

CONSTITUTION OF THE NATIONAL LAWYERS GUILD

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PREAMBLE

The National Lawyers Guild is an association dedicated to the need for basic change in the structure of our political and economic system. We seek to unite the lawyers, law students, legal workers, and jailhouse lawyers of America in an organization which shall function as an effective political and social force in the service of the people, to the end that human rights and the rights of ecosystems shall be regarded as more sacred than property interests.

Our aim is to bring together all those who regard adjustments to new conditions as more important than the veneration of precedent; who recognize the importance of safeguarding and extending the rights of workers, women, farmers, and minority groups upon whom the welfare of the entire nation depends; who seek actively to eliminate racism; who work to maintain and protect our civil rights and liberties in the face of persistent attacks upon them; and who look upon the law as an instrument for the protection of the people, rather than for their repression.

ARTICLE 1 - NAME AND OBJECTIVES

Article 1.1 Name of the Organization - shall be the National Lawyers Guild (NLG).

Article 1.2 Objectives of the Organization - shall be:

- (a) To aid in making the United States and the State Constitutions and law and the administrative and judicial agencies of government responsive to the will of the American people;
- (b) To protect and foster our democratic institutions and civil rights and liberties of all people;
- (c) To aid in the establishment of governmental and professional agencies to supply adequate legal services to all who are in need and cannot obtain it;
- (d) To promote justice in the administration of the law;
- (e) To aid in the adoption of laws for the economic and social welfare of the people;
- (f) To keep the people informed upon legal matters affecting the public interest;

- (g) To encourage, in the study of law, a consideration of the social and economic aspects of the law;
- (h) To improve the ethical standards which must guide the lawyer in the performance of his or her professional and social duties; and
- (i) To promote world unity through collaboration among the Bars of members of the United Nations.

ARTICLE 2 – MEMBERSHIP AND NONDISCRIMINATION

Article 2.1 No Discrimination - Upon application, the following persons who agree with the objectives of the organization as set forth herein, shall be admitted to membership without regard to sex, sexual preference, age, color, race, religions or political belief or affiliation, formal educational level, or condition of restraint within any institution:

- (a) Lawyers, any person who at the time of application for membership is authorized to practice law anywhere;
- (b) Law students, any person who attends law school. A law student member may retain that membership status for one year following graduation or until he or she become eligible for another membership category, whichever comes first;
- (c) Legal workers, any person who is currently working, or who has worked, or who is training to work, for pay or as a volunteer, in any office, collective or other institution, which has as its primary function the provision OR administration of legal services, information or education; or who, as an individual, provides or administers legal services, information, or education as a major component of their paid or volunteer work work; and
- (d) Jailhouse lawyers, any person who is incarcerated in a jail or prison and who is regularly engaged in providing legal services to other prisoners. A jailhouse lawyer member may retain that membership status for one year following release from incarceration or until he or she become eligible for another membership category, whichever comes first.

No member or other person qualified to participate (including, for public events, members of the public) shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity of the organization based on sex, sexual preference, age, color, race, religion or political belief or affiliation, disability, formal educational level, or condition of restraint within any institution.

Article 2.2 Chapters, Law Student Chapters, and At-Large Membership

- (a) Wherever a chapter exists, membership shall be through such chapter. A Chapter Charter is the official recognition of a local chapter by the national organization. Any NLG Chapter that otherwise meets the requirements of a Chapter in the NLG Constitution and Bylaws as of January 1, 2022, shall receive a Chapter Charter, if it does not already have one. The Chapter Charter shall have effect on January 1, 2022. Any new chapter after January 1, 2022 will need to apply for a charter through the National Executive Committee.

(b) Where there exist multiple, non-student chapters, in overlapping geographic regions, members may self-determine chapter affiliation.

(c) Where other relevant circumstances exist, a member of a non-student chapter may be permitted to self-determine chapter affiliation, including the option to be a member-at-large. If a member wishes to pursue this option, they must petition the NLG National Office, who will approve or deny the member's request.

(d) Law students shall be concurrent members of their law student chapter and full voting members of their local non-student chapter.

(e) Where there is no organized chapter, membership shall be through direct affiliation with the national organization. Such persons shall be known as members-at-large. Jailhouse lawyers shall be members-at-large.

Article 2.3 Membership Dues - shall be as provided in the By-laws.

ARTICLE 3 - ORGANIZATION

Article 3.1 Geographic Chapters - The normal unit of organization shall be the chapter consisting of the members in a reasonable geographic area or attending a particular law school. Disagreement about what constitutes a reasonable geographic area shall be resolved by the NLG National Office.

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 Executive Committee. Each region shall be represented by one Regional 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 Bylaws of the national organization. Disagreement about what constitutes a chapter shall be resolved by the NEC.

Article 3.4 Denial of Chapter Application – The NLG National Office shall not recognize a new chapter in the same geographic area in which a chapter already exists without the consent of such existing chapter.

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, 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 3.6 Authorization to Use NLG Name - No chapter or any committee of any chapter or any groups of members-at-large shall publish or publicize any report or statement as, or purporting to be a report or statement of the National Lawyers Guild without the authorization or approval of the National Office.

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 4 - NATIONAL CONVENTION

The highest governing authority of the organization shall be its national convention. The Bylaws shall establish that in procedures for the election of national officers, amending this Constitution and other votes taken at the national convention based upon the principle that democratic decision-making requires that each dues paying member and member of the National Office staff of the National Lawyers Guild have the ability to vote for national officers and constitutional amendments, regardless of whether s/he personally attends the Convention and that each member shall be entitled to one vote. The Bylaws shall also establish procedures for voting on other resolutions at the national convention in the manner that best serves the needs of the national organization.

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 President elect every third year); a Vice President; a Secretary; a Treasurer; 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, Vice President, and Secretary shall be elected by 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 ballot to be conducted after the national convention. The election shall be conducted by the Law Student Caucus 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 5.4 Terms of Office for Regional Representatives. Each Regional Representative shall serve for the term prescribed in the bylaws of their 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 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 5.6 Duties of National Executive Committee - The National Executive Committee shall govern the organization. All National Executive Committee decisions are reviewable by the national convention. The National Executive Committee shall meet at least two times per year, including at least once at the national convention, and at such other times as the National Executive Committee deems necessary to conduct the business of the organization.

Article 5.7 Duties of Officers - The duties of all officers shall be defined by the Bylaws, by resolution of the national convention and by the National Executive Committee, except that the duties of the Regional Representatives 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, Vice President, Treasurer, Secretary, TUPOCC senior co-chair, Legal Worker Vice-President, and the senior National 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 office of President, Treasurer, Secretary, or 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 senior TUPOCC co-chair shall be filled by The United People of Color Caucus, and no other committee, project, or task force may be designated to represent the interests of Black,

Indigenous, People of Color members in accordance with the Alabama Manifesto. As such, if TUPOCC bylaws make no provision for filling a vacancy or if a vacancy is not filled within 60 days, the National Executive Committee shall fill the vacancy during the next election of TUPOCC officers by its membership and the remainder of the term shall remain vacant until such time.

(c) The office of National Law Student Vice President shall be filled by the Law Student Caucus 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.

(d) The office of National Legal Worker Vice President shall be filled by the Legal Worker Caucus; 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.

(e) The office of National Jailhouse Lawyer Vice President shall be filled by the Prison Law Project, or such other committee, project or task force as may be designated to represent the interests of jailhouse lawyer 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 jailhouse lawyer member to fill the office until such time as an election by mail ballot can be conducted to fill the remainder of the vacant term.

(f) The offices of Regional Representatives 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.

(g) A project, committee, task force, or caucus representative vacancy shall be filled by the entity. If the entity does not fill the vacancy within 60 days, the National Executive Committee may designate another entity 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, Vice-President, Secretary, President-Elect, SNVP, and LWVP 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. Projects, committees, caucuses, projects, and task forces shall pay the travel expenses of their National Executive Committee representatives.

ARTICLE 6 - ELECTIONS

All officers, delegates, and members of committees, whether of any local or national organization, shall be elected by a majority vote unless such local or national organization shall provide a different method of voting.

ARTICLE 7 - DISCIPLINE

Article 7.1 Chapter Censure - The National Executive Committee may censure a chapter by a vote of two thirds of voting National Executive Committee members, for violations of the Constitution or for conduct inconsistent with the aims and purposes of the organization.

Article 7.2 Chapter Charter Revocation - The National Executive Committee may revoke the charter of any chapter by a vote of two thirds of voting National Executive Committee members.

Article 7.3 Service of Charges and Opportunity to be Heard - The National Executive Committee shall not vote on chapter censure or charter revocation except after service of charges in writing and a reasonable opportunity for the chapter to be heard.

Article 7.4 Local Chapter Autonomy to Discipline - Local chapters shall have complete autonomy with respect to the disciplining of their own members for violation of this Constitution or Bylaws or the local constitution or bylaws, but only after service of charges in writing and a reasonable opportunity for the member to be heard and subject to appeal to the National Executive Committee. Any member who has been suspended or removed from membership in a local chapter may apply for membership-at-large, which application may be granted at the discretion of the National Office.

Article 7.5 Member Censure, Suspension or Expulsion - The National Executive Committee may, by a vote of two thirds of voting members, censure, suspend, or expel any member-at-large for a violation of the Constitution or conduct inconsistent with the aims and purposes of the organization. The National Executive Committee shall not vote on censure, suspension, or expulsion except after service of charges in writing and a reasonable opportunity to be heard.

ARTICLE 8 - UNION MEMBERSHIP

All non-managerial employees of the National Lawyers Guild on a National Committee, Project, Regional or Local level shall within thirty days of their being hired, become part of whatever union

is the recognized collective bargaining agent for Lawyers Guild workers at the time of the employee's hiring. All non-managerial employees of the National Lawyers Guild will be covered by applicable portions of any collective bargaining agreement in existence at the time of their being hired, from the date of hiring.

ARTICLE 9 - BYLAWS MAY BE ADOPTED AND AMENDED

Bylaws not inconsistent with this Constitution may be adopted or amended by a majority vote of the National Convention.

ARTICLE 10 - AMENDMENTS

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

ARTICLE 11 - SAVINGS AND SEVERABILITY

In the event that any court or authority of competent jurisdiction were to declare null, void, or unenforceable, any provision or provisions of this Constitution and Bylaws as written or applied, all other unaffected provisions of this Constitution and Bylaws shall remain in full force and effect.