

CARLETON LAW & LEGAL STUDIES SOCIETY

CONSTITUTION

(Adopted 15/SE/05)
(Amended 26/NO/06)
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SECTION (I)**Society Name and Mandate**

- 1.1 The Society shall be known as the “Carleton Law & Legal Studies Society” (“CLLSS”).
- 1.2 CLLSS shall adopt such logos or other identifying marks as the members of CLLSS shall from time to time approve.
- 1.3 The CLLSS shall strive to represent the collective interests and promote the general welfare of the Law and Legal Studies students at Carleton University.
- 1.4 The CLLSS shall strive to promote and maintain communication between Law and Legal Studies students and the university administration and represent Law and Legal Studies students within the University.
- 1.5 The CLLSS shall act to stimulate social and intellectual contact among Law and Legal Studies students.

SECTION (II)**Membership**

- 2.1 The founding members of CLLSS shall be Chris May, Perry Tsergas, Dragana Jelecan, Juliana Lopez, Yasmin Nissim and Melissa Knox. Such founding members shall form the first Executive of CLLSS, to serve until April 1st of the academic year, subject always to the provisions of this Constitution.
- 2.2 Membership in CLLSS shall be open to all full and part-time undergraduate and graduate students registered in any program at Carleton University. At the discretion of the Executive, non-Carleton Students may become Members of the CLLSS but cannot become General Members under section 2.4(ii).
- 2.3 A membership shall be from 15 September to 14 September of the following year.
- 2.4 Membership in CLLSS shall be administered by the Executives of CLLSS (as defined in Section III below) and shall be subject to the provisions of subsections 2.5 below. Membership in CLLSS shall include, but not be limited to, the following classes:
 - (i) Executive Membership Class: Members of the Executive of CLLSS (elected and appointed) shall be Members of CLLSS, and any annual membership fee established by the Executive from time to time shall be automatically waived for members of this class. Executive members must have paid necessary fees to Carleton University Students’ Association (CUSA), and shall each have one vote at all Members’ meetings of CLLSS;

- (ii) General Membership Class: All those eligible for membership in CLLSS in accordance with subsection 2.2 above shall become general members of CLLSS upon payment of any annual membership fee established by the Executive from time to time. General members must have paid the necessary fees to CUSA, and shall each have one vote at all Members' meetings of CLLSS; and
- (iii) Alumni Class: All those who have graduated from Carleton as former members of CLLSS are able to request to be on the alumni email list. This list is to be used to keep alumni informed about CLLSS activities and to invite them to events that may be of interest.

2.4 A Member shall be deemed to be a "Member in Good Standing", provided that the Member:

- (i) Pays any annual membership fee as set out by the Executive;
- (ii) Respects the initiatives set forth by the Executive at the start of the year;
- (iii) Upholds and observes the rules, policies and procedures appearing in this Constitution or as set by the Executive from time to time and
- (iv) Upholds and observes the Policies, Bylaws and Constitution of CUSA.

2.5 Failure to remain a Member in Good Standing as defined in subsection 2.5 above shall have the following consequences:

- (i) In the case of non-payment of CLLSS membership fees, privileges of Memberships in CLLSS and the right to take part in CLLSS events will be revoked automatically, to be reinstated only on payment of all membership fees at that time due and overdue;
- (ii) Members of CLLSS alleged to have committed an "Offence of Conduct" as outlined in Section XII below will immediately be suspended from participation in CLLSS and will be dealt with in accordance with subsections 12.2 to 12.4 below; and
- (iii) In all other cases, cancellation of membership or suspension of privileges shall be at the discretion of the Executive. In the event that such action is taken, notice of the decision of the Executive shall be given by the President of CLLSS to the Member affected within 24 hours of the decision. The affected member shall have the right to appeal the decision in accordance with the following procedure:

- (a) Within 7 days of receipt of notice of the decision of the Executive, the Member affected may submit a written request for an appeal hearing. The President will then arrange for the hearing of the appeal at the next regularly scheduled Executive Committee Meeting. The Member affected shall be given the right to make presentations to the Executive and present evidence supporting that Member's standing; and
 - (b) If the Executive upholds its original decision, then the affected Member may make a final appeal to CUSA in accordance with CUSA's rules and regulations in that behalf. The decision of CUSA following any such appeal shall be final and binding on both the Member affected and CLLSS.
- 2.7 Privileges of CLLSS Members in Good Standing shall include, but not be limited to, timely notification of all society events and meetings, provision of minutes, proceedings and summaries of general meetings, discounts provided to Members by CLLSS sponsors and, upon request, access to records of the CLLSS under supervision of a member of the Executive.

SECTION (III) **Executive**

- 3.1 The general management of CLLSS shall be vested in the Executive.
- 3.2 Subject to subsection 10.3 below, members of the Executive shall be elected by the Members at the Spring General Meetings referred to in subsection 6.1 below, and shall consist of one President, one Vice-President Communications (VPC), one Vice-President Academic (VPA), one Vice-President Membership (VPM), one Vice-President Internal (VPI) and one Vice-President Finance (VPF).
- 3.3 Executive Members are subject to the guidelines as set out in the Policies of the Carleton Law Society.
- 3.4 Members of the Executive shall serve a one-year term beginning April 1st of the academic year upon the completion of a one-month Executive 'shadowing' period as set out in section 3.5 below. All Executive Members shall be eligible for re-election.
- 3.5 Prior to acceptance of office all newly elected Executive Members must undergo a one-month 'shadowing' period of the Executive role to be assumed. This period shall commence immediately following the election of new Executive Members at the Spring General Meeting held in accordance with subsection 6.1 below, and terminate as of April 1st of the academic year. It is the duty of the retiring Executive Member to ensure all new Executive Members are prepared, in every aspect, to maintain their new Executive position for the course of the next year.

- 3.6 It shall be a fundamental duty of the CLLSS Executive to ensure a healthy transition of the CLLSS each year. This includes, but is not limited to, the release of electronic copies of all documents.
- 3.7 The President shall have the overall responsibility for the operations of CLLSS.
- 3.8 In the absence of the President, the Vice-President Communications, shall carry out the duties of the President, and should the office of President become vacant, shall assume the office of President.
- 3.9 The Vice-President Internal shall keep a record of the proceedings of meetings of the Executive and all general meetings of Members, and shall conduct all official correspondence of CLLSS as required.
- 3.10 The Vice-President Finance shall have control over and responsibility for all financial matters of CLLSS.
- 3.11 Members of the Executive shall assume and carry out from time to time such other duties and responsibilities as the Executive shall from time to time determine.

SECTION (IV)

Directors

- 4.1 The Executive may from time to time have the authority to create “Director” positions, as it deems necessary. Director positions are:
- (i) Positions of appointment (‘non-Executive’ positions) as agreed upon by a majority vote of the Executive.
 - (ii) Subject to the guidelines as set out in the documents titled “Policies of the Carleton Law Society: Director Terms of Reference”, “Directors Contract and Release Waiver”.
 - (iii) Subject to termination from the position at the sole discretion of the Executive pursuant to a majority vote of the Executive.
- 4.2 Executive Members shall ensure that any prospective director is familiar with all material (guidelines and Constitution) and has signed the “Directors Contract and Release waiver” prior to assuming the role of director.

SECTION (V)

Faculty Advisor

- 5.1 The Supervisor of Undergraduate Programs in the Department of Law and Legal Studies at Carleton University shall act as Faculty Advisor to CLLSS.

SECTION (VI)**General Meetings and Society Events**

6.1 There shall be three general meetings of Members of CLLSS during each membership year. The first shall be held during the period from 15 October to 30 November and shall be called the “Fall General Meeting.” The second shall be held during the third week of January and shall be called the “Winter General Meeting”, and the third shall be held during the last week of February and shall be called the “Spring General Meeting.”

6.2 At the Fall General Meeting, the Executive shall provide

- (i) A membership report,
- (ii) An interim financial statement reflecting the financial activities of CLS since the previous Spring General Meeting to 15 October,
- (iii) A summary report of activities of CLS since the previous Spring meeting,
- (iv) A report on activities planned for the CLS prior to the next Winter General Meeting, and
- (v) Such other reports and summaries as the Executive shall deem relevant.

6.3 At the Winter General Meeting, the Executive shall provide

- (i) A membership report,
- (ii) An interim financial statement reflecting the financial activities of CLS since the previous Fall General Meeting to 10 January,
- (iii) A summary report of activities of CLS since the previous Fall meeting,
- (iv) A report on activities planned for the CLS prior to the next Spring General Meeting, and
- (v) Such other reports and summaries as the Executive shall deem relevant.

6.4 At the Spring General Meeting,

- (i) Elections shall be held in accordance with Section 9 below,
- (ii) The Vice-President Finance shall submit a summary year-end financial statement, and

- (iii) Such other reports shall be submitted and matters addressed as shall come to the attention of the Executive.
- 6.5 Attendance at the general meetings of CLLSS shall be open to all Members of CLLSS, and all Members in Good Standing of CLLSS shall be entitled to one vote at such meetings. Five Members in Good Standing present person shall constitute a quorum for the conduct of business at any general meeting of CLLSS.
- 6.6 All Members of CLLSS shall be advised, by way of electronic notice or otherwise, of any upcoming general meeting at least one week in advance of such meeting.
- 6.7 Subject only to paragraph 9.3(iv) below, all general meetings of CLLSS shall be chaired by the President. The President shall not have a vote at any general meeting of CLLSS unless a vote results in a tie, in which case the President shall cast a deciding vote.
- 6.8 Subject only to subsection 9.6, subsection 13.1 and paragraph 14.1(i) below, all matters to be decided at any general meeting shall be decided by a simple majority, and voting shall be conducted by a simple show of hands. Proxy votes shall not be allowed. 6.9 CLLSS may periodically hold “Society Events”, subject to the following provisions:
- (i) Society Events may be academic, social or both;
 - (ii) All Members shall be advised, by way of electronic notice or otherwise, of details concerning an upcoming Society Event a minimum of one week in advance at the discretion of the event coordinator; and
 - (iii) The planning, organization, rules and policies pertaining to Society Events shall be the responsibility of the Executive.

SECTION (VII)

Executive Meetings

- 7.1 Meetings of the Executive shall be open only to members of the Executive and the Faculty Advisor, unless otherwise agreed upon by the Executive.
- 7.2 Meetings of the Executive shall be called by the President at least once a month.
- 7.3 Members of the Executive shall be advised, by way of electronic notice or otherwise, of any meeting of the Executive at least two weeks in advance of such meeting, unless otherwise unanimously agreed upon by the Executive.

- 7.4 All meetings of the Executive shall be chaired by the President. The President shall not have a vote at any meeting of the Executive unless a vote results in a tie, in which case the President shall cast a deciding vote.
- 7.5 Directors shall not be included in Executive deliberation or votes.
- 7.6 At any meeting of the Executive, a quorum shall consist of three members of the Executive present in person, not including a chairperson (President). A simple majority of the votes cast on any matter shall determine all questions brought before such meeting.
- 7.7 The President shall be required to call a meeting of the Executive upon receipt by the President of a petition to that effect signed by not less than two members of the Executive.

SECTION (VIII)
Financial Matters

- 8.1 The fiscal year of CLLSS shall terminate on March 1st of the academic year.
- 8.2 Funds may be raised for all purposes of CLLSS as determined by the Executive.
- 8.3 Annual membership fees and deadlines for said fees shall be established by the Executive.
- 8.4 All funds shall be deposited in the financial institution as designated by CUSA.
- 8.5 All disbursement of funds of CLLSS shall be by cheque or through a petty cash fund approved by the Vice-President Finance.
- 8.6 Only members of the Executive may receive funds and issue receipts for funds on behalf of CLLSS.
- 8.7 The Vice-President Finance shall prepare and submit interim financial statements to each meeting of the Executive.
- 8.8 The Vice-President Finance shall prepare and submit an interim financial statement at the Fall General Meeting including all financial activities of CLLSS from March 1st to October 15th, and a summary of year-end financial statement to the Spring General Meeting including all financial activities of CLLSS for the fiscal year.
- 8.9 Any two members of the Executive shall sign all cheques, contracts and other instruments of behalf of CLLSS.

- 8.10 The Executive must at all times conduct itself with the utmost care, discretion and responsibility with regards to the handling of funds.

SECTION (IX)

Nomination and Election Procedures

- 9.1 All Members in Good Standing of CLLSS are considered “voting members” of CLLSS. All voting members shall be eligible to stand for election, to sign nomination forms for others seeking election, and to be considered for the position of Returning Officer.
- 9.2 Elections to the Executive shall be held at the Spring General Meeting. The Executive shall determine the closing date, time and location for receiving nominations. All Members shall be advised, by way of electronic notice or otherwise, of details concerning the call for nominations, a minimum of two weeks in advance of the closing date nominations are to be received.
- 9.3 There shall be a Nominating Committee composed of the Faculty Advisor and a Returning Officer appointed by the Executive. The Returning Officer shall;
- (i) Be a Member in Good Standing of CLLSS;
 - (ii) Not be a candidate for election to any position on the Executive while serving as Returning Officer;
 - (iii) Not be the President of CLLSS while serving as Returning Officer and
 - (iv) Chair the Spring General Meeting during that portion of the meeting devoted to the conduct of elections.
- 9.4 The Nominating Committee shall:
- (i) Act as impartial participants in the nominations process, and shall not divulge the particulars of nominations (including names, positions applied for, number of nominations or like information to any member of CLLSS in advance of the closing date for nominations established pursuant to subsection 9.2 above;
 - (ii) Notwithstanding the provisions of paragraph 9.4(i) above,
 - (a) make an honest attempt to ensure that at least one nomination for each position on the Executive is received by the closing date for receipt of nominations; and
 - (b) provide regular reports on the work of the Nominations Committee to the President.
- 9.5 The following nomination procedures shall be followed:

- (i) Nominations shall close no later than three days prior to the Spring General Meeting.
- (ii) A candidate may only seek nomination and subsequently run for a single position on the CLLSS Executive.
- (iii) A candidate may apply to stand for election to a single position on the Executive by adhering to the following process: The candidate must:
 - (a) submit to the Nominating Committee, in writing, their intention to stand for election to a particular position on the Executive;
 - (b) provide, by way of declaration, notices of support from at least two other Members in Good Standing of CLLSS;
 - (c) review a copy of the “Policies of the Carleton Law & Legal Studies Society: Executive Terms of Reference” document;
 - (d) meet with either the Faculty Advisor or the Returning Officer to verify all information provided to the Nominating Committee, to discuss any questions or concerns the candidate may have, and to review the “Policies of the Carleton Law & Legal Studies Society: Executive Terms of Reference” document and;
 - (e) sign and date an acknowledgment, agreeing to use their best efforts to comply with the terms of the “Policies of the Carleton Law & Legal Studies Society: Executive Terms of Reference” document.
 - (f) Public Campaigning, defined as communication for the purposes of convincing someone to vote for you, is prohibited before the general meeting and will result in disqualification.
- (iv) A candidate’s nomination shall not be considered complete until all steps of 9.5(iii)(a) to (e) inclusive have been fulfilled.

9.6 Nominations from the floor shall not be accepted, and elections shall be held by secret ballot.

SECTION (X)

Vacancies and Interim Appointments

10.1 The office of a member of the Executive shall be automatically vacated:

- (i) If a member of the Executive resigns his or her office by delivering a written resignation to either the President or the Vice-President Internal of CLLSS (resignation of a position is not effective until communicated to the appropriate officer).
- (ii) If a member of the Executive becomes incapable of fulfilling, or refuses to fulfill, his or her proper duties and responsibilities.

- 10.2 If the President determines, in his or her sole discretion, that a member of the Executive is not using best efforts to fulfill the duties and responsibilities of his or her office as set out in the “Policies of the Carleton Law & Legal Studies Society: Executive Terms of Reference”, then the President may issue that member of the Executive an official warning. Any member receiving more than two warnings during any single term of office shall be deemed to have vacated his or her office in accordance with paragraph 10.1(ii) above.
- 10.3 Subject to only subsection 3.8 above, any vacancies occurring among members of the Executive may be filled by appointment effected by the remaining members of the Executive from CLLSS Members in Good Standing. Such appointment shall be made only after notice of the vacancy and intent to fill the office by appointment is given to all Members of CLLSS.

SECTION (XI)

Inner-Society Conflict/Disputes

- 11.1 Any conflict or dispute that arises among General Members, Directors, or Executive Members of the CLLSS shall be resolved internally within the Executive Committee or in a closed meeting, formal or informal, between the affected Member and any member(s) of the Executive.
- (i) A Member who is in direct conflict with an Executive Member(s) shall then attempt to resolve the issue with an uninvolved/impartial Executive Member.
- 11.2 Only when all avenues of conflict and dispute resolution have been exhausted internally within the CLLSS and Executive Committee shall the affected Member seek remedy from the CLLSS Faculty Advisor or other external bodies.

SECTION (XII)

Offences of Conduct

- 12.1 No Member of CLLSS shall violate the “Offences of Conduct” established by Carleton University. For details, Members are referred to the relevant sections of the current Carleton University Undergraduate and Graduate calendars.
- 12.2 Any Member of CLLSS alleged to have committed an “Offence of Conduct” shall immediately be suspended by the Executive pursuant to directions received in that respect by the Executive pursuant to subsection 12.4 below.
- 12.3 The President shall immediately advise the CUSA Clubs and Societies Commissioner of the suspension and shall provide details in writing to the Commissioner, including the violations the Member is alleged to have committed.

- 12.4 The decision of the CUSA Clubs and Societies Commissioner as to the disposition of any matter arising under this Clause XII shall be final and binding, and the Executive shall immediately take steps to implement such decision upon being advised in writing of such decision.

SECTION (XIII)

Amendment of the Constitution

- 13.1 This Constitution shall be amended only at a general meeting of CLS, and shall be by way of a two thirds majority of Members in Good Standing voting on such amendment. Voting on any amendment shall be conducted by secret ballot.
- 13.2 Any amendment effected pursuant to subsection 13.1 above shall take effect on the conclusion of the general meeting at which it was passed.
- 13.3 Proposed amendments to this Constitution shall be announced to all Members of CLS and circulated upon request, by electronic means or otherwise, not less than one week prior to the General Meeting at which such amendments will be considered.
- 13.4 No amendments to this Constitution shall be considered which, in the sole determinations of the Executive, would constitute a violation of CUSA or Carleton University rules, policies, by-laws or constitutions.

SECTION (XIV)

Dissolution of CLS

- 14.1 CLLSS shall be dissolved either:
- (i) By way of motion to dissolve as duly passed at any General Meeting of CLLSS by a three quarters majority of Members in Good Standing voting on such resolution.
- 14.2 Notice of intent to introduce a motion to dissolve CLLSS pursuant to paragraph 14.1(i) above must be provided to the President not less than four weeks prior to the General Meeting at which such motion will be introduced, and the President shall advise, by electronic means or otherwise, all Members of CLLSS of the intent to introduce such motion not less than two weeks prior to the General Meeting at which such motion is intended to be introduced.
- 14.3 Upon dissolution, the President shall cause all liabilities of CLLSS to be paid out of available assets of CLLSS, and shall cause all remaining assets of CLLSS to be delivered forthwith to the CLLSS Faculty Advisor within the Department of Law. In addition, the President shall cause all records of CLLSS to be deposited with the Faculty Advisor, or the Advisor's designate, for safe-keeping.