

Georgetown University Law Center
Student Bar Association
2019-2020 House of Delegates
April 16, 2019



Resolution 2019-2020-12: Election Rules Updates

WHEREAS, the previous edition of Election Rules were outdated;

WHEREAS the Elections Committee has convened, discussed and approved all updates, inclusions, and changes to the previous rules, and is confident that the rules adequately cover all important elections issues;

THEREFORE; be it resolved that the new election rules are as follows:

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**Georgetown Law Student Bar Association
Fall 2019 SBA Election Rules**

Elections Committee 2018-2019

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ARTICLE I: CAMPAIGN

PROCEDURES Section I – Elections

Committee:

1. Pursuant to Article IX of the Student Bar Association Constitution, the authority to manage the Association’s elections shall be placed in the Elections Committee.

2. Students should email the Chair of the Elections Committee at avm42@law.georgetown.edu or sbalawelections@georgetown.edu with any questions or issues related to SBA elections, requests for advertisement pre-approval, formal complaints, recount demands, or other matters.

**Section II –
Nominations:**

1. Nominating Period

(a) Nominations for all delegate positions will open at 12:00PM on Monday, September 16, 2019.

(b) Nominations will close at 5:00PM on Wednesday, September 18, 2019.

(c) All students will receive a link to the Nominations Form via email from the Student Bar Association on September 18, 2019.

2. Acceptance of Nomination &
Submissions

(a) The Elections Committee will notify all nominees of their nomination on a rolling basis throughout the nominations period. Nominees have until 5:00PM on Thursday September 19, 2019 to accept their nominations. Acceptances should be sent via email to sbalawelections@georgetown.edu or avm42@georgetown.edu.

(b) All nominees may include a short campaign statement to be published on the ballot. The statement must not exceed 300 words.

(c) All nominees may submit an alternate photograph to use in place of their GoCard photograph in the voting software. All photos larger than a standard headshot will be cropped to only show the nominee’s face.

(d) All nominees may submit an alternate name to use in place of the name listed on

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their GoCards. In order to do so, the nominee must contact sbalawelections@georgetown.edu or Andrea Martinez at avm42@georgetown.edu and request that a different name be used.

(e) Campaign statements and photographs must be submitted by 5:00PM on Friday, September 20, 2018. Nominees are encouraged to include these materials when they accept their nominations.

**Section III –
Campaigning:**

1. Campaign Period

(a) The Campaign Period will begin on Thursday, September 19, 2019, following the close of nominations at 5:00PM.

(b) The Campaign Period ends at the conclusion of the Fall Election, including any required run-off. All election materials must be cleaned up within 48 hours of the close of the election.

2. Limits on Campaign Activity – Pre-Campaign Period

(a) Prior to the start of the Campaign Period, candidates may not:

- i. publicly announce their candidacies using social media, email, physical advertisements, or other forms of communication;
- ii. post any advertisements related to the election; or
- iii. seek out public endorsements from student organizations and other candidates.

(b) Violations of this provision will be subject to the formal complaint and remedial action provisions of these Rules.

**Section IV – Campaign
Spending:**

1. Use of Association Funds

(a) Any use of Student Bar Association-provided funds is prohibited.

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(b) Neither Candidates nor SBA-funded student groups may use SBA-provided funds to support or oppose any candidate in any election cycle.

2. Campaign Spending Limits

(a) Each Candidate's campaign expenditures shall not exceed \$50.00 USD in an election

(b) Campaign expenditures include goods, services, and gifts-in-kind purchased as part of the Candidate's campaign activities as well as social events held on or off campus.

(c) In the event that a run-off election is required, each Candidate participating in the run-off may spend an additional \$25.00 USD on run-off campaign expenditures.

(d) Each Candidate must provide a Campaign Expenditure Report to the Elections Committee within twenty-four hours of the close of elections. The Report must include all campaign expenditures and their costs.

ARTICLE II: ADVERTISING

Section I – Regulations & Pre-

Approval:

1. Use of School Name & Logo

(a) Advertisements and postings may not use the name "Georgetown University" or the Georgetown University logo in a manner that may imply university endorsement of the candidate.

2. False Advertising

(a) Any false advertising that is meant to mislead voters will be subject to the formal complaint and remedial procedures provided by these rules.

(b) This provision shall only apply to candidate(s) representations of empirical, quantitative, and factual information, not to subjective statements of judgment or opinion.

3. Advertisement Pre-Approval

(a) If a Candidate is unsure whether or not their advertisement violates this or any other

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provision of these Rules, they are permitted to send a copy of the advertisement to the Elections Committee for pre-approval.

(b) Candidates are not required to submit all advertisements for pre-approval. This provision exists solely for the purpose of verifying that questionable advertisements are in compliance with university policies and these Rules.

(c) If a candidate disagrees with the committee they may submit an appeal using the procedures provided by these rules.

**Section II – Internet
Advertising:**

1.

Email

(a) Candidates may use email to promote their candidacy, but are prohibited from using any university-distributed email list or listserv for electioneering. This does not include endorsement emails sent by student organizations that choose to use their listservs to endorse a candidate.

(b) All campaign-related emails must include an “opt-out statement” instructing the recipient to email the sender if they wish to stop receiving emails. Candidates must immediately cease sending campaign-related emails to anyone who opts out.

2.

Facebook

(a) Candidates may promote their candidacy on Facebook through individual pages, groups, events, pictures, video, posts, or other means.

(b) Candidates are prohibited from creating posts on any official Georgetown Facebook groups or pages operated by or on behalf of the University or the Student Bar Association.

(c) If unsure whether a Facebook group or page is operated by the University or the Student Bar Association, ask the Chair of the Elections Committee at avm42@georgetown.edu or sbalawelections@georgetown.edu.

**Section III – On-Campus
Advertising**

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1. In-Class Announcements

- (a) Candidates and supporters may not make campaign-related announcements during scheduled class time.
- (b) Candidates and supporters are free to make announcements immediately before or after a class, or during a scheduled break in the class, provided they first obtain the professor's permission prior to the announcement.

2. Fliers & Posters

- (a) Candidates may make fliers and posters to promote their candidacy. (b)

Each flier must contain the following information:

- i. The words "SBA ELECTIONS";
- ii. The dates of the election; AND iii.

Candidate contact information.

- (c) All fliers must be approved by the Office of Student Life (OSL) prior to being posted on campus and must abide by all OSL guidelines regarding the size, placement, and duration of postings. <https://www.law.georgetown.edu/wp-content/uploads/2018/01/Advertising-Policies-Revised-August-2017.pdf>. Any questions should be submitted either to the committee or to OSL at bls35@georgetown.edu.

- (d) All fliers and posters must be removed within 48 hours of the close of elections.

3. Campaigning in Gewirz

- (a) Door-to-door campaigning in the Gewirz Residential Hall is prohibited.

4. Tabling

- (a) All tabling should be conducted in accordance with Office of Student Life policies found here: <https://www.law.georgetown.edu/your-life-career/activities-organizations/office-of-student-life/space-reservations/table-requests/>

**Section IV – Joint
Advertising**

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1. Candidates are free to coordinate with, endorse, and campaign with other candidates, and may list endorsements on their own advertisements.
2. Candidates are prohibited from creating joint advertisements, presenting multiple candidates as a “slate” or “ticket”, or including multiple candidacies on a single campaign posting so as to suggest joint campaigning.

**Section V – Social
Events**

1. Candidates may hold social events on or off campus to promote their candidacy.
2. Candidates will be held responsible for cleaning up immediately following all campaign-related events.

**ARTICLE III: THE
ELECTION Section I –**

Election & Run-off

1. Election Period

(a) The Fall Election voting will begin at 10:00AM on Wednesday, September 25, 2019 and will close at 5:00PM on Thursday, September 26, 2019.

2. Run-off Elections

(a) If no candidate for an Officer position receives a majority of votes in the Election, or if no candidate for a Delegate position receives a plurality of votes in the Election, a Run-off Election will be held between the top two candidates.

(b) If necessary, the Fall Run-off Election will begin at 9:00AM on Friday, September 27, 2019 and will close at 5:00PM on Friday, September 27, 2019.

**Section II –
Voting**

1. Voting Software

(a) Elections will be held through a google form that will be emailed by the Student

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Bar Association to all constituents and candidates.



(b) Duplicate votes will not be counted.

**Section III – Advertising During Election
Period**

1. Candidates may continue to campaign and post advertisements during the Election Period, provided they adhere to the policies outlined in Article II.

**Section IV – Certification of
Results**

1. Within 24 hours of the close of any election, the Elections Committee shall review the results and, by majority vote, certify their validity.
2. If the Committee is unable to certify the results by majority vote within 24 hours of any election, certification authority shall be given to the House of Delegates to resolve by majority vote.

ARTICLE IV:

COMPLAINTS Section I –

Meeting Request

1. For up to 48 hours following the conclusion of the election, any candidate may request, via email, a meeting with the Elections Committee to discuss any problems or concerns the Candidate has with how the election was conducted.

**Section II – Formal
Complaints**

1. Any member of the Georgetown community may file a complaint during or immediately following an election.
2. The complaint must be submitted via email to the Chair of the Elections Committee at SBAElections@law.georgetown.edu, or avm42@law.georgetown.edu.
3. Complaints must include the following information:
 - (a) Name of the complainant and contact information;
 - (b) Reason for the complaint with sufficient detail for the Committee to

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evaluate; and

(c) Desired remedy.

**Section III – Recount
Demand**

1. Any candidate may demand a recount of any election they participated in within 24 hours of certification.
2. The Elections Committee shall conduct recounts when a candidate properly submits a written recount request following the certification of election results. The Committee must complete recounts within 24 hours of their request and submit a final certification of the election results to the House of Delegates for approval by majority vote.
3. Candidates requesting a recount may not request additional counts after recertification of results.

**ARTICLE V: ELECTION COMPLAINT
PROCEDURE**

Section I—Committee Review

1. Joint Committee

- (a) When the Elections Committee receives notice of a complaint regarding the proper conduct of an election—including issues relating to the conduct of individuals or concerns with the administration of the election procedures themselves—the matter shall be referred immediately to the Judiciary Committee.
- (b) When triggered, a select committee comprised of all members of the Elections and Judiciary Committee shall be convened and chaired by the Attorney General.
- (c) Such joint committees are triggered by (1) request by the judiciary committee or (2) when a candidate appeals a determination by the Elections Committee or (3) in the event of an unmovable tie within the Elections Committee.
- (d) Any Committee member who may have a conflict of interest in the resolution of a dispute shall abstain from considering or voting on the resolution of any complaint. By unanimous consent of the non-conflicted members, a member with a conflict of interest may be excluded from consideration of the dispute.

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2. Investigation & Hearing

- (a) Within 24 hours, the Committee shall gather all evidence regarding the complaint and provide a fair hearing to any and all persons with relation to the proceeding at issue. The Committee may request that parties submit their statements and responses to questions via email if unavailable for an in-person hearing.
- (b) If a candidate feels that someone on the committee should recuse themselves from deliberation of their case they may submit a request for recusal following the procedures laid out here.

**3.
Vote**

- (a) Within 24 hours of reviewing all evidence and testimony, the Committee shall resolve the dispute by majority vote.
- (b) The Committee shall issue a written opinion notifying the parties to the complaint as to its resolution.
- (c) In the event of a tie, a joint committee of Elections and Judiciary committee shall, by a simple majority vote, resolve the dispute and take such appropriate actions as necessary.

4. Appeals

- (a) The candidate may email the Elections Committee to request appealing the decision to the joint committee.
- (b) The candidate may request an opportunity for a full hearing in which the complainant and candidate may present their case to the joint committee.

**Section II – Remedial
Actions**

1. Discretion

- (a) The Committee shall have the discretion to take such actions as it deems appropriate to cure a violation of these Rules, consistent with fairness and due process, in response to any infraction.

2. Remedies

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(a) Depending on the severity of the infraction or administrative error, the Committee may (not limited to the following):

- i. Dismiss the complaint and certify the election;
- ii. Issue a Warning Letter to a Candidate;
- ii. Suspend a candidate from campaigning for any period of time;
- iii. Disqualify a candidate from being placed on the ballot;
- iv. Extend the time for voting to account for the administrative error.