

BYLAWS OF THE NATIONAL LAWYERS GUILD

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SECTION 1 - DUES AND ASSESSMENTS

Section 1.1 No Dues for Jailhouse Lawyers - There shall be no dues for jailhouse lawyer members, except that each jailhouse lawyer may be assessed an amount necessary to cover a subscription to Guild Notes.

Section 1.2 Two Chapter Categories - There shall be two categories of chapters: Staffed Chapters and Unstaffed Chapters. Chapters which have one or more staff members working in them who are members of any union representing employees of the National Lawyers Guild shall be designated Staffed Chapters. Chapters which have one or more staff members working in them, including work-study staff members, who are not eligible for membership in any union representing employees of the National Lawyers Guild may petition the National Executive Committee for designation as a Staffed Chapter as provided in these Bylaws. The National

Executive Committee's decision on any such petitions shall be made in consultation with any union which represents National Lawyers Guild employees. The National Executive Committee shall not deny the Staffed Chapter designation in order to ensure receipt of the higher dues percentage which Unstaffed Chapters pay to the National Office. The National Executive Committee shall deny the Staffed Chapter designation to chapters which hire work-study staff:

(a) on a temporary basis as defined by any collective bargaining agreement between the National Lawyers Guild and any union representing National Lawyers Guild employees; or

(b) in order to avoid paying the higher dues percentage which Unstaffed Chapters pay to the National Office; or

(c) for the purpose of avoiding the terms and conditions of any collective bargaining agreement between the National Lawyers Guild and any union representing National Lawyers Guild employees; or

(d) for another inappropriate purpose.

Section 1.3 Dues Division with Chapters/Regions - The National Office shall retain fifty percent (50%) of the annual dues collected from members of unstaffed chapters and staffed chapters that elect to have the National Office collect their annual dues. The balance shall be remitted to the appropriate chapter and region pursuant to any agreement for division of dues between chapters and regions, except that no law student dues shall be remitted.

Section 1.4 Division of Dues with National Office:

(a) Unstaffed Chapters that collect their own annual dues shall remit to the National Office forty percent (40%) of the dues collected.

(b) Staffed Chapters that collect their own annual dues shall remit to the National Office twenty-eight percent (28%) of the dues collected.

Section 1.5 Dues Remitted to NO Quarterly - Staffed and Unstaffed Chapters who collect their own dues from their members, shall remit the National Office's share of all dues collected to the National Office quarterly, along with a current mailing list of active chapter members; provided that no less than fifteen (15) days following the end of each quarter, all such chapters shall provide the National Office with a full accounting of the amount of dues they have collected in the quarter just ended, so that the National Office can compute the amount of dues owed by the chapter for the quarter just ended and bill the chapter accordingly.

Section 1.6 Progressive Dues Schedules - All Chapters, whether Staff or Unstaffed, shall, in the setting of their members' annual dues, employ a progressive dues schedule.

Section 1.7 Dues Schedules. Dues for at-large members (those not on the membership rolls of any Staffed or Unstaffed Chapter) and for member of chapters which elect not to collect their own members' dues, shall be set from time to time by the National Executive Committee of the Guild.

Section 1.8 Failure to Pay Dues - Failure to pay dues as herein provided shall result in loss of membership.

Section 1.9 Dues Escrow / Quarterly Payments to Chapters / Unclaimed Dues - All dues collected by the National Office shall be placed in an escrow account, separate from all other National Office accounts. Chapters shall receive quarterly reports on the chapter's membership dues payments. Chapter contacts shall be offered quarterly payment of the chapter portion of their members' dues received that quarter. Chapters offered their portion of their membership dues shall claim those dues by requesting payment from the National Office bookkeeper within 90 days of being offered. Dues unclaimed by a chapter contact within the time provided shall be considered a contribution to the National Office. Chapters shall keep the National Office advised of their designated chapter contact. If the National Office is not kept advised of the designated chapter contact, chapter quarterly membership dues payments shall be treated as are dues payments of at-large members.

Section 1.10 Petitions to Change Chapter Dues Status - Any chapter shall be able to change the way in which its members' dues are collected from the manner provided under subparagraphs 3 or 4 above, by petition to the National Executive Committee (NEC), subject to the requirements for same established by the NEC. The decision as to whether a chapter meets the requirements established by the NEC shall be made by the Treasurer and the National Office Executive Director. A chapter may appeal that decision to the National Finance Committee (NFC) and, if not in agreement with the decision of the NFC, to the full NEC.

Section 1.11 Transfers to 50% Dues Rebate Status - Chapters which collect their own dues, but which fail to keep current on their quarterly dues payments, may be transferred to Section 1.3 status upon the recommendation of the National Treasurer and/or the NFC; provided that a six month grace period be observed before a chapter is moved from the Staffed to the Unstaffed category in order to permit the chapter to replace its departing staff. Any chapter so transferred may appeal that decision to the NFC and, if not in agreement with the decision of the NFC, to the full NEC.

Section 1.12 Financial Crisis Petitions to NFC - Staffed Chapters shall have the right to petition the NFC to request that it propose to the NEC a reduction in dues collected in the event of a financial crisis where staff may be laid off, in order to prevent the need to lay off staff.

Section 1.13 At-Large Member Dues Rebate to Regions - All members-at-large shall remain on the national dues system and the portion of their dues which would otherwise be remitted to the chapter will be remitted to the region to which the member belongs.

Section 1.14 Chapter Financial Reports - A financial report shall be published by January 31 of each year and submitted to the Treasurer.

SECTION 2 - DISSOLUTION OF CHAPTERS

If a chartered chapter's membership falls below eight members in good standing for a period of one year or more, the National Convention may withdraw the charter in accordance with the provisions of this section. Upon petition of three quarters of the members in good standing of a

chapter or upon the petition of the National Executive Committee made to the convention that the chapter no longer is able or its members do not desire to function as a chapter because the chapter lacks sufficient membership, the Convention may determine that less than eight members in good standing desire to maintain the existence and functioning of the chapter. All members of the chapter shall become members-at-large.

SECTION 3 - COMMITTEES, PROJECTS, AND TASK FORCES

Section 3.1 National Committees, Projects, and Task Forces - may be established from time to time by the National Executive Committee, or National Convention.

Section 3.2 Responsible to NLG - National Committees, Projects and Task Forces shall be responsible in their work and publications to the national organization and specifically to the decision of the National Convention, and the National Executive Committee.

Section 3.3 Local Chapter to Advise on Local Issues - National Committees, Projects and Task Forces should not take positions on problems within local areas without soliciting the input of the local chapter.

SECTION 4 - PROJECT, COMMITTEE, AND TASK FORCE ASSESSMENTS

Section 4.1 Annual Assessments - Each National Project, Committee, and Task Force with gross income in excess of \$5,000 annually shall be assessed and shall remit to the National Office an annual assessment to be negotiated and agreed upon between representatives of each Project, Committee, or Task Force and the national organization.

Section 4.2 Annual Reporting - Each National Project, Committee, and Task Force shall submit to the National Office a report detailing its income and expenses for the prior year and a budget for the next year by on or about January 15 each year.

Section 4.3 National Income-Producing Events - Notwithstanding the above, adjusted income or "profits" obtained by an NLG group from fund-raising events done in conjunction with the national organization, and for which the National Office has received or will receive a previously agreed upon portion of the proceeds, will not be included in the group's annual adjusted income in determining the assessment due to the national organization. Any amount an NLG group pays pursuant to this to section shall be credited toward the annual assessment owed to the national organization by that group.

Section 4.4 Waivers - Assessments may be waived in whole or in part by the National Finance Committee (NFC) for a good cause, after a written waiver application is made by the NLG group. Waiver applications shall be submitted to the NFC. Waivers may be granted either prospectively, for purposes of avoiding a cash flow problem, or retroactively, to avoid undue hardship. In deciding whether to grant assessment waivers, the following factors shall be considered:

(a) Compliance with reporting and consultation requirements;

- (b) Current and/or future plans, activities, etc;
- (c) Sources and amounts of current and anticipated income;
- (d) Current and anticipated income;
- (e) Size and activities of membership of the group; and
- (f) Any other factors deemed relevant.

SECTION 5 - OFFICERS AND STAFF IDENTIFICATION

Officers and staff may sign statements as individuals and identify their position within the organization if it is noted that the organization is listed for identification purposes only.

SECTION 6 - REGIONS AND REGIONAL VICE PRESIDENTS

Section 6.1 RVP Selection by Region - Regional Vice Presidents shall be selected in a democratic manner to be decided by each region. In the event of a dispute concerning the fairness or propriety of a selection procedure adopted by a region or sub-region, two chapters, or ten percent of the members within such region or sub-region may petition to the National Executive Committee to establish a procedure to resolve the dispute.

Section 6.2 Regions Determined by NEC - The number and boundaries of geographic regions shall be determined by the National Convention or National Executive Committee. Each region shall be represented by one Regional Vice President.

SECTION 7 - NATIONAL EXECUTIVE COMMITTEE

Section 7.1 Voting at NEC Meetings - Each member of the National Executive Committee, composed of members as stated in Article 5.1 of the Constitution of the National Lawyers Guild, shall have one vote, except for national office staff, which shall have two.

Section 7.2 National Jailhouse Lawyer Vice President to be Informed - The National Executive Committee shall, to the extent practicable, keep the National Jailhouse Lawyer Vice President informed as to the issues before the organization and ensure his or her access to information necessary for the performance of his or her duties, and shall take appropriate steps to maintain the confidentiality of communication to and from the National Jailhouse Lawyer Vice President. Recognizing, however, that there is no guarantee that communications to and from incarcerated persons can be maintained as confidential, the National Executive Committee may, in its discretion, withhold sensitive information from communications to the National Jailhouse Lawyer Vice President or provide such information only in summary or other form.

Section 7.3 National Jailhouse Lawyer Vice President NEC Participation - The National Executive Committee shall, to the extent practicable, facilitate the National Jailhouse Lawyer Vice President's full participation in its decision-making process. Such arrangements may include, without limitation by enumeration, permitting the National Jailhouse Lawyer Vice President to vote in absentia or by mail ballot, circulating the National Jailhouse Lawyer Vice President's written comments prior to National Executive Committee discussion, or arranging

participation by speakerphone or other telecommunications.

Section 7.4 Bonding - Before assuming their respective financial duties, officers of the National Lawyers Guild, employees of the National Office, and officers and employees of all non-incorporated chapters, committees and entities of the Guild with responsibility and authority to: sign checks, collect or disburse funds, buy, sell, lease, rent, or lend property, of the National Lawyers Guild, shall be bonded for the faithful discharge of their respective financial duties in such amounts as may be determined from time to time by the National Executive Committee or the executive board of the respective Guild chapter, committee or entity. Premiums for the bonds shall be paid by the National Lawyers Guild or the executive board of the respective Guild chapter, committee or entity.

Section 7.5 Officer Job Descriptions

(a) President

(a-1) President (incumbent)

Three (3) year term, part of EC. Responsible for fundraising, and leading major initiatives and projects of the NEC (National Executive Committee) and NLG.

(a-2) President Elect

Three (3) year term, elected in last year of outgoing incumbent's term.

- The President is responsible for bottom lining annual and three year strategic plans in conjunction with the Executive Director. Encourage goal setting and timelines. Lead self-evaluation and external feedback gathering initiatives.
- Develop agendas for NEC meetings.
- In conjunction with ED propose facilitator for NEC meetings to EC.
- Raise \$500 a year for the national NLG.
- Support Regional VPs and committees/caucuses/projects.
- Support TUPOCC and the Transformative Caucus work. Support anti-oppression trainings at NEC meetings and at national convention.
- Assess and analyze finances. Work with Treasurer and NO to develop comprehensive fundraising strategy and capacity to implement.
 - Chair Fundraising/Development Committee.
 - Support Treasurer in Finance Committee Work.
 - Support ED and NO and Host Chapter in leading fundraising and planning efforts that includes the Annual Convention.
- Development & review of policies and procedures (ex. union and staff issues, handling complaints and grievances, trademark issues, and developing antiharassment and sexual harassment policies). (If OMBUDSMAN position is approved, OMBUSDMAN will assume this role)
- Membership recruitment & development strategies and tools.
- Ensure NEC members are meeting legal obligations and organizational requirements: fundraising and fiscal and legal oversight.

(b) Treasurer

(b-1) Treasurer

Three (3) year term

(b-2) Treasurer Elect

Three (3) year term, elected in last year of outgoing incumbent's term.

- Chairs Finance Committee.
- Plan and execute the budget process and contracts for Annual Convention.
- Manage finances and budget. Work with President and NO to develop comprehensive fundraising strategy and capacity to implement.
- Author reports to NEC and NO regarding finances.
- Work with NO on tax reporting.
- Coordinates annual audit with contractor.
- Supports Presidents in Fundraising/Development Committee.
- Support Regional VPs and committees/caucuses/projects.
- Support TUPOCC and the Transformative Caucus work. Support anti-oppression trainings at NEC meetings and at national convention.
- Attend all NEC meetings in person.

(c) Executive Vice President

(c-1) Executive VP 1

Three (3) year term, part of EC. Responsible for fundraising, and leading major initiatives and projects of the NEC and NLG.

(c-2) Executive VP 2

Three (3) year term, part of EC. Responsible for fundraising, and leading major initiatives and projects of the NEC and NLG.

- Both EVPs Co-Chair Convention Committee.
 - Serve as liaison between convention Safer Spaces group and NEC/NO. (OMBUSDPERSON will fulfil this role if approved)
 - Chair the Resolutions Committee.
- Plan and execute the Annual Convention. Develop workshop/panel forms and publicize selection process in conjunction with NO. Coordinate award selection process with NO.
- Responsible for conducting, evaluating, and publicizing annual convention survey. Work with NO to put on website and publicize survey and results.
- Write report about plenary and voting results for NEC meeting and for circulation on lists an in Guild Notes.
- Responsible for conducting, evaluating, and publicizing annual member survey in conjunction with NO (including survey of organizational goal achievement and satisfaction for: NEC; NO staff; Chapter staff; project/caucus/committee work, etc., as well as attrition issues). Must write survey results analysis and report on it at winter NEC meeting.
- Circulates meeting notes to membership. (Secretary will fulfil this role if approved)
- Raise \$500 a year for the national NLG.
- Support Regional VPs and committees/caucuses/projects.
- Support TUPOCC and the Transformative Caucus work. Support anti-oppression trainings at NEC meetings and at national convention.

- Coordinate NEC internal trainings: anti-oppression, fundraising, organizational development, facilitation, strategic planning, etc.
- Support Anti-Harassment Complaint Board activities. (OMBUSDPERSON will fulfil this role if approved)
- Facilitate complaint/grievance process development and implementation. (OMBUSDPERSON will fulfil this role if approved)
- Develop membership recruitment strategies and tools, create campaigns and support NO staff and Regional Representatives in member recruitment and retention.
- Attend all NEC meetings in person.

(d) National Vice President

(d-1) National VP 1

Two (2) year term. The 3 NVPs share responsibility for contact and assistance to national committees, projects, task forces, and other NLG entities which do not have representation on the NEC.

(d-2) National VP 2

Two (2) year term. The 3 NVPs share responsibility for contact and assistance to national committees, projects, task forces, and other NLG entities which do not have representation on the NEC.

(d-3) National VP 3

Two (2) year term. The 3 NVPs share responsibility for contact and assistance to national committees, projects, task forces, and other NLG entities which do not have representation on the NEC.

Although the National Executive Committee is a sizable board, the three National Vice Presidents are among only five positions (with the President and two Executive Vice Presidents) that are elected by the national membership as a whole. As such, NVPs must not only cooperate with initiatives of other NEC members but also actively support committees and projects that do not have their own representative to the NEC. NVPs think strategically about the NLG as a whole, again with special attention to national and international developments that might need an organizational response but fall outside the specialized purview and expertise of the groups represented on the NEC. How these responsibilities manifest at any given time will change with the political climate and organizational focus.

Some concrete areas of responsibility might include:

- Committees and Projects. The NVP shall work to create channels of communication with the Committees and Projects not otherwise represented on the NEC, discussing with their representatives any support it need, its activities, and decisions that the NEC makes and conversations the NEC is having that affect members and the work of the Guild. This work shall take place in concert with the work of the regional representatives and the staffed chapters.
- Supporting Regional Representatives. This job duty is meant to offer support to the regional representatives who must organize their own regional conferences

and build their regions with varying levels of support based on location. The three NVPs shall be assigned to support a number of regional representatives. For example NVP3 may be assigned to assist the regional representatives of the Southern, Mideast, and Northeast regions, NVP2 may be assigned to assist in the Southwest, Midwest, and Far West, and the same for NVP1. This job duty is also meant to allow the RVP's more time to liaise with their members rather than the NEC committee work.

- Ad Hoc and New Initiatives. From time to time, the NEC will identify political or legal developments or other reasons for the NLG to launch activities that do not clearly fall within an existing Committee's or Project's area of responsibility. In these instances, NVPs may be called upon to organize and support these initiatives.
- Importantly, NVPs have responsibilities in common with all NEC members, including:
 - Fundraising. One of the primary areas of work for the NVP will involve assisting in the area of fundraising. One of the NVP's shall sit on the permanent NEC fundraising committee and assist in implementing the goals of the fundraising plan. One of the NVP's shall work with the executive committee and to help craft and implement the fundraising plan. This work may involve very regular conference calls, research and writing on fundraising proposals and plans, assisting other members in achieving fundraising plan goals, and working closely with the fundraising committee. Each NVP must raise at minimum \$500 per year for the national NLG.
 - Supporting TUPOCC and the coalition work of the Transformative Caucus. Essential to the survival of the Guild and the aspiration to become more relevant to low-income communities and communities of color. The NVP should work to support TUPOCC and the Transformative Caucus coalition work. The NVP should take an active role in supporting antioppression trainings at NEC meetings and at national conventions. The NVP should support the Anti-Racism Committee in its work to build an anti-racist organization.
 - Convention Planning. The NVP shall help plan and execute the Annual Convention. This might involve serving on the Resolutions Committee or otherwise assisting the NEC Convention Planning Committee in organizing the Convention, ensuring that the diversity guidelines are met, supporting panel and workshop organizers, assisting the local convention planning committee, and supporting the convention planner.
- Attend all NEC meetings in person.
- Participate in at least one NEC Committee: Finance, Fundraising, Governance, or Convention.

(e) Committee/Caucus Representatives

- Attend all NEC meetings.
- Participate in at least one NEC Committee: Finance, Fundraising, Governance, or Convention.
- Raise \$500 a year for national NLG.

(f-1) TUPOCC 1 (Permanent)

Representing and supporting TUPOCC members. The job of the TUPOCC representatives is largely determined by the Caucus with the reps responsible for promoting those positions important to the group and supporting member projects. In fulfilling the duty of diligently representing TUPOCC members the rep shall:

- Maintain ongoing communication with TUPOCC members about news, decisions in the NEC, TUPOCC and Guild Projects and other important information.
 - o Determine and represent the interests of TUPOCC members between and beyond conventions by attending events in their area (and outside of their area when possible), and putting on programming for members in their locality.
 - o Assist in local and national chapter growth, building resources for members and connecting them with existing resources.
 - o Assist the national office staff, including but not limited to the Communications Director and the Membership Coordinator, with brainstorming about recruitment and retention of members of color and other issues related to building and maintaining a vibrant TUPOCC membership base.
 - o Participate in conference calls with the other TUPOCC leaders.
 - o Facilitate the TUPOCC business meeting and anti-oppression trainings both at the NEC meeting and Convention
 - o Advertise, recruit for, and select recipients of the TUPOCC stipend and ensure that recipients get connected to other TUPOCC activities.
 - o Build power of NLG members of color within the NLG. This consists of advancing the position of members of color, creating community, providing support, advancing leadership of color within the guild and organizing TUPOCC members.
- Working with the NEC. There are a number of concrete tasks that the TUPOCC reps must complete in relation to the NEC, including
 - o Attend quarterly NEC meetings, and if they for any reason cannot attend, inform the NEC and TUPOCC leaders in as timely a manner as possible.
 - o Prepare quarterly TUPOCC reports for the NEC meetings that detail the activities of the reps, fundraising efforts, membership building efforts, and give a report back on TUPOCC activities across the country.
 - o Send a summary of the NEC meeting to members via the TUPOCC listserv.
 - o Fundraise \$500 annually cash or in kind (ie memberships)
- Anti-oppression. While the essence of TUPOCC's mission is grounded in anti-racism it is the continuing duty of reps and members to fight oppression actively on all fronts and support those who are embroiled in similar struggles and their Caucuses.
- Attend all NEC meetings in person.
- Participate in at least one NEC Committee: Finance, Fundraising, Governance, or Convention.

(f-2) TUPOCC 2 (Permanent)

See rep 1

(f) Committee/Caucus Representatives 3-10

These 8 spots are by application.

SECTION 8 - VOTING PROCEDURES

Section 8.1 Call for Proposals - The Resolutions Committee (RC) must work with National Office (NO) Staff to publish a call for proposals on the website and listservs 6 months in advance of the Convention. This document must state the parameters for submitting proposed resolutions and amendments. The NO or Mass Incarceration Committee will make best efforts with resources available to mail the call for proposals to all Jailhouse Lawyer members who request such updates.

Section 8.2 Publicizing Rules - The RC will make and publicize a document that explains the voting process so that rules are clear and available to all members and convention attendees. Voting Eligibility Members must be dues paying or fee waiver members by the time the first plenary starts to run for office or be eligible to vote.

Section 8.3 Proposed Resolutions and Amendments - Proposed resolutions and amendments must be submitted to the RC in writing sooner than sixty (60) days prior to the commencement of the National Convention. The proponent must work with the RC to bring proposals in compliance with the rules 30 days prior to the convention. The RC and NO staff must publish the proposals and where possible, pro and con statements, on the national website 30 days prior to the commencement of the Convention. The RC will establish a process for gathering pro and con statements in advance of the convention as well as on the plenary floor. The RC will establish a noticed process for deciding how many and which statements are publicized. NO staff will determine which proposals are relevant to Jailhouse Lawyers and mail selected materials to JHL members (i.e. not proposals about convention timing, or things JHL members can't participate in).

Section 8.4 Emergency Resolutions - Emergency resolutions may be submitted after the sixty-day deadline, and up to twenty four (24) hours prior to the voting plenary, as long as they are based on events that have taken place after the sixty day deadline. Emergency resolutions must comply with all resolution requirements not related to timeliness.

Section 8.5 Candidates - Candidates may declare their candidacy up to the start of the first plenary. Candidates are encouraged to send a statement to the RC and NO for publicity.

Section 8.6 Proposal Formatting - Proposals must be no longer than three pages using twelve point type, and shorter proposals are encouraged. Any endorsing names or entities must be included within this three page limit. On their face proposals must include the name and contact phone number and email of the person sponsoring the proposal. The sponsors must notify the RC of the name and contact information of the person who will present the proposal in the first and second plenary. Resolutions must contain a specific implementation clause that indicates what

person or entity will be tasked with what work.

Section 8.7 Consent of Impacted Parties - Any proposed resolution or amendment which would directly impact the governance structure, duties, or rights of any NLG entity or that obligates any NLG member or entity (including chapter, committee, caucus, project, or staff) to implement it must indicate on its face that the impacted parties were consulted and that: 1) the proponent has the express consent of all persons or entities to be so obligated, or 2) that the proponent attempted to obtain consent and was denied or 3) consultation was impracticable, with an explanation as to why it could not be completed or 4) the proponent informed the obligated persons or entities of the proposal and requested approval, but this request was neither expressly granted or denied, before it is presented to the membership for voting. If the proposed resolution is sponsored by all the entities to be impacted then it must so state on its face.

Section 8.8 Plenary Timing - Convention planners must afford two hours to each plenary. Voting and guild governance will take priority over panels or non-governance programming. Should there be time for other programming, it will be inserted on an as-available basis as decided by the RC, NEC, Host Chapter, and Podium Committee.

Section 8.9 Candidate Support Statements and Amendment and Resolution Proponent Statements - Plenary 1: On the plenary floor each candidate and proponent will be given a minimum of three minutes to introduce the candidate and proposed resolution or amendment.

Plenary 2: On the plenary floor each candidate and proponent will be given a minimum of three minutes to introduce the candidate and proposed resolution or amendment. Candidates will be entitled to present three supporters, who will be afforded a minimum of one minute each. Proponents of resolutions and amendments will be given a minimum of three minutes to introduce the proposed resolution or amendment. Each proposal will be afforded a minimum of three pro and three con statements at a minimum of two minutes each. Priority will be given to reading any pro or con 3 statement submitted by a jailhouse lawyer member. Attendees may submit written pro and con statements before, during, and up to 7 days after the plenary. The RC is responsible for writing a written summary of comments made on the floor and making this available to non-attendees, including JHLs.

Section 8.10 Friendly Amendments - Friendly amendments to amendments and non-emergency resolutions may be made up to 10 days before the convention. Friendly amendments may be made to emergency resolutions after the first plenary. Final version must be published before the second plenary.

Section 8.11 Vote Process - Voting shall take place online unless the member is a jailhouse lawyer or due to special circumstances requests a paper ballot from the NO. The NLG website will be configured to allow all dues paying national or regional members to log in. Staffed chapters must submit the chapter's most up to date membership list to the NO two days before the convention.

Section 8.12 Vote Timing - The RC will inform NO staff what matters need to be voted on. NO staff will make voting for officer, amendments, and resolutions available online immediately after the 2nd plenary. NO staff will mail ballots to jailhouse lawyer and other requesting members within 10 days of the 2nd plenary. Voting is open for 31 days. Ballots cast by mail

must be returned to the NO by Mail postmarked not later than the 31st day after the date the ballots were mailed to the membership or when electronically posted to email or on the NLG website. The ballot shall prominently specify the date by which it must be postmarked returned or replied to the NO to be counted. The NO shall announce number of votes for and against each proposal and candidate within 45 days on the website and on email lists.

Section 8.13 Ballots - Mail or electronic ballots shall include candidates, the text of resolutions and/or amendments to the NLG Constitution and/or Bylaws. The ballot shall include a link to a page that contains the text of candidate statements as well as the text of resolutions/amendments and any written statements made in support or against.

Section 8.14 Tabulation - Ballots cast shall be counted at least twice in separate tabulations by different NO staff members. Vote counts shall be posted with the results. Discrepancies in the tabulations, if any, shall be resolved in a fair manner to be determined by the Executive Council (EC). The EC shall promptly announce to the membership how the discrepancy was resolved. Ties will be resolved by picking a name out of a hat.

SECTION 9 - CONSTITUTIONAL REVISIONS

The National Executive Committee is authorized to consider and recommend to the membership at a National meeting, further revisions of the Constitution and the By-Laws. The National Executive Committee may delegate this function to a Constitutional Revisions Committee which will perform overview functions. Any Guild member or Chapter who wishes to offer Constitutional revisions is encouraged to direct proposed changes to the National Executive Committee. All proposed revisions must be presented to the membership at least sixty (60) days before a national meeting.

SECTION 10 - RESOLUTIONS COMMITTEE

A Resolutions Committee is established whose purposes include: drafting or encouraging the drafting of resolutions which are presented at national meetings; functioning as a subcommittee of the Podium Committee at national meetings; reviewing all resolutions which are presented to that meeting. The Committee may also work with the National Executive Committee if resolutions are presented to that body. The members of the Resolutions Committee shall be selected by the National Executive Committee. All members of this Committee shall serve for a term from the convention at which they are selected until the next convention.

SECTION 11 - NEC SUBCOMMITTEES

Section 11.1 The National Finance Committee (NFC) - shall be a standing subcommittee of the National Executive Committee. It shall be chaired by the NLG Treasurer and composed of the NLG President, NLG Executive Director, National Lawyers Guild Foundation (NLGF) President, as standing members, and up to five other members appointed by the NFC standing members and confirmed by the NEC to staggered two year terms of office. The NFC shall review budgets presented by the NLG Treasurer and make recommendations as to whether the

budgets as presented or after modification by the NFC should be adopted by the NEC. The NFC in cooperation with the NEC shall be responsible for developing and promoting fund raising efforts to finance the national organization. The NFC shall have such other authority as may be provided elsewhere in the NLG Constitution or Bylaws or by delegation of the NEC in accordance with the provisions of the NLG Constitution and Bylaws.

In addition, there shall be a standing Governance subcommittee, composed of the President and other members as selected; a standing Fundraising subcommittee, composed of both Executive Vice-Presidents and other members as selected; a standing Membership subcommittee of which the Membership Director of the National Office shall serve as an *ex officio* member; and a standing Convention committee.

Section 11.2 Ad Hoc Subcommittees - The NEC shall have authority to appoint ad hoc subcommittees as it may deem necessary or advisable from time to time to efficiently and effectively perform the functions of the NEC in accordance with the provisions of the NLG Constitution and Bylaws.

SECTION 12 - NATIONAL CONVENTION SITE SELECTION

Section 12.1 Site Selection for the National Convention: NEC Power - The National Executive Committee [“NEC”] shall select sites to hold the National Convention. The NEC may choose to delegate this power to the Executive Council of the NEC [“EC”] but such delegated power shall be subject to all Constitutional and Bylaw provisions. The NEC or its designee shall include on the convention committee and any site selection subcommittee a member of the L&EC in order to ensure that labor-related issues are given due consideration at every stage of the Convention process. The NEC or its designee shall work closely with Informed Meetings Exchange [INMEX], UNITE HERE, and other bona fide labor organizations that have jurisdiction over potential event facilities in the community in which the Convention will be held. Any contract to secure a convention facility shall contain a provision requiring the facility to immediately provide the NLG with notice of any labor dispute and shall allow the NLG to cancel, on favorable terms to the NLG, in the event of a labor dispute at the facility. This paragraph shall take effect immediately.

Section 12.2 Site Selection for the National Convention: Priority of Non-Profit Sites and Priority for Unionized Facilities - When selecting locations for the National Convention, the NEC shall prioritize locations which are non-profit or not-for-profit enterprises over for-profit and corporate locations such as hotels. Suitable locations may include, but are not limited to: college, university, and law school campuses, not-for-profit educational institutions, progressive conference and retreat centers, and municipally owned convention centers.

When holding a convention at a non-profit enterprise site, municipally-owned convention center or a for-profit hotel or site, the service employees at such facility shall be represented by a bona fide labor organization and working pursuant to a collective bargaining agreement. If the NLG plans to hold its annual convention at a non-union site, all the following conditions shall be met: 1) no suitable union facility exists in the area; and 2) the NEC shall, in advance of the NLG or designee entering any contract with a non-union facility, do the following: a) secure sufficient factual details supporting a conclusion that no suitable union facility exists, b) consult with the

Labor & Employment Committee (L&EC) to determine whether it is appropriate to seek a waiver from the organized labor body with jurisdiction in the Convention city; and c) secure a waiver from the appropriate organized labor body. The NEC shall prepare a report regarding its efforts to locate a unionized provider, any communications with the L&EC, and its reasons for selecting a non-union provider to facilitate future purchases from unionized providers. That report shall be available to the public.

All chapters submitting proposals to the NEC to host a National Convention shall be required to identify suitable sites consistent with this section in their proposed city. In order to hold a National Convention at a for-profit hotel or site or at a non-union site, the NEC must shall make a formal finding that no suitable not-for-profit sites are available in a given city or that the conditions set forth above regarding a non-union facilities have been met, and publish this these findings and explanations in the next Guild Notes edition following such decision. No site, whether not-for-profit or for-profit shall be chosen or utilized where a labor dispute exists. Any contract to secure a convention facility must contain both the following provisions: 1) the facility shall notify the NLG immediately regarding any labor dispute at that facility, and 2) the NLG shall be permitted to cancel, without any forfeiture of funds, in the event of a labor dispute at the facility. Notwithstanding any of the above, the NLG shall not hold its convention at a facility where a strike, lockout, boycott or other bona fide labor dispute exists and shall not cross a bona fide labor picket line for any reason. The requirements of this paragraph shall be in effect beginning with the 2012 National Convention.

Section 12.3 Selection Criteria for the National Convention - The National Executive Committee must consider and shall prioritize the following factors in selecting cities and sites at which to hold National Conventions: disabled accessibility, unionization of staff at the site, politics and labor practices of the host institution and site, sustainability practices and infrastructure of the site including recycling and sustainable building practices, and affordability for attendees. The requirements of this paragraph shall be in effect beginning with the 2012 National Convention.

SECTION 13 - RESPECTING CLASS VALUES - PREFERENCE FOR UNION GOODS & SERVICES

Expenditures of \$750 or more that may be spent on goods, printing, or events by the national organization, any committee, project, office, region, or chapter of the National Lawyers Guild [hereafter Guild entity] for use in daily operations or for special occasions such as conventions, meetings, demonstrations, delegations, and the like, shall be obtained, whenever possible, from companies or worker-owned and controlled cooperatives which have collective bargaining agreements with a bona fide labor organization [hereafter unionized providers]. Whenever possible, products shall also display the union bug or label when such products will also display the National Lawyers Guild [NLG] logo or are otherwise identified with the work of the Guild. If there is no unionized provider locally, before utilizing a non-union provider, the Guild entity shall timely inform the Labor & Employment Committee [L&EC] of its efforts to secure a unionized provider locally or nationally, and the L&EC shall timely provide assistance or guidance in locating a unionized provider. Should non-union goods or services of \$750 or more ultimately be purchased, the purchaser shall report on its efforts to locate a unionized provider, any communications with the L&EC, and its reasons for selecting a non-union provider to the National Executive Committee [NEC] at its next regular meeting and provide a copy of that

report to the L&EC if such does not have a representative on the NEC in an effort to facilitate future purchases from unionized providers.

SECTION 14 - RESPECTING CLASS VALUES - HONORING UNION LABOR

It is the policy of the NLG that no Guild entity shall hold an event at a facility where a strike, lockout, boycott or other bona fide labor dispute exists, nor shall any Guild member be required to cross a bona fide labor picket line to attend such an event.

SECTION 15 – CONVENTION EVALUATIONS AND SURVEY

Both Executive Vice Presidents (EVPs) are responsible for preparing evaluations for each panel and workshop, even if CLE credit is not offered. The EVPs are responsible for convening an evaluation working group. The EVPs will lead the process for conducting surveys at each convention. The EVPs are responsible for writing a report about the results to the NEC and to the members.