

Resolution to Reverse Anti-Democratic Constitutional Amendments

Proponents and Contact Information:

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WHEREAS in 2022, the National Executive Committee, presented five (5) proposed Constitutional amendments¹ and one (1) proposed Bylaws amendment² for enactment, the effect of which was a substantial re-allocation of governance power away from the NLG membership and vesting extraordinary discretion of the National Executive Committee;

NOW, THEREFORE BE IT RESOLVED that these amendments to the NLG Constitution adopted in 2022 shall be returned to their original form, **with the addition of language regarding emergency circumstances**, in the interest of ensuring the opportunity for democratic input by the full membership prior to the extreme measures of dissolution, censure, revocation, or discipline of a chapter; or censure, suspension, or expulsion of a member.

Proposed Article 7.1 (formerly 8.1): Chapter Censure

The National Executive Committee may **recommend** by a vote of two thirds of its members, the censure of any chapter for violations of the Constitution or for conduct inconsistent with the aims and purposes of the organization. Such action shall become a resolution of censure if ratified by a two thirds vote of the next National Convention. **In the event that the National Executive Committee determines that a threat—internal or external—to the organization exists that must be dealt with sooner than the next annual convention, a vote of the membership shall be taken via the same means used for votes following annual conventions.**

Proposed Article 7.2 (formerly 8.2): Chapter Charter Revocation

The National Executive Committee may **recommend** by a vote of two thirds of its members, the revocation of the charter of any chapter. Such action shall become a revocation if ratified by a two thirds vote of the next National Convention. **In the event that the National Executive Committee determines that a threat—internal or external—to the organization exists that must be dealt with sooner than the next annual convention, a vote of the membership shall be taken via the same means used for votes following annual conventions.**

Proposed Article 7.3 (formerly 8.3): Service of Charges and Opportunity to be Heard

No **recommendation of censure or charter revocation** shall be voted on by the National Executive Committee except after service of charges in writing and a reasonable opportunity for the chapter to be heard. Nor shall a recommendation of censure or charter revocation be ratified by the National Convention except after service of charges in writing at least one month prior to the vote on the recommendation and a reasonable opportunity to be heard before the National Convention. **In the event that the National Executive Committee determines that a threat—internal or external—to the organization exists that must be dealt with sooner than the next annual convention, a vote of the membership shall not**

¹ All of the 2022 Amendments set forth in the footnotes can be viewed here: <https://www.nlg.org/about/bylaws-and-resolutions/>

Article 7.1 (Chapter Censure, formerly 8.1); Article 7.2 (Chapter Charter Revocation, formerly 8.2); Article 7.3 (Service and Opportunity to be Heard, formerly 8.3); Article 7.4 (Local Chapter Autonomy to Discipline, formerly 8.4); Article 7.5 (Member Censure, formerly 8.5).

² Section 2 (Dissolution of Chapters).

be taken except after service of charges in writing at least one month prior to the vote on the recommendation and a reasonable opportunity for the chapter to be heard by the membership before the vote.

Proposed Article 7.4 (formerly 8.4): 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 Convention. 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 Executive Committee. In the event that the NEC determines that a threat—internal or external—to the organization exists that must be dealt with sooner than the next annual convention, a vote of the membership shall be taken via the same means used for votes following annual conventions.

Proposed Article 7.5 (formerly 8.5): Member Censure, Suspension or Expulsion

The National Executive Committee may recommend, by a vote of two thirds of its members, the censure, suspension, or expulsion of any member-at-large for a violation of the Constitution or conduct inconsistent with the aims and purposes of the organization. Such action shall become a resolution of censure, suspension, or expulsion if ratified by a two thirds vote of the Convention at its next meeting. No recommendation of censure, suspension, or expulsion shall be voted on by the National Executive Committee except after service of charges in writing and a reasonable opportunity to be heard. Nor shall a recommendation of censure, suspension or expulsion be ratified by the Convention except after service of charges at least one month prior to the vote on the recommendation and a reasonable opportunity for the member to be heard before the National Convention. In the event that the NEC determines that a threat—internal or external—to the organization exists that must be dealt with sooner than the next annual convention, a vote of the membership shall be taken via the same means used for votes following annual conventions. In that event, a vote of the membership shall not be taken except after service of charges in writing at least one month prior to the vote on the recommendation and a reasonable opportunity for the member to be heard by the membership before the vote.

Proposed Bylaws 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 that 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 and may continue to function. All members of dissolved chapters shall become members-at-large. In the event that the NEC determines that a threat—internal or external—to the organization exists that must be dealt with sooner than the next annual convention, a vote of the membership shall be taken via the same means used for votes following annual conventions.

Implementation under Bylaws Section 8.6: No implementation is required by this proposal, apart from revision to the Constitutional amendments and Bylaws amendment.

Compliance with Bylaws Section 8.7: This resolution returns governance powers to the full membership that the 2022 resolutions allocated to the National Executive Committee.

It is impracticable to consult with all Jailhouse Lawyers because the drafters of the proposal do not have their addresses, do not have sufficient funds to mail letters to them all, and cannot know whether

Jailhouse Lawyers have sufficient postage or writing supplies to reply. However, the resolution was mailed to the Jailhouse Lawyer Vice President in an attempt to consult.

It is impracticable to consult with all members of all chapters and all student chapters because we do not have access to the membership list. However, in an attempt to consult the resolution has been emailed to the following entities, and their response is indicated:

National Executive Committee – attempted consultation

Chapter Representatives – attempted consultation