

SBA Minutes

February 25, 2008

- I. Call to Order (4:35)
 - a. Vice President Kyle McCarthy
- II. Speakers/Guests
 - a. Outlaws
- III. Unfinished Business
 - a. Meeting Minutes 2/18/08
 - i. No changes
 - b. Funding Request from Outlaws for Travel to Legal Defense Network Lobby Days Washington, D.C.**
 - i. Information requested
 - 1. Information packets emailed and hard copies passed around
→ Not as detailed agenda, but Outlaws contacted an agency involved, used info to clarify agenda, also got lesson plan from SALT; information speaks to the fact that although there is a lobbying element, there is also an education, training, and networking element
 - 2. Everything on Friday goes on at Capitol Hill
 - 3. Thursday in am info, Thursday afternoon specific lobbying; Friday morning meet and train other students how to lobby as captains; Friday afternoon meeting with admin that students learned how to set up on Friday and giving them letter passed around school this week
 - ii. Discussion
 - 1. S. Walker: how will this particular issue of passing lobbying be dealt with later on
 - a. Walker: representatives of GLBT students in school that are being discriminated against and have agency with people who are doing that; this is different than a person lobbying to have the confederate flag raised in school
 - b. Pres. Moloney: the problem with lobbying requests in general and the example of the confederate flag group which shows the same lobbying and leadership training cannot be told no because by telling that group no is to look at the cause and take a position that one cause is important is not appropriate
 - c. S.Walker: people being discriminated against cannot be discriminated against, the only way to fight SJAG is to lobby and it would be inappropriate to deny that

- d. S. Spezia: this conference is not just about lobbying but also about the education and training that goes with it
- e. S. Richardson: agrees with Pres. Moloney that it is hard to differentiate this group from another group; other groups could also come to the SBA and show training and education and theoretically get the money; also it is taking SBA out of a neutral role; there are a lot of important issues to the school that also will have to be granted based on showing of educational and training purposes that; no support for giving any group preferential treatment over another group strictly on the basis of their cause; this would not even be a consideration if we were a public institution; this is about the larger repercussions and future requests and how those groups must be talked to and evaluated later on
- f. S. Keyser: any given weekend there are rallies on Capitol hill in which any student would be able to say that they are being trained how to do something legal; this vote boils down to whether SBA will fund lobbying for students; this vote would say that the SBA will basically be taking a position on any causes that are brought as lobbying measure; a no vote for this shows that SBA isn't willing to fund this group - it would be different if this was a speaker event or school event; this event is intended to lobby Congress; when SBA sends groups to conferences, there is probably some kind of lobbying that goes on there, but if it does it is because the lawmakers have chosen to go to that event, not that the students are sent there with the sole intention of going to lobby; inappropriate use of student funds
- g. S. Ullrich: reiterates what he said last week; any time SBA sends people to conference, there is some sort of lobbying or advocacy; whether the lawmakers came on their own or were asked to come, with any group, there is lobbying going on and to not give money goes against the idea that we are fair.
- h. S. Moorehead: this request is not very different from other requests that are conferences that are learning how to lobby; other groups are taught to lobby students, this request is to lobby Congress; there should not be a difference between the two

unless we have guidelines; if we vote no then we are drawing a line today that is ambiguous; we funded this stuff before and there is no difference between what we funded before and what we do later; until we have a brightline rule cannot say no to people that asked for money with no rule in the Constitution to deny their request

- i. S. Jordahl: issue needs to be looked as money for training which is how it was presented; discriminating against lobbying
- j. Treas. Holt: should not be addressing this issue as it arises, giving this group their request does not bar further allocation or not allocation to other groups for lobbying or to the passage of the resolution on the table today
- k. S. Goff: lobbying is the passage of information; SBA cannot be retroactive in actions and saying no would be retroactive; there are legal skills in lobbying that usually are learned in law firm, this is an event where the training would take place and potentially the SBA could choose to fund the training but not the lobbying aspect because the training is for something that is a legal skill
- l. Pres. Moloney: we could differentiate this that could come in the future by stating that there is not an educational capacity; if the learning materials and training are the exact same, we cannot tell them no because by telling them no is only on the basis of the cause; the other thing that is a worry with passing this is to pass this and then at the very next moment pass a bylaw amendment that disables another group from getting the exact kind of money that would be given to this group just because this group happened to be one that asked; lobbying has not been directly addressed but as SBA needs to look at exactly what is going to be coming back to the school on an educational basis; if we pass this we should be prepared to make an amendment to the bylaws that is in line with the decision today; this should not be treated as the cause; we should be looking at this cause exactly that same as if we were looking at a lobbying request to try to get rid of affirmative action
 - i. Seconded by S. Keyer
- m. S. Richardson: agrees with Pres. Moloney; there is no precedent on the issue of lobbying but there is an

issue on the educational benefit to students and that is what we should be looking at; does lobbying fit the benefit to students framework; the resolution following this discussion; serious reservations on passing that resolution if this was passed today because it causes unfairness to other groups; cut it in half and only fund the leadership component and no funding to the lobbying component so that we could be consistent with any resolution later today; play with the numbers and see if we can come to that kind of resolution

- n. S. Keyser: try to reach a compromise, best interests to try and figure out how to come to a fair resolution; in the past very conservative about how much money should be spent and has disagreed when some money was given in the past to groups that didn't necessarily provide an educational benefit to the school; a vote no is no intention to hurt a specific group; this is not a vote on an issue but whether the SBA should decide whether we agree with a group and will fund them or we don't; does not believe we can fund a trip where people say that they are there on behalf of DU and are advocating their cause; compromises welcome
- o. S. Jordahl: for this conference and any conference we have to look at the educational value to the school; also need to look at this and try to differentiate between funding the education and lobbying; the request on the table is only for the training portion anyway; on the first bite of the apple argument, that is not too different from what happens in legislative bodies all the time where people make a mistake and then change the law later
- p. S. Ullrich: we need to vote now
- q. VP McCarthy: (1) the SBA is in a catch 22; it will be difficult to pass this and then pass a bylaw that will deter future groups from being able to do this; (2) also just because lobbying was not in bylaws does not mean that the SBA could grant a funding request; just because something isn't in bylaws doesn't mean that we shouldn't be prudent; funding the training in general: everything that is being talked about concerns this issue as does everything throughout the day, concern with what general advocacy training will actually be going on

- r. Outlaws rep: the lesson plans given are the only information that the group was able to obtain and was compiled by them; the lesson plan sample given was not the actual plan for the event
- s. Motion by S. Richardson to cut the request in half to show that the SBA is funding the education proposal, not the lobbying component of the trip
 - i. Seconded by S. Walker
 - ii. Discussion:
 - 1. S. Spezia: in all fairness to student groups, the Balsa funding last week went to the education portion and the moot court competition;
 - 2. Pres. Moloney: time to Outlaws rep
 - 3. Outlaws rep: funding requests; wholeheartedly think those groups deserved the money; last year the Sports and Entertainment law group was given funding to South by Southwest, only 8 hours of legal work; if broken down the training portion is the only portion being paid for anyway; lobbying portion being paid for; examples of groups that went to Moot Court competitions, Katrina Relief committee given money to volunteer time

2. **Motion to Amend the Amendment to \$400.00: Motion passes by a majority**

3. **Motion to allocate \$400.00: Motion passes by majority**

- c. All other new business passes to old business for next week
- d. **Resolution 005** Prohibition on Lobbying By-Law Amendment
 - i. Proposed by Senator Richardson
- e. **Request from Business Law Society**
 - i. Door Prizes for Fundraising Event

IV. New Business

- a. Finance Requests
 - i. **Student Trial Lawyers Association**
 - 1. **Spring Speaker Panel**
 - 2. Professor, judges, and lawyers speaking on trial work / litigation

3. \$3.75 per person for 50 people (amended from 40-60 people)
4. **Amount Requested: \$180.00**
5. **Amount Recommended: \$187.00**

- V. Reports
 - a. President
 - b. Vice Presidents (Social/Planning)
 - c. Vice President (Fundraising)
 - d. Treasurer
 - e. Secretary
 - f. ABA
 - g. Senators
- VI. Adjourn