

SPRING 2007
ELECTION AND CAMPAIGN PROCEDURES
EXECUTIVE BOARD AND 2L/3L SENATE

Effective 26 February 2007

Important Dates

Event	Dates
Information Session (primarily for Exec. Board)	1 Mar.
Candidacy forms for Exec. Board positions accepted	5-19 Mar.
Presidential Forum	20 Mar.
Executive Board Elections	21-22 Mar.
Executive Board Runoffs (if necessary)	26-27 Mar.
Information Session (for Senate)	27 Mar.
Candidacy forms for Senate positions accepted	16 Mar. – 2 Apr.
Senate Elections	4-5 Apr.
Senate Runoffs (if necessary)	9-10 Apr.

Election Information

Positions

The following are the open seats for the spring 2007 elections:

- All Executive Board positions (President, Vice-President, Treasurer, Secretary, and Senate Counsel).
- 3L Senate (8 at-large seats)
- 2L Senate (8 at-large seats)

Election Logistics

Students will cast votes on an electronic ballot by logging on to the intranet. The online ballot will be available on the Case Law School's intranet web page from 12:01 a.m. on the first date of the election until 9:00 p.m. on the last day of the election. If necessary, a run-off election will be held and the online ballot will be available during the same hours on the runoff election dates.

All eligible voting classes (including candidates) will be allowed to vote once during these times by logging in to Case Law School Intranet using their Case ID. No absentee ballots are allowed.

Because ballots are cast online, the votes are counted instantaneously once voting has ceased. The Election Commission will review the results for accuracy. The candidates will be notified regarding the time and location for this review. Pursuant to SBA Bylaw 3.09(b), any student (including candidates) may witness the ballot tabulation review. The Election Commission reserves the right to dismiss any student it deems disruptive.

Eligibility for Election

Eligibility is based on class standing. Class standing is determined by the Registrar's office.

Executive Board – All classes are eligible (3L, 2L, 1L, and LLM) to vote but only 2L and 1L classes are eligible to run for these positions.

3L Senate – Only rising 3Ls are eligible to run and vote for these positions.

2L Senate – Only rising 2Ls are eligible to run and vote for these positions.

1L Senate – Only 1Ls are eligible to run and vote for these positions.

LLM Senate – Only students in the LLM program in the current year are eligible to run and vote for this position.

Candidacy Forms

Candidacy forms are required for all candidates, including write-in candidates. Candidacy forms will be filled out and submitted online via the intranet. Candidates should include their name (as it will appear on the ballot), e-mail, phone number, a headshot (or similar photo), and a one-page JPEG file for a computer slide show. The Election Commission will retrieve candidacy forms daily. Candidacy forms will be reviewed for inappropriate material. If the Election Commission determines by a majority vote of the members present that the Candidacy Form contains offensive or inappropriate material, the candidate will be contacted and asked to edit their application, withdraw it, or appeal the decision of the Election Commission. Once the candidacy form is verified, the Election Commission will post such forms on the bulleting board outside the SBA office for general student review.

Candidacy forms must be submitted by 5 p.m. on the last date of the timeframe established for accepting candidacy forms listed above.

Presidential Forum

All candidates for SBA President will take part in a forum held during lunch in Blackacre. Candidates may give a short speech prior to the question and answer period and may give a short closing at the end of the forum. The specific format will be decided solely by the Election Commission and candidates for SBA President will be notified as to the format prior to the event.

Mass Campaigning

Definition

Mass campaigning refers to the active display and distribution of campaign propaganda-including but not limited to signs, flyers, postings, buttons, and candy-to the larger law school community.

Limitations

Candidates shall not engage in mass campaigning until their candidacy form has been completed and submitted. Candidates and their designees may conduct mass campaigning from the time their completed candidacy form has been submitted until the polls close at the time specified above.

If a run-off election is necessary, only those candidates still involved in the election and their designees may continue to conduct mass campaigning until the closing of the polls for the run-off election.

The Election Commission reserves the right to remove any postings or campaign literature or withdraw from the ballot any candidate who engages in mass campaigning before submitting a completed candidacy form.

The prohibition against mass campaigning before the submission of a completed candidacy form to the Student Services office does NOT preclude a potential candidate from speaking with individuals in a casual, non-promotional fashion about his or her potential candidacy for an office. Candidates are free to exercise their First Amendment rights to speak with other students about their potential candidacy at any time prior to submitting their candidacy form and any time thereafter. If there is a question or concern about whether an action is or is not mass campaigning please contact the Election Commission.

Candidates shall not engage in campaigning at the Polling Area during voting times. The Polling Area is defined as: (1) any Law School computer lab, and (2) any computer being used at the time to vote. While candidates are free to post campaign materials in the polling area in accordance with the rules outlined in these procedures, candidates or their designees may not attempt to influence voters inside the Polling Area.

All candidates must adhere to the law school posting policies as stated below and to any subsequent documents disseminated by the Election Commission.

Campaigning During Class Time

No candidate or designee may utilize class time for campaigning activities of any kind, including but not limited to the distribution of literature or candy. Class time is defined as the time class begins and ends set by the faculty member conducting the class.

Oppression, Coercion, and Harassment

No candidate may utilize their campaign methods to oppress, coerce or harass any student, including other candidates. The Election Commission will determine on a case-by-case basis what is deemed to be oppressive, coercive, or harassing. If there are any questions, please consult with a member of the Election Commission before engaging in the campaign activity.

Spending Limitations

There is no dollar amount limitation on campaign spending.

Use of SBA Resources

Candidates may not use SBA resources for the purpose of conducting a campaign. This restriction includes, but is not limited to, using the SBA printers to print campaign material.

Stamping/Approval Requirement

Prior to the posting or hanging of any materials, including but not limited to flyers and posters, candidates or their designees must bring the original copy of any material they intend to post or hang to the Student Services Office for approval/stamping. After receiving the stamp, candidates or their designees may make duplicates for mass posting if desired. The Election Commission will only acknowledge campaign materials that bear the stamp. Either the Election Commission or law school personnel can remove any posting that does not bear the stamp. If a candidate believes his/her posting was removed in error, they should contact a member of the Election Commission.

Campaign paraphernalia that is not posted (i.e., placed in student mail folders or given directly to students) is not subject to the stamping procedure outlined above.

Posting Policies

Email

Candidates or their designees may NOT utilize the general law school e-mail list serve(s), or any other Prohibited List, student web site, Blackboard, or any other law school or university related technology device for campaign purposes. The purpose of this rule is to prevent “spam.” The rule bars any unsolicited e-mails from being sent to Case e-mail accounts. This prohibition does not preclude the use of the computer labs to create campaign materials (assuming no student is waiting to use the computer for academic purposes) or campaign-related correspondence between individuals utilizing their individual e-mail account. Candidates or their designee(s) may not send campaign related email to other law students unless the intended recipient has given his or her prior consent.

Prohibited List includes any list of email addresses created by any member of a student organization, Quasi-Student Organization, or club to facilitate communication with members of that organization.

Quasi-Student Organization means any organized student group, including but not limited to journals, mock trial, moot court, and *The Docket*.

The Docket

Candidates or their designees will be allowed to submit campaign materials to *The Docket* according to *The Docket's* formatting and campaign policy. Please refer to *The Docket* policy provided within *The Docket* or the Registrar's office for further information.

Hanging Signs

Candidates or their designee(s) may hang (NOT tape) signs on the banisters above the stairwells. They may not hang campaign materials in the main stairwell in the rotunda. Candidates are limited to one poster hung per stairwell. The poster shall not exceed 4ft x 4ft.

Candidates or their designee(s) may NOT place any materials on any law school windows or doors (including the windows on the bridge and in front of the library).

Flyers

Stamped flyers or leaflets may be placed on tables in Blackacre and the bridge. Stamped flyers may be placed on community (non-designated) bulletin boards. On such bulletin boards, there is a limit of 2 flyers per candidate per bulletin board. Bulletin board posted flyers may not exceed 8 ½ x 11 inches in size.

Unstamped campaign materials may be delivered to student's mail-folders located near Blackacre. All other materials require stamping.

Tables

If candidates or their designees occupy tables in the upper rotunda for campaign purposes, they are permitted to display campaign materials at the table as long as it is occupied. When no one is available to occupy the table, the candidate or the candidate's designee is required to remove the candidate's campaign materials. There shall be a grace period of 10 minutes in which an unoccupied table with campaign material shall go undisturbed (to allow for bathroom breaks, etc.) After 10 minutes have elapsed, there is no expectation that the campaign materials shall continue to remain. Any candidate removing another candidate's materials from vacant tables in the rotunda shall send an email to the Election Commission attesting that they have complied with these procedures in doing so.

Candidate Slates / Group Campaigning

Campaigning together can be a good way to combine resources and solicit support from mutual voters. Having multiple candidate names on one campaign flyer or poster does not circumvent the stairwell and bulletin board rules. A candidate's name shall not appear on more than 2 flyers per bulletin board, and one poster per stairwell.

Alcohol

As required by the university alcohol policy, candidates or their designees may NOT distribute or in any way utilize alcoholic beverages for any campaign purpose. Such use would be a violation of the university's alcohol policy.

Posting Removal

Candidates or their designee(s) are expected to remove any posting(s) they have displayed by 12:00 p.m. of the day following the notification of election results for all positions. If a run-off is required for either election, those candidates still involved in the election and their designee(s) are expected to remove any posting(s) they have displayed by 12:00 p.m. of the day following the notification of election results.

Only members of the Election Commission shall remove posted candidacy forms.

Enforcement of the Law School Code of Conduct

The Law School Code of Conduct contained in the 2006-2007 (or current) draft of the Student Handbook applies to all elections and campaigns. The Honor Court reserves the right to enforce the Code of Conduct against any student found in violation thereof. Two provisions that students should especially note are the Destruction of Property provision and the Misrepresentation

provision.

Approved postings constitute “school property” for purposes of the Code of Conduct. Any student found altering or attempting to alter campaign postings without the permission of the affected candidate faces imposition of a penalty by the Honor Court, including but not limited to the withdrawal of candidacy of the offending candidate (if involved).

Similarly, any candidate who is found to have made “material” misrepresentations in the candidacy form or any other campaign material will be subject to penalty by the Honor Court. The Election Commission will make an initial determination on what is “material” on a case-by-case basis. If the Election Commission makes such a finding, the matter will be referred to the Honor Court. Any clear form of parody, satire or humor will not be deemed a “material” misrepresentation for purposes of the Code of Conduct.

Authority

The SBA Election Commission, formed pursuant to Article VII, Section 2 of the SBA Constitution, prepares this document. This document and any subsequent amending documents are binding upon all law students, whether seeking office or not. They will be enforced by the Election Commission and the Honor Court.

Scope and Supremacy of Existing SBA Constitution, Bylaws, and the Law School Code of Conduct

This document supplements the existing SBA Constitution and SBA Bylaws. The SBA Bylaws and Constitution take precedence over these procedures. They are designed to fill the interstices of election procedure left by the Bylaws and Constitution. Candidates should refer to the SBA Constitution and SBA Bylaws available in the SBA office and the Law School Code of Conduct available in the Office of the Associate Dean for Academic Affairs. These documents are also available online.

If a discrepancy between this document and the existing SBA Constitution, SBA Bylaws or Law School Code of Conduct is found the latter documents will be deemed supreme.

Complaints

Any student may bring a complaint to the Election Commission regarding a violation of the SBA Constitution, Bylaws, Law School Code of Conduct, or these Election and Campaign Procedures.

The Election Commission will make initial determinations regarding any allegation or complaints brought before it and render a decision. However, the Election Commission may refer the matter to the Honor Court as it deems appropriate.

Either the charged or complaining student may appeal an Election Commission decision to the Student Division of the Honor Court whose decision will be deemed final subject only to appeal

to the president of the university.

Questions

Any questions or ambiguity regarding any of the above election and campaign procedures should be directed to a member of the Election Commission.

No SBA Officer or Senator, other than Senate Counsel as a member of the Election Commission, may interpret the provisions outlined within this document.

Election Commission,

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