

# CONSTITUTION OF THE NATIONAL LAWYERS GUILD

Adopted February 1937

As amended ~~May 2019~~ [MONTH 2020]

## ARTICLE 3 - ORGANIZATION

Article 3.2 Regions - Each chapter and at-large member shall be a member of one region. A region shall consist of designated states (including the District of Columbia) or parts thereof, grouped together. The number and boundaries of geographic regions shall be determined by the National Convention. Each region shall be represented by one Regional ~~Vice President (RVP)~~ **Representative**.

Article 3.3 Definition of Chapter – Eight or more members of the National Lawyers Guild in a reasonable geographic area will be considered to be a chapter for voting purposes under the delegate system. Chapters are bound to adhere to the Constitution and ~~By-Laws~~ **Bylaws** of the national organization. Disagreement about what constitutes a chapter shall be resolved by the NEC.

Article 3.5 Chapter Autonomy Subject to Constitution and Bylaws - Local chapters shall have complete autonomy, subject only to the provisions of the National Constitution and ~~ByLaws~~ **Bylaws**, to the referendum decision of the national membership, and to the decisions of a National Convention, or the National Executive Committee. Notwithstanding any other provision of this constitution, each local chapter shall have complete autonomy concerning all matters as shall in its discretion be necessary to maintenance of its good standing with its respective integrated State Bar Association.

Article 3.7 Interests of Constituent Groups - The interests of law students, legal workers, and jailhouse lawyers shall each be represented within the National Lawyers Guild by a national committee, project, or task force selected by mail ballot of all members of that constituent group or (in the case of law students and legal workers) by the members of that constituent group in attendance at a national convention. If no existing national committee, project, or task force claims to represent a constituent group, the NEC may designate a committee, project, or task force to represent the constituent group until the next national convention or until a mail ballot can be conducted. If more than one national committee, project, or task force claims to represent the interests of the same constituent group, the NEC shall recognize one of the committees, projects, or task forces to represent the interests of that constituent group until the next national convention or until a mail **or electronic** ballot can be conducted.

## ARTICLE 5 - OFFICERS AND NATIONAL EXECUTIVE COMMITTEE

Article 5.1 Composition of National Executive Committee (NEC) - The organization shall be governed by a board of directors, known as the National Executive Committee, composed of the following: a President (with a President Elect every third year), a Vice President, a Secretary, a

Treasurer, **an Ombudsperson**, two National Law Student Vice Presidents, a National Legal Worker Vice President, a Jailhouse Lawyer Vice President, a Regional ~~†~~Representative from each region, the National Office (NO) Executive Director, a National Office staff representative, two representatives from the United People of Color Caucus, two representatives from the Queer Caucus, and one representative from up to eight NLG projects and national committees in addition to the TUPOCC and QC representatives. Each of these members shall have one vote except for national office staff, which shall have two.

Article 5.2 Election of the National Executive Committee:

- (a) The President, Treasurer, ~~Executive~~ Vice Presidents, **Secretary, and Ombudsperson at-large-National Vice Presidents** shall be elected by the delegates to the national convention as provided herein.
- (b) The National Law Student Vice Presidents shall be elected by vote of the law student members attending the national convention or by mail **or electronic** ballot of all law student members of the organization, such ~~mail~~ ballot to be conducted **after** ~~prior to~~ the national convention. The election shall be conducted by **the Law Student Caucus** ~~Law Students in Action~~, or such other committee, project or task force as may be designated to represent the interests of law students.

Article 5.3 Terms of Office for Officers - The term of office for President, Treasurer, **and Secretary** shall be three years. The term of office for all other members of the NEC shall be two years.

~~Article 5.3.1 Temporary Amendment to Treasurer and Treasurer-Elect Terms of office—Effective from the 2005 Convention until the 2006 Convention, the incumbent Treasurer’s threeyear term of office shall be extended for one year until the 2006 Convention, a Treasurer Elect shall be selected at the 2005 Convention for one year and shall serve a two-year term of office as Treasurer beginning with the 2006 Convention. At the expiration of the Treasurer’s term in 2008, this amendment shall sunset and the Treasurer and Treasurer Elect terms shall revert to the provisions of Article 5.3.~~

Article 5.4 Terms of Office for Regional **Representatives** ~~Vice Presidents~~ - Each **Regional Representative RVP** shall serve for the term prescribed in the bylaws of their ~~his or her~~ region or, if the bylaws are silent, for a term of two years.

Article 5.5 Selection and Terms of Office for Project and Committee Representatives – Committees, projects, and additional caucuses other than those with **permanent** ~~guaranteed~~ seats on the NEC shall be selected from those that submit applications. Up to eight additional committees, projects, and caucuses shall then be selected as specified in the Bylaws ~~by vote of the national membership for seats on the NEC as part of the existing post-convention voting.~~

Article 5.7 Duties of Officers - The duties of all officers shall be defined by the ~~b~~Bylaws, by resolution of the national convention and by the National Executive Committee, except that the duties of the **Regional Representatives RVPS** may be further defined by their respective regions.

Article 5.8 Executive Council Actions Between Meetings - The Executive Officers and the Executive Director are authorized -- as the Executive Council (EC) -- to govern the business of the organization between meetings of the full National Executive Committee and to take any action on behalf of the organization that the full National Executive Committee is entitled to take. "Executive Officers" refers to the President, ~~Executive~~ Vice Presidents, Treasurer, Secretary, and the senior **National Law** Student Vice President. The national officers shall report to the full National Executive Committee all actions taken by the Executive Council between meetings; important decisions shall be reported within 15 days.

Article 5.9 Procedure to Fill NEC Vacancies:

- (a) **In the event of a vacancy in the** ~~The~~ office of President, Treasurer, **Secretary, Executive or Vice Presidents, or an at-large National Vice President**, the remaining National Executive Committee members or the Executive Council shall appoint a replacement who shall serve until the next national convention, when the remainder of the vacant term shall be filled by election.
- (b) The office of National Law Student Vice President shall be filled by **the Law Student Caucus Law Students in Action**, or such other committee, project or task force as may be designated to represent the interests of law student members, in accordance with its bylaws. If its bylaws make no provision for filling a vacancy, or if a vacancy is not filled within 60 days, the National Executive Committee shall appoint a law student member to fill the office until the next national convention, when the remainder of the vacant term shall be filled by election.
- (c) The office of National Legal Worker Vice President shall be filled by the ~~Legal Workers~~ **Legal Workers Caucus Committee**, or such other committee, project or task force as may be designated to represent the interests of legal worker members, in accordance with its bylaws. If its bylaws make no provision for filling a vacancy, or if a vacancy is not filled within 60 days, the National Executive Committee shall appoint a legal worker member to fill the office until the next national convention, when the remainder of the vacant term shall be filled by election.

**(d) [no changes]**

- (e) The offices of Regional **Representatives** ~~Vice President~~ shall be filled as required by the **respective** regional bylaws. If the regional bylaws make no provision for filling a vacancy, or if a vacancy is not filled by the region within 60 days, the National Executive Committee shall appoint a member of the region to fill the office until the next election, when the remainder of the vacant term shall be filled by election.
- (f) A project, committee, **task force, or caucus** representative vacancy shall be filled by the entity ~~project or committee~~. If the **entity** ~~project or committee~~ does not fill the vacancy within 60 days, the National Executive Committee may designate another **entity** ~~project or committee~~ to appoint a representative to the National Executive Committee.

Article 5.10 Removal from Office:

(a) Removal for Cause - Upon 30 days advance notice, any elected member of the National Executive Committee may be removed from office by the remaining National Executive Committee members upon the occurrence of either of the following: failure to attend two consecutive meetings of the National Executive Committee, and/or failure to complete tasks assigned by the National Executive Committee, except that the National Jailhouse Lawyer Vice President shall not be removed for failure to attend meetings. In addition, elected members may be removed for other reasons that in the judgment of the remaining National Executive Committee members constitute just cause. Any vacancy created by the removal of an elected National Executive Committee member shall be filled as provided herein.

Article 5.11 Travel Expenses - Officers shall pay their own transportation expenses to attend a National Executive Committee meeting at the national convention. The organization shall pay the non-local land, rail or air travel expenses of the President, Treasurer, ~~Executive and National Vice-Presidents~~, **Secretary**, and President-Elect to enable them to attend up to three additional National Executive Committee meetings per year. Each region shall pay the same expenses for its **Regional Representative RVP**. Projects, ~~and national committees, caucuses, projects, and task forces~~ shall pay the travel expenses of their National Executive Committee representatives.

#### ARTICLE 11 - AMENDMENTS

This Constitution may be amended by a majority vote of the National Convention, **consistent with voting procedures in the Bylaws.**