

CONSTITUTION OF THE NEW MEXICO DEFENSE LAWYERS

ASSOCIATION STUDENT CHAPTER

ARTICLE I - NAME

The name of this organization shall be The New Mexico Defense Lawyers Association Student Chapter (NMDLASC).

ARTICLE II - PURPOSE

The purposes of the NMDLASC shall be:

1. To promote professional, scholastic and social activities among its members,
2. To promote communication between students and the civil-defense bar,
3. To promote the civil-defense bar and career path to law students,
4. To encourage interaction between students and members of the legal profession through liaison with the New Mexico Defense Lawyers Association (NMDLA),
5. To communicate NMDLASC member concerns to the board of NMDLA,
6. To promote NMDLASC member visibility within the NMDLA,
7. To instill in its members an appreciation for ethical standards in the practice of law.

ARTICLE III - GOVERNING POWER

The powers of the officers and committees hereinafter provided shall be only those powers granted by this constitution.

ARTICLE IV - MEMBERSHIP AND MEMBERSHIP DUES

1. **Membership.** Every actively enrolled student of the University of New Mexico School of Law is eligible for membership. Membership shall be granted upon payment of membership dues.
2. **Dues.** Dues for membership in the NMDLASC shall be \$5 per year.
3. **Membership Rights.** All members may vote, sign nominating petitions, and run in NMDLASC-sponsored elections, subject to Article XIV. All members may attend all meetings, either General, or Executive Committee. All members may attend all social and community service functions.
4. **Fellowship Memberships.** Fellowship Membership may be provided through sponsorships paid by outside firms.

ARTICLE V - OFFICERS: THE EXECUTIVE BOARD

The Executive Board shall be made of:

1. **The President:** A second or third-year student, elected by a majority of the voting membership.
2. **The Vice President:** A second or third-year student, elected by a majority of the voting membership.
3. **The Treasurer:** A second or third-year student, elected by a majority of the voting membership.
4. **The Secretary:** A second or third-year student, elected by a majority of the voting membership.

5. **The First-Year 1L Representative:** A first-year student, elected by a majority of the voting membership.
6. **At-Large Board Members** (optional): A student from any year, elected by a majority of the voting membership.

Any officer other than At-Large Board Members may be filled in-tandem with two members in as co-officer.

ARTICLE VI - TERM OF OFFICE FOR OFFICERS

1. All officers elected in the Spring General Election shall take office thirty (30) days after the election.
2. All officers elected in the Fall General Election shall take office immediately upon election certification.
3. All officers elected in Special Elections shall take office immediately upon election certification.
4. Officers shall serve until their respective replacements take office. This section does not apply to officers who resign or who are recalled from office.
5. All current Executive Board members, active in the Fall, and eligible to continue service, shall determine any adjustment in length of their service for the Executive Board moving forward.

ARTICLE VII - DUTIES OF OFFICERS

1. **The Executive Board. The Executive Board shall:**
 - a. shall be responsible for the management and control of the Association,

- b. may create committees with powers and duties as needed,
- c. shall make all student appointments not provided for in this Constitution,
which shall be controlling,
- d. shall approve the final budget,
- e. shall have at least one (1) general meeting each semester. Notice of each
meeting shall be posted at least three (3) days in advance, and
- f. shall be ultimately responsible for running the elections in accordance with
this Constitution.

2. President. The President shall:

- a. coordinate all activities of the Executive Board,
- b. be responsible, with the Treasurer, for keeping expenditures within the
budget,
- c. have the power to take any actions in furtherance of the purposes in Article II
subject to retroactive review by the Executive Board, and
- d. have any other responsibilities or duties contained elsewhere in the
constitution.

3. The Vice President. The Vice President shall:

- a. chair the Constitution and Elections Committee,
- b. assist the President in making executive decisions relating to fulfilling the
goals of the NMDLASC,
- c. have any other responsibilities or duties pertaining to this office contained
elsewhere in the constitution.

4. The Secretary. The Secretary shall:

- a. be responsible for maintaining a current membership list,

- b. have the duty to provide notice of the general meetings,
- c. have the duty to keep and post minutes of all open meetings,
- d. have any other responsibilities or duties pertaining to this office contained elsewhere in the constitution.

5. The Treasurer. The Treasurer shall:

- a. collect any due money or fees,
- b. present a budget proposal in accordance with Article XI,
- c. maintain accurate, complete and current records of the NMDLASC's financial status and activities, and
- d. have any other responsibilities or duties pertaining to this office contained elsewhere in the constitution.

6. The First-Year Representative. The First-Year Representative shall:

- a. assist other officers in the performance of their duties, and
- b. have any other responsibilities or duties pertaining to this office contained elsewhere in the constitution.

7. All elected and appointed officers shall make a reasonable good faith effort to attend all meetings which will be scheduled by the President in consultation with the officers. Any elected or appointed officers who fail to attend three meetings will be removed from office if they do not have a reasonable excuse as determined by the Executive Committee. Any officer so expelled will have the option of running in a Special Election to be announced immediately upon removal of the officer. The special officer replacement election will be held between 14 and 28 days after the officer's removal and candidacies will be conducted in the same manner as a regular election for the position to be filled.

8. Co-officers shall make reasonable attempts to work collaboratively. If they are unsuccessful or their working relationship creates hardships for the organization, professional partners, or members, one or both persons may be subject to recall based on a simple majority vote of the membership at the next General Meeting and a special election will be called to replace the officer. The recalled officer is eligible to stand for election in the special election.

ARTICLE VIII- LIMITS ON POWERS OF OFFICERS

1. No officer shall take any action in contradiction to any provision of this constitution.
2. No officer shall spend or withhold funds of the NMDLASC in contravention of a majority vote of the Executive Board.

ARTICLE IX - BUDGET

1. The budget of the NMDLASC shall provide for activities and programs pursuant to Article II of this Constitution.
2. The Association budget shall not be a major source of funding for other student organizations.
3. The Treasurer shall prepare a budget proposal for the major expenses.
4. The budget must be approved by a majority vote of the NMDLASC Executive Board.

The expenditures of any non-budgeted funds must be approved by a majority vote of the Executive Board. Voting may be conducted by any reasonable method, such as email, group text messages, or online collaboration software.

5. The President and the Treasurer shall have executive responsibility for keeping expenditures approved by the Executive Board within the approved budget.

ARTICLE X - MEETINGS

1. There shall be two types of meetings: 1) "Executive Board Meetings" attended by the Executive Board, and 2) "General Meetings" attended by the Executive Board and general membership.
2. A minimum of one general meetings of the Association shall be held each semester at a time selected by the Executive Board. Additional General Meetings or Executive Board Meetings may be called at a time and place selected by the President. Posting of notice in prominent places of the Law School or via electronic mail three (3) days in advance shall be to all members of any meeting.
3. Executive Board Meetings and General Meetings shall be open to all members except by majority vote of the Executive Board.

ARTICLE XI - ELECTION CODE

1. **Candidates Requirements and Certification.**
 - a. All candidates shall be UNM law students.
 - b. For a candidate to be certified, he/she must meet all requirements specified in this constitution.
2. **Positions with multiple representatives.**

- a. Other than Board Members-at-Large, any position may be shared by two persons as co-officers with each accepting the full duties and obligations of the office in collaboration with their co-officer.
 - b. When electing representatives for a position for which there are two representatives, students may vote for up to two out of the total candidates. The two candidates who receive the most votes in the election shall serve as the duly elected representatives.
 - c. In any instance where there is only one candidate for a position allowing for two representatives, the President may either appoint a second representative or allow the one candidate, once elected, to fulfill the duties of both representatives if possible.
 - d. The president may appoint co-officers on an interim basis, subject to election or ratification by the Executive Board at the next Executive Board Meeting, and by the membership at the next General Meeting
3. **Voters.** Every NMDLASC member may vote in elections.
4. **Winning.** To win an office in an election, a candidate needs to win a plurality of the votes cast. No candidate may receive more than one vote from any voter. In case of a tie, a run-off election shall be held, with those tied with the most votes placed on the second ballot.
5. **General Election Dates.**
 - a. Fall Elections will be held on a date determined by the Executive Board.
 - b. Spring Elections will be held on a date determined by the Executive Board.
6. **Announcement, Times, and Places for Election Activities.**
 - a. The Executive Board shall establish and post this information at least seven

(7) days prior to the Fall and Spring Elections and any Special Elections:

- i. Officers and Representatives to be elected, eligibility requirements of the office, per the constitution, and deadlines.
- ii. The location, dates and hours of the election and tabulation and posting of the results.

7. **Notice of Complete Election Information:** Notice will be placed in each student's electronic mailbox or mailbox within 18 hours after the candidate Filing Deadline. This notice will include the day and date of elections, all ballot positions, and all certified candidates, as well as the date and time of a Candidates' Forum. At the Candidates' Forum, all certified candidates will have the opportunity to speak about their candidacy, and to receive questions from other Students.

8. **Vote Counting.**

- a. Votes shall be counted by the Executive Board by midnight of elections day, and the uncertified results, including the number of votes received by each candidate, posted by 9 a.m. the following day.
- b. Each candidate has a right to one recount. A recount demand must be made in writing and presented to any Executive Board member by 6:00 p.m. on the day results are posted.
- c. If "no confidence" receives greater than 50% of the votes for any position, a run-off election shall be held as per section 9 below.

9. **Run-off Elections shall be held within two school days after the certification of the election that ended in a tie.**

10. **Positions open for election.**

- a. Each election held will pertain only to open positions. Open positions are established by resignation, termination, graduation or additional Executive Board positions created by the active Executive Board.

ARTICLE XII – AMENDMENTS

1. Amendments to this Constitution must be approved by a majority of the Executive Board, and must be provided to the membership for comments.
2. If any members object to the proposed amendment, the Executive Board must hold a hearing to listen to comments on the amendment. After the hearing, the Board shall again vote on the amendment, and the result of the vote shall be final.
3. Amendments to this Constitution must be dated and added in this section, beginning with the title Amendment and the date of the amendment's passing. An example is:

“Amendment 1, September 16, 2020”

ARTICLE XIII – EFFECTIVE DATE

This constitution was ratified and is effective as of February 27th, 2023.