

Board Selection Act of 2019

Article 1, Purpose, Scope, Definitions

Section 1-100—Purpose

The purpose of this act is to prevent further conflicts between the boards during the board selection process. Furthermore, this act purports to allow each possible board candidate to maintain a choice in selecting which board they would choose to be a member of.

Section 1-101—Scope

This act is to further enhance and streamline the board selection process at the University of South Dakota School of Law. This act is limited only to the board selection at the University of South Dakota School of Law and is to be construed as to only dealing with the board selection process.

Section 1-102—Title, Short Title

This Act shall be known as the Board Selection Act of 2019. Its short title shall be the BSA.

Section 1-103—Definitions

When used in this Board Selection Act, except as specifically defined in another Section, the following terms are defined as to mean:

- (1)—Act, the Board Selection Act (of 2019) or BSA.
- (2)—Board, any organization at the University of South Dakota School of Law which holds an interview and selection process for new members. This includes, but is not limited to, ... the South Dakota Law Review, the University of South Dakota Moot Court Board, and the University of South Dakota Alternative Dispute Resolution Board.
- (3)—Candidate, any person, in any class year, that is undergoing the Board Selection and/or Interview process in order to receive a placement on a Board. Primarily, a candidate is a first-year student whom is interviewing and attempting to receive an appointment to a Board.
- (4)—Accept, as used in this act, means to accept an appointment to a Board, and to lock into that Board, without the possibility of switching Boards.

Article 2, Board Responsibilities, Duties, Etc.

Section 2-100—Board Behavior

It is expected that all Boards will adhere to the University of South Dakota School of Law's Honor Code and Code of Conduct, in addition to Federal and State law as it may pertain to the interviewing process, Board Selection Process, and any other applicable situation that may arise under this process.

Section 2-101—Reporting of Violations

It is expected that each Board will report violations of the University of South Dakota School of Law's Honor Code and/or Code of Student Conduct to the appropriate authority. This is to

include malfeasance by a Board or by another Candidate. Board members may report any other concerns about the selection process to the Board's Advisor or to the Associate Dean of Academic Affairs.

Section 2-102—Board Duties

During the course of the Board Selection Process, the Boards will maintain spreadsheets of all Candidates and selection criteria. Board Members, in consultation with Advisors, will determine the standardized questions and a standardized response score sheet to be used with all interviews. The precise scope of each Board's criteria will be set forth in the individual Boards' bylaws. The Boards will then share their preferences with their Advisors. Selections will be finalized and sent to the Advisors by the end of May, once all 1L grades have been published. Advisors will work with Law School Administration and other Board Advisors in coordinating preference lists and determining who will receive Board bids.

Article 3, Board Selection Process

Section 3-100—Overview

All three boards will sponsor a competition as part of their selection process. Based on a series of factors, including GPA, class rank, applications, interviews, and other matters as identified by each organization, the Boards will rank the Candidates, in order of preference, to whom they wish to extend an offer of membership. Candidates for membership will have the opportunity to apply, interview, and rank the Boards they wish to join in order of preference. Law Review will also offer automatic bids to individuals in the top 10% of the 1L class, pursuant to Section 3-104 of this Act. The Boards will have pre-determined criteria for evaluating Candidate applications, and those standards will be on file with their individual advisors and with the Associate Dean of Academic Affairs.

Section 3-101—Interviews

Board Officers will notify Candidates whether or not they have been selected for Board Structured Interviews and will schedule interviews with the successful Candidates. Board Members, in consultation with Advisors, will develop standardized questions and a standardized response scoring sheet to use during all interviews. Board Members will conduct standardized interviews with the selected Candidates. All interviews are to be conducted in conformance to this Act, specifically Section 2-100. After an overall score is determined for each Applicant, and by the end of May, each individual Board will meet and determine a ranked list of all Candidates interviewed. Board Members will review the process and outcome with Advisors. Each Board will provide its ranked list of Candidates to its Advisor to use on Law School-Wide Match Day.

Section 3-102—Offers

During the spring semester of each year, Candidates will identify their ranked-choice preferences among the Boards. Candidates should rank all Boards of interest. This includes Law Review, even if a Candidate anticipates that he or she will receive a position on Law

Review based on his or her grades and consequently, has not submitted an application. Submission of the finalized ranked-choice form will constitute an offer to each Board listed. A successful match between a Board and the Candidate will constitute an acceptance by the Board of the Candidate's offer. If the Candidate decides that he or she no longer wants to be a part of the Board that accepts his or her offer, upon notification of the new membership, the student must email the advisor of that Board and indicate that he or she will no longer be able to fulfill their duties on that Board. However, the student cannot decline one Board in hopes of being selected to another Board. There is no second-round match selection process.

Section 3-103— Form to Be Handed Out and Ranking Process

Students will rank their preferences among the three Boards on a form that will be provided and collected by the Law School Registrar. The form is attached as Appendix A, and it is incorporated by reference into this section of the Act. Ranking forms will be due by the last day of classes for the spring semester. At any point prior to the selection process, students may choose to pull out of the selection process entirely, ultimately terminating their applications to any and all Boards. Students cannot, however, change their rankings once submitted or choose to drop one Board or another from their ranking list entirely. Once a student submits the ranking preference to the Registrar, it is finalized. The ranking process will take place after interviews.

Section 3-104— Automatic Membership on Law Review

First-year students whose cumulative GPAs place them in the top 10% of the class at the end of the 1L year are eligible for automatic membership on Law Review. Students who “grade onto” Law Review while ranking another Board or Boards as higher preferences will not become members of Law Review if they successfully match onto one of those other Boards. A student who anticipates successfully grading onto Law Review should still rank it as his or her number one choice in order to preserve the opportunity to receive a slot on the Board, if desired, whether or not he or she participates in the interview process. The remaining slots on Law Review will be based on the application and interview process. The grade-on process is available only to 1Ls. The Alternative Dispute Resolution Board and the Moot Court Board will not participate in the grade-on process.

Article 4, Candidate Responsibilities, Conduct, Etc.

Section 4-100—Candidate Behavior

During this process, all Candidates are expected to conform their behavior to the University of South Dakota School of Law's Honor Code and Code of Student Conduct.

Section 4-101—Reporting of Violations

It is expected that each Candidate will report violations of the University of South Dakota School of Law's Honor Code and Code of Student Conduct to the appropriate authority. This is to include any malfeasance by a Board or by another Candidate.

Section 4-102—Burden on Candidate

As reflected in the USD School of Law Academic Rules, it is also the burden on the Candidate to maintain a cumulative grade point average of 75, which is currently required for selection, participation, and continuation on any Board. If a member of the Board shall fall below the required grade point average, he or she shall notify the Board and resign or be removed. If a Board member resigns or is removed, the Board may select another candidate. The Board cannot choose an alternate that is already a member of another Board.

Article 5, Adoption, Amendment and/or Change to this Act

Section 5-100—Adoption of this Act

Any changes to the Board Selection Act shall be included on the ballot during the spring Student Bar Association election process and shall be voted on by the student body as a whole. Revisions shall be made in consultation with the Law School Administration in order to evaluate their impact on accreditation standards and/or academic policy.

Section 5-101—Amendment and/or Change to Act

In order for this Act to be amended, once adopted, the unanimous consent of all Boards involved in the process is required.

Section 5-102—Complaints

Complaints regarding the board selection process shall be directed, in writing, to the relevant Board's advisor or to the Associate Dean of Academic Affairs.

Appendix A to Section 3-106—Form to be handed out with offer

Board Selection Match Process
Ranking Form

Name (Print): _____

Instructions

1. Rank each board in your order of interest. Your top choice should be ranked in the number 1 slot.

Note: Your rankings will not be disclosed to current members.

2. If you do not wish to join a particular board, leave it blank.
By ranking a board 1, 2, or 3, you are making an offer to join that board. Once the board selection matching process is complete, and if you are matched to a particular board, your offer will be deemed accepted and you will immediately become a member of that board.
3. Moot Court and ADR will only consider candidates who applied. Law Review will consider candidates who applied and 1L candidates who rank in the top 10% of their class, whether or not they submit an application. Accordingly, if you are a 1L, you should rank Law Review *even if you did not complete the write-on and have not previously applied for membership on the board.*

_____ Alternative Dispute Resolution (ADR)

_____ Law Review

_____ Moot Court

By signing this form, you are verifying that you will participate in any of the boards that you ranked.

Signature: _____ Date: _____