed against closed meetings.

II. Rules of Order. The conduct of the Senate shall be guided by the provision of the LSG constitution, By-Laws, and these rules, and when silent, the most recently revised version of the Robert’s Rules of Order. The Senate may suspend Robert’s Rules of Order for any reason upon a majority vote of the Senate, however the suspension shall last only until adjournment of the meeting at which the suspension is approved.

III. Definitions. As used in this part:

III.A. “Senate” means the Law School Government Senate.

III.B. “Meeting” means the convening of the Senate for which a quorum is required in order to make a decision upon a matter over which the Senate has supervision, control, jurisdiction, or advisory power.

III.C. “Open meeting” means any scheduled or calendar session open to the public, where appropriate written public notice is given. All persons shall be permitted to attend any open meeting. The Senate Chair or Senate Vice Chair reserves the authority to remove any person or persons who willfully disrupts a meeting.

III.D. “Closed session” means any special session that has been called by an affirmative majority vote of those Senate members present and voting. Either the Senate Chair or presiding officer, by an affirmative majority vote of those Senate members present and voting, may designate a future meeting or some portion of a future meeting as a closed session. The Senate may enter into a closed session during a meeting by an affirmative majority vote. Once the Senate enters into closed session, only LSG executive and legislative officers may be present.

III.E. “Quorum” of the Senate must be present for the Senate to conduct business. Quorum shall be established where, at the initiation of a Senate meeting, there are physically or electronically present at least eight (8) members of the Senate eligible to vote. During the

summer session, quorum will be established when at least six (6) members of the Senate eligible to vote are physically or electronically present.

III.F. “Majority vote” means the direct approval of more than half of the Senate members present and voting on the particular matter, in a regular or properly called meeting of the Senate. Modifications of the foregoing principle that impose a requirement of more than a majority vote arise where required by these Rules of Order, LSG By-Laws, or the SBA Constitution. The act of the majority LSG student senators present at a meeting at which a quorum is established shall be considered a valid act of the LSG.

III.G. “Resolution” means any written, official stance promulgated by the Senate on behalf of the Student Bar Association. Any resolution is subject to these rules, By-Laws, and LSG constitution.

III.F. “Public Notice” means an email to the entire SBA membership and the LSG faculty advisor. The notice shall include an agenda that lists all of the items to be considered at the forthcoming meeting and the date, time, and place of the meeting. No item shall be voted on in the meeting without appropriate notice.

IV. Senate Offices. All Senate offices shall be filled no later than three weeks after the beginning of the Academic Year. Senate officers shall serve upon election or appointment for a term of one (1) year.

IV.A. Senate Chair.

IV.A.1. The Senate Chair shall nominate the Senate Vice Chair;

IV.A.2. He or she shall set at least four (4) calendar sessions during the academic year;

IV.A.3. He or she must introduce any official petitions submitted by any member of the SBA for hearing during a meeting and for voting by the Senate within ten (10) business days from the date of receipt of such petition;

IV.A.4. He or she shall act as an ex-officio member of all committees;

IV.A.5. He or she shall form any ad-hoc committees deemed necessary;

IV.A.6. He or she shall nominate the Chairperson of each committee, or shall accept nominations of the Committee Chairperson from the floor; and

IV.A.7. On the occasion that the Senate is unable to make a decision based on a tied number of votes, he or she shall have the power to swing the vote based on his or her decision.

IV.A.8. He or she shall maintain the minutes of all meetings;

He or she shall give written public notice of the date, time, and place of any meeting in the form of an email at least 48 hours before the meeting;

IV.A.8.a The notice shall include an agenda that lists all of the items to be considered at the forthcoming meeting;

IV.A.8.b He or she shall publish notice of scheduled calendar sessions and scheduled committee meetings within 48 hours of receipt; and

IV.A.9. He or she shall maintain the official logging of any complaints and testimonies to be discussed at any meetings; and

IV.A.10. He or she shall publish and transmit all resolutions.

IV.A.11. He or she shall maintain the voting record of each meeting and report it to the Judiciary and Executive within 72 hours;

IV.A.12. He or she shall report to the Judiciary passage of By-Laws, resolutions, confirmations, impeachments, and censures; and

IV.A.13. He or she shall receive all committee reports filed by any committee upon the conclusion of its work and at such other times as may be required.

IV.B. Senate Vice Chair.

IV.B.1. The Senate Vice Chair shall be a member of the Senate Chair's caucus, nominated by the Senate Chair, and confirmed by a majority vote of the Senate;

IV.B.2. He or she shall have the power to perform the duties and functions of the Senate Chair in the absence or sickness of the Chair or in the event the Chair fails or neglects to perform such duties;

IV.B.2.a. In the event the Senate Chair permanently vacates or is unable to perform the duties and functions of the Senate Chair, the Senate Vice Chair shall become Senate Chair;

IV.B.2.b. In the event the Senate Chair is temporarily unable to perform the duties and functions of the Senate Chair, the Senate Vice Chair shall become Senate chair for such time as the elected Senate Chair is unavailable;

V. Resolutions. When a resolution is required by these Rules of Order, LSG By-Laws, or the SBA Constitution, or when a written motion to propose a decision or action by the Senate is required, the matter must be presented to the Senate in the form of a written resolution.

V.A. A resolution must be presented whenever the Senate:

V.A.1. expresses a public opinion on behalf of the SBA or the entire student body;

V.A.2. wishes to send a specific communication to a member of the faculty or administration on behalf of the SBA or the entire student body;

V.A.3. amends these Rules of Order;

V.A.4. amends the LSG By-Laws; or

V.A.5. is required by the By-Laws or SBA Constitution to act by resolution.

V.B. Resolutions must be sponsored by at least one voting member of the Senate.

V.C. Resolutions must be in proper legislative form and must include appropriate recitals and an enacting/resolving clause.

V.D. Resolutions must be read in front of the Senate by the sponsor of the resolution or by the presiding officer.

V.E. Any passage of a resolution amending these Rules of Order or the LSG By-Laws requires a two-thirds (2/3) vote of the entire Senate.

V.F. Unless otherwise specified by these Rules of Order, passage of a resolution requires a majority vote of the Senate. Upon passage, resolutions shall take immediate effect.

V.G. All resolutions expressing public opinion on behalf of the SBA shall be published on the SBA website after passage. All resolutions directing specific communication to a member of the faculty or administration shall be transmitted to the Executive by the Vice President/Senate Chair.

VI. Meeting Notices. The Senate Chair shall give written public notice of any open, closed, or rescheduled meeting when anticipated in advance. The notice shall include an agenda that lists all of the items to be considered at the forthcoming meeting and the date, time, and place

of the meeting. No item shall be voted on in the meeting without appropriate notice.

VI.A Notice Filing. The Senate shall file the notice in the form of an email to the entire SBA at least 48 hours before the meeting.

VI.B Enforcement. If the written public notice is not filed by an email to the entire SBA at least 48 hours before the meeting, the meeting shall be canceled as a matter of By-law, the Senate Chair shall ensure that a notice canceling the meeting is posted at the place of the meeting, and no meeting shall be held. If the meeting qualifies as an “Emergency Meeting”

VI.C Emergency Meeting for Unforeseen Event. If an unforeseen event requires the all the voting members of the Senate to take action on a matter over which it has supervision, control, jurisdiction, or advisory power, within less time than is provided for in Section 6.A to notice and convene a meeting of the Senate, the Senate may hold an emergency meeting to deliberate and decide whether and how to act in response to the unforeseen event; provided that:

VI.C.1. As soon as practicable after the meeting, the Senate states in writing the reasons for its finding that an unanticipated event has occurred and that an emergency meeting is necessary;

VI.C.2. Two-thirds to all voting members of the Senate, must be present for an emergency meeting to occur;

VI.C.3. The finding that an unforeseen event has occurred and that an emergency meeting is necessary and the agenda for the emergency meeting under this subsection are filed by email to the entire SBA; and

VI.C.4. The Senate limits its action to only that action which must be taken on or before the date that a meeting would have been held, had the body noticed the meeting pursuant to Section XXX.

VI.C.5 Definitions For this Section. For purposes of this part, an “unforeseen event” means:

VI.C.5.a. An event that members of the pertinent Senate did not have sufficient advance knowledge of or reasonably could not have known about from information published by the media or information generally available in the community;

VI.C.5.b. A deadline established by a legislative body, a court, or a federal, state, county, or University of Hawaii agency beyond the control of the Senate; or

VI.C.5.c. A consequence of an event for which reasonably informed and knowledgeable Senate members could not have taken all necessary action.

VII. Testimony. The Senate shall afford all interested persons an opportunity to submit testimony (e.g. data, views, or arguments) to the Senate Chair via email on any agenda item. Written testimony must be submitted 12 hours prior to the Senate meeting and no notice required for oral testimony.

VII. Voting Record. The Senate Chair shall keep the voting record of all meetings. The voting record shall give a true reflection of each Senate member’s vote. The voting record shall be completed and distributed to the Judiciary and Executive within 72 hours of the meeting.

IX. Electronic Presence. Senate members may be counted for quorum during any meeting if electronically present through phone or video calling. Senate members wishing to be electronically present must give notice to the Senate Chair prior to the meeting. Only the Senate Chair may approve the electronic presence.

X. Electronic Voting. After the Senate has held an open meeting and allowed debate and testimony, the Senate may vote via electronic polling mechanism. The poll must be held within 24 hours. The Senate Chair will ensure no fraudulent voting occurs through cooperation with the administration. The record of the voting will be made public within 72 hours.

XI. Proxies. Senate members unable to attend a meeting may give his or her vote by proxy to another member. In no event shall a Senate member carry more than two (2) proxies. Voting by proxy shall be permitted at Senate meetings subject to the Senate Chair's approval. Senators may only vote by proxy once per semester.

XII. Minutes. The Senate Chair shall keep written minutes of all meetings. Neither a full transcript nor a recording of the meeting is required, but the written minutes shall give a true reflection of the matters discussed at the meeting and senatorial comments. The minutes shall include, but need not be limited to:

XI.A The date, time, and place of the meeting;

XI.B The members of the Senate recorded as either present or absent;

XI.C The substance of major arguments and their proponents shall be recorded;

XI.D The substance of all matters proposed, discussed, or decided; and a record of any votes taken; and

XI.E. Any other information that any member of the Senate requests be included or reflected in the minutes.

XII.F Timeframe to Publish Minutes. The official minutes shall be public record and shall be available within thirty days (30) after the meeting. Unofficial minutes shall be distributed to the Senate for review within 48 hours of the meeting.

XII Senate Committees.

XII.A Creation, Amendment, Removal. For purposes of effectuating the roles and responsibilities of the Senate as provided within the LSG Constitution and corresponding By-Laws, the Senate, by a majority vote, may create new committees, amend the general governing rules of standing committees, or remove a committee, as the Senate deems appropriate.

XII.B Committee By-Laws. The Senate will provide for by-laws to generally govern the purpose(s) and composition of a committee or committees deemed necessary to effectuate the purpose of the Senate as provided within the LSG Constitution and corresponding by-laws.

XII.C Committee Rules. The Committee Chair shall set the agenda for each committee meeting and serve the presiding officer of the committee meeting. Every committee shall file

the schedule of committee meetings with the Senate Chair at least 72 hours prior to the first meeting. Every committee shall make a report in writing to the Senate Chair upon the conclusion of its work and at such other time as may be required. All committee procedures are subject to the Senate Rules of Order, By-Laws, and the SBA Constitution unless otherwise determined by the Committee Chair.

XII.D Committee Members. Unless otherwise indicated, all appointments to committees specified in this section shall expire at the end of each annual election cycle. At minimum, there shall be three Senators on a committee. The Senate Chair shall nominate the Committee Chairs or shall accept nominations of the Committee Chairs from the floor. Senate members may be nominated by the Senate Chair or from the floor to serve on a committee. Any Senate member wishing to serve on a specific committee must inform the Senate Chair prior to nominations of members to each committee.

XII.E Chair and Member Removal. In the event that the Committee Chair fails to perform his or her duties as stipulated by the governing rules, the Chair may be removed from his or her position through an affirmative majority vote of the committee members. If removed, the Senate Chair shall appoint a new Committee Chair. The Committee Chair may recommend removal of a committee member during a committee meeting. The removal shall be confirmed by a majority vote of the committee members. If removed, the Committee Chair shall appoint a new committee member within one (1) week of the removal to replace the removed member. The new member shall be confirmed by a majority of all committee members within one (1) week of his or her appointment by the Committee Chair.

XII.F Internal Committee By-Laws. Committee Chairs shall determine the internal governing structure of his or her committee providing that any such governing structure comports with the purpose(s), composition, and governing Senate Rules of Order, LSG By-Laws, and the SBA Constitution. The Committees shall be subordinate to the Senate Chair and may have items of business committed to or discharged from its consideration by the Senate Chair. The Committees shall operate in accordance with the applicable provisions in these Rules of Orders. No standing rule may conflict with the Senate Rules of Order, LSG By-Laws, or the SBA Constitution.

XII.G Ad-hoc Committees. Any ad-hoc committees shall be dissolved upon completion of its duties, unless otherwise determined by the Senate Chair. Upon completion of its duties, any ad-hoc committees shall submit a report in writing to the Senate Chair.

XII.H Graduation Committee.

XIII.H.1 Committee Membership. The committee shall be comprised of one (1) Senator from each of the following caucuses: the First-Year caucus, the Second-Year caucus, the Part-Time Program caucus, the LLM Program caucus, and Ulu Lehua Scholars Program caucus; and three (3) Senators from the Third-Year caucus. Each Senator shall be nominated, or may nominate him or herself to the position. The LSG will confirm the nomination to the Graduation Committee by a majority vote. Once all eight (8) members of the Graduation Committee have been confirmed by the LSG, the inaugural meeting of the Graduation Committee shall commence within one (1) week of the final confirmation. The Graduation Committee members, through majority vote, will determine the time and venue of the inaugural meeting. All members of the Graduation Committee must be present at the

inaugural meeting.

XIII.H.2 Purpose. (1) To establish and effectuate a uniform approach to Richardson's graduation events by incorporating multi-class participation and planning; (2) To perform all tasks relevant and necessary to graduation events so as to provide graduation services in keeping with the high standards and expectations of Richardson graduates and alumni; (3) To alleviate as much as practicable the financial burden on Richardson students by soliciting needed graduation funds from external sources, whether in the form of donation, through fundraisers, or other available means as the committee deems appropriate.

XIII.I Ways and Means Committee.

XIII.I.1 Committee Membership. The Ways and Means Committee Chair shall be nominated by the Senate Chair and shall be comprised of at least three (but no more than five) other Senate members. Two members of the Ways and Means Committee will serve on the Finance Committee

XIII.I.2 Purpose. The Ways and Means Committee shall be principally charged with receiving and evaluating budget drafts and reports from the Executive Treasurer and recommending action on those drafts and reports by the Senate. The two members on the Finance Committee will ensure the policies enacted by the LSG Senate are enforced when dispersing funds to the Student Organizations.

XIV. Long Range Planning. The Senate shall review its long-term plan for the Senate each academic year after the spring semester and before the commencement of the fall semester. The Senate Chair will ensure the Senate plan is in accordance with the William S. Richardson School of Law long-term plan. The Senate Chair shall establish an agenda 3 weeks before the fall elections.

XV. Senate Meetings. Senate Chair set two Senate meetings two weeks prior to the semester, at least one day and one night, allowing potential Senators to plan their schedules accordingly. The first Senate Meeting must be no later than thirty (30) days after the fall elections.

XVI. Dues. The Senate will review the SBA dues for the next academic year at the first Senate meeting of the fall semester. Once reviewed, the Senate Chair will inform the Executive Board of the next academic year's SBA dues and ensure the administration is informed.

XVII. Class Party Planning. Senators will not serve as the primary point of contact for class party planning.