

University of New Brunswick Law Students' Society Constitution

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Preamble

- The UNB Law Students' Society represents the interests of law students in all aspects of student life.
- The Society provides social, academic, and professional development opportunities for law students.
- The Society achieves these goals through responsive, transparent, and strategic advocacy and with the focus on building and encouraging an inclusive, accessible, and diverse community.

Last reviewed in April, 2019.
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2020.

Article I – Definitions

“Academic Year” = one Fall Semester and one Winter Semester, consecutively, commencing in September

“Society” = the Law Students Society of the University of New Brunswick

“Class” = members of a given graduating year.

“Member” = any students of the Faculty of Law.

“Executive” = the President, Vice President, Treasurer, and the First Year Executive.

“Representative” = A member elected for a given class, who is not a member of the Executive.

“Council” = the collective body of Representatives and Executive.

“General Meeting” = a meeting of the Executive and the Council which is open to Members.

“President” = the chief executive officer of the Society.

“Treasurer” = the chief financial officer of the Society.

“Vice President” = the chief administrative officer of the Society.

“First Year Executive” = the chief secretary of the Society.

“Faculty Council” = A faculty body comprised of the law school faculty, one student representative from each year and the President of the Society.

“Committee” = a group which is delegated authority from the Executive to operate over a specific area.

“Clubs and Societies” = Distinct organizations under the Society led by students, which are independent of the Executive but [may] receive funding from the Society.

“Mental Health Ombudsperson” = an officer and advocate for fairness in general for the benefit of all students and the university community as a whole.

Article II – Executive Members

1. The President, Vice President and Treasurer will hold office for a period of twelve (12) months commencing June 1 of the respective year.
 - a. The first year Executive shall hold office for the Academic Year in which they were elected.
2. Each Executive Member shall at each General Meeting and at each Council Meeting submit and explain a report detailing activities undertaken and duties performed on behalf of the Society.
3. The Executive Members shall meet at minimum once per week to conduct the business of the Society.
4. The duties of the **President** are:
 - a. To oversee the affairs and set strategic direction and objectives for the Society;
 - b. To represent the Society to University administration, external stakeholders, and media;
 - c. To act as an advocate for academic and student related issues;
 - d. To represent the Society as an *ex officio* member of Faculty Council and to appoint student representatives to all Faculty Council related committees;
 - e. To meet with the Dean and Associate Dean monthly;
 - f. To organize and chair meetings of the Executive Members, Education & Advocacy Committee, CANs Database Committee, and Constitutional Review Committee;
 - g. To oversee and support the Chair of Speaker's Hour and Graduation Committee; and
 - h. To perform other duties as by resolution instructed by a General Meeting or by a Council Meeting.
5. The duties of the **Vice President** are:
 - a. To assist the President in the performance of the duties set out in s.4 and to perform duties of First Year Executive until one is elected by first year class;
 - b. To manage and co-ordinate all Society communications including: regularly updating the official Calendar, Website, Newsletter, Email, and Social Media pages;
 - c. To manage and co-coordinate all Student Lounge operations, lockers distribution, and internal Society operations;

- d. To manage and co-ordinate, clubs and societies, charities, including: maintaining society/club records, communications, society ratification, organizing the society fair, and the bi-annual president's meeting;
- e. To oversee the organization and execution of all Society events including: the Society Fair, 2nd Semester Event, and Kangaroo Kourt;
- f. To oversee and support the Intramurals Coordinator and Orientation Week Chair; and
- g. To perform duties assigned by the President, and to perform the duties of the President in the event that the President is unwilling or unable to do so.

6. The duties of the **Treasurer** are:

- a. To receive, disperse, and maintain all funds accounts payable and receivable to the Society, including overseeing the collection of the Membership fee;
- b. To prepare and present an annual budget for the Society;
- c. To maintain adequate records of the finances of the Society, and to present and explain at Council Meetings any discretionary expenditures since last Council Meeting;
- d. To prepare and present Financial Statements:
 - i. Dated December 1 and March 1,
 - ii. When requested by resolution by a Council Meeting, and,
 - iii. When requested by no fewer than twenty (20) members of the Society in writing;
- e. To prepare and present the Law Faculty Endowment Fund Application and all other funding requests;
- f. To perform such other accounting functions as sound fiscal management requires;
- g. To oversee and support the Social committee, Charity auction, and Yearbook; and
- h. To perform the duties of the President in the event that the President and the Vice President are unwilling or unable to do so.

7. The duties of the **First Year Executive** are:

- a. To assist in the performance of the duties of other executive members;
- b. To post public notices of all activities of the Society to the First Year Class;
- c. To meet and liaise with the 1L Representatives to address concerns of the First Year Class and to organize a First Year Class event per Semester;
- d. To assist the Vice President in the organization and execution of Society events;
- e. To keep a current record of all members of the Society and to prepare all correspondence of the Society and to maintain all Society noticeboards;
- f. To prepare and publicize detailed minutes of Council Meetings within one week thereof; and
- g. To perform duties assigned by the President and to perform the duties of the President in the event that both the President, Vice President and Treasurer are unwilling or unable to do so.

Article III – Law Students’ Council

8. There shall be a Law Students’ Council, which shall be comprised of:

- a. The Executive Members as enumerated in sections 4-7,
- b. Two (2) Representatives who are elected by, and are members of, the Third Year Class,
- c. Two (2) Representatives who are elected by, and are members of, the Second Year Class, and
- d. One (1) Representative who is elected by, and is a member of, each First Year Section.
- e. One (1) Mental Health Ombudsperson who is elected by all members in good standing of the LSS.
- f. Three (3) Faculty Council Members, from each Class, who are elected by, and are members of their respective classes.

9. Representatives shall hold office for the Academic Year for which they are elected.

10. The duties of **Representatives** are:

- a. To attend, participate, and vote in Law Student’s Council meetings;
- b. To represent the concerns and suggestions of their respective classes;
- c. To relay all Society information to their respective classes;
- d. To participate in at least one Society Committee;
- e. To assist in the distribution of the Student Opinion Teaching Surveys; and
- f. To assist the Executive Members with initiatives and events.

Article IV – Chair of the Society

11. There shall be a Chair of the Society.

- a. The Chair of the Society for the upcoming Academic Year shall be appointed at the final Council Meeting of each Academic Year and shall take office on September 1.

- b. The Chair shall be selected by the Law Students' Council from the Members of the Society between March 1st and April 1st of each year and who will be a student in the upcoming year.

12. The duties of the **Chair of the Society** are:

- a. Chairing General Meetings and Council Meetings,
- b. To prepare and publicize an agenda for each General Meeting or Council meeting at least four (4) days in advance,
- c. Interpreting this Constitution,
- d. Ruling in writing on any constitutional question put forward by a Member,
- e. Ruling on Conflicts of Interest, and
- f. Carrying out all elections pursuant to Article VII.

Article V – General Meetings

13. There shall be at least one General Meeting of the Society each Semester during the Academic Year.

- a. The Annual Budget shall be approved by a General Meeting in September of each Academic Year subject to section 13.c.
- b. Each Member may propose, speak to, and vote on a motion before a General Meeting.
 - i. In the event of a tie, the Chair of the Society shall cast the deciding vote and shall not vote otherwise.
 - ii. In the absence of the Chair of the Society, an otherwise duly-constituted General Meeting may appoint any Member to act as Chair *pro tem* for the purpose of presiding over that General Meeting.
- c. In lieu of one annual budget, two semester budgets may be approved by a General meeting within an Academic Year. The first semester budget must be a Fall budget and approved within four weeks of the start of the Fall Semester of the Academic Year and that budget must span from September to January 15th of the following semester. The second semester budget must be approved in the first three weeks of the start of the winter semester and cover the rest of the Academic Year.

14. No General Meeting may conduct business with fewer than 50 Members in attendance.

15. Additional General Meetings may be requisitioned by:

- a. The President,
- b. Resolution passed at a Council Meeting, or
- c. Any thirty (30) Members.

16. Requisitions pursuant to subsection (1) shall be directed in writing to the Chair of the Society, who shall on receiving a sufficient requisition schedule a General Meeting within one week and inform all Representatives and Executive Members.

Article VI – Council Meetings

17. There shall be at least five Council Meetings per semester during the Academic Year.
18. Each member of the Law Students' Council, with the exception of the Mental Health Ombudsperson may propose, speak to, and vote on motions before a Council Meeting.
 - a. The Mental Health Ombudsperson may propose and speak to motions before a Council Meeting.
 - b. In the event of a tie, the Chair of the Society shall cast the deciding vote.
19. All Council Meetings shall be open to all Members, and any Member may speak to or propose a motion.
20. No Council Meeting may conduct business with fewer than two Executive Members in attendance.
21. No Council Meeting may conduct business with fewer than three (3) Representatives in attendance.
22. At any Council Meeting, the number of members required to constitute a quorum shall be a minimum of six (6) members of the LSS Council, including any two members of the LSS Executive.
23. the absence of the Chair of the Society, an otherwise duly-constituted Council Meeting may appoint any Member to act as Chair *pro tem* for the purpose of presiding over that Council Meeting.
24. A Council Meeting may be requisitioned by:
 - a. The President,
 - b. Any two (2) Executive Members,
 - c. Any four (4) Representatives, or
 - d. Any fifteen (15) Members.
25. Requisitions pursuant to subsection (1) shall be directed in writing to the Chair of the Society, who shall on receiving a sufficient requisition schedule a Council Meeting within one week and inform all Representatives and Executive Members.
26. Discretionary expenditures of monies on behalf of the Society which equals or exceeds \$300.00/month must be approved, amended, or rejected in advance by resolution passed by a Council Meeting.

Article VII: Elections

27. The Chair is the Chief Returning Officer (CRO).
 - a. The CRO may appoint deputy returning officers to assist with the duties of the CRO.
 - b. The CRO shall accept nominations in accordance with section 35 and 36.
 - c. The CRO shall post, no later than twenty-four hours after the close of nominations, notice of all nominations received.
28. The CRO may prescribe rules within which a candidate's campaign shall be conducted.
 - a. The election may be held in person, electronically, or through any alternative delivery method that is deemed necessary.
29. The CRO shall post no later than twenty-four hours after the close of the polls, notice of results of the election.
30. If the election is held with paper ballots, the CRO will count the number of votes in the presence of another member, and appoint two other members to count the votes.
 - a. If there is a discrepancy between the results a third count will be done.
31. In the event there are allegations of electoral irregularities, the CRO shall recuse themselves from the process.
 - a. The LSS Council shall appoint an interim CRO to supervise the election.
 - b. The CRO, in consultation with each candidate in election, will determine a course of action appropriate for the circumstances, which may include running a new election.
32. If the CRO resigns from his or her position during the Academic Year, the Council shall appoint an Interim Chair for the remainder of the Academic Year pursuant to s.10(3).
 - a. The Interim Chair is subject to the same duties as the Chair pursuant to s.10.
 - b. The Interim Chair is not precluded from being considered for the position of LSS Chair in the upcoming Academic Year.
33. All members who will be returning as students the following year are eligible to vote for President, Vice President, Treasurer, and Mental Health Ombudsperson.
34. Only those members of the class represented are eligible to vote for the First Year Executive and their respective section representatives.
35. Nominations for all offices shall be:
 - a. Signed by the candidate, and
 - b. Signed by ten (10) members of the nominee's respective class and section.
36. Nominations close at 5 p.m. on a reasonable date as fixed by the Council.

37. The candidate receiving the largest number of votes for their position shall be declared the winner.
- a. In the election of Council Representatives each Member shall have as many votes as there are Council positions available.
 - b. In the event of a tie, a run-off election between the candidates who tie shall be held on the first Monday following the day on which the election was held.
 - c. In the situation where an individual is the only person nominated for a position a confidence vote will be held to affirm the candidate to office, which shall require an approval of 50% plus one of the votes submitted.
 - i. In the event of a failed confidence vote, nominations for a by-election, pursuant to s. 30, shall be opened on the first Monday following the day on which the election was held.
38. Elections shall be held on two consecutive school days of the same week.
- a. No vote shall be conducted on Fridays.
 - b. The opening and closing times of the polls will be advertised by the CRO.
 - c. Subject to s.29 elections for all positions shall be held no earlier than February 15 and no later than March 1 annually.
 - d. Notice of a general election shall be given at least fifteen days prior to the day on which the election is held.
39. A special election shall be held by the last day of September to elect;
- a. A First Year Executive;
 - b. Two (2) First Year Council Representatives in accordance with s. 8(4), and;
 - c. A First Year Faculty Council Representative.
40. If a vacancy occurs:
- a. After December 10 and before the end of the first term, or
 - b. After April 10 and before the end of the second term, then the by-election shall be deferred until the next term.
 - c. If a vacancy occurs after March 15 and before April 10, the CRO may defer the by-election until the special election provided for in section 29, and the notice provisions of section 29 apply to that by-election.
 - d. Unless a by-election is deferred under s. 30 (1) or (2), notice of a by-election shall be given at least 7 days prior to the day on which the election is held.
 - e. Unless a by-election is deferred under s. 30 (1) or (2), nominations close at 5:00 p.m. two days prior to the day on which the vote is held.

Article VIII: Faculty Council

41. The Faculty Council Members shall represent the Members of the Society at Faculty Council Meetings. Each class shall be represented by one (1) Faculty Council Member.
42. Faculty Council Members shall be elected for a term of one (1) year by the members of their class and shall sit at Law Students' Council meetings as voting Members.
43. In the event that a Faculty Council Member is unable to fulfill their duties, one of the Representatives for that year will assume those duties until the appropriate procedures are followed to replace the vacancy as per s.40.
44. The duties of a **Faculty Council Members** are:
 - a. To attend, participate, report at, and vote in Law Students' Society Council and Faculty Council Meetings;
 - b. To represent the concerns and suggestions of their respective classes to Faculty Council;
 - c. To relay Faculty Council information to their respective classes;
 - d. To assist in the distribution of the Student Opinion on Teaching Surveys; and
 - e. To assist Executive Members with initiatives and events.

Article IX: Finances

45. Two Executive Members shall sign all cheques issued by the Society.
46. The President, Treasurer, and Vice-President shall have signing authority.
 - a. This process must be facilitated by the out-going Treasurer prior to June 1st.
47. Subject to s. 22 and 37, the Executive Members may not make any expenditure which has not been authorized under the budget or been given prior approval at a weekly meeting of the Executive.
48. (1) Three Executive Members shall approve all payments in excess of one hundred fifty dollars (\$150.00) from any contingency fund provided for in the budget.
49. Subsection (1) applies to single payments and to several payments made for a single purpose.
50. Approval under subsection (1) may be obtained at any meeting other than a budget meeting.
51. Executive Members are authorized to approve spending under \$150, which must be reported to LSS Council
52. The fiscal year of the Society begins on September 1 and ends on August 31 annually.
 - a. All outstanding accounts payable must be accounted for prior to June 1st.

Article X: Notice

53. Any notice to be given under the Constitution shall be given by posting in a conspicuous place a notice stating the required information.

Article XI: Conflicts of Interest

54. No Executive Member, Representative, Faculty Council Member, or Mental Health Ombudsperson may act in a position where the interests of the society or its members conflict with the interests of the officer, representative or employee.
55. An Executive Member, Representative, Faculty Council Member, or Mental Health Ombudsperson who is in a conflict of interest shall, at any meeting at which a matter gives rise to a conflict of interest is discussed, must disclose the conflict and disqualify himself or herself from voting on any motion relating to the subject-matter of the conflict.

Article XII: Impeachment

56. An Executive Member, Representative, Faculty Council Member, or Mental Health Ombudsperson may, subject to section 42, be impeached at any duly- constituted:
 - a. Meeting of the Law Students' Council, with a 2/3 majority vote, or
 - b. General Meeting of the Law Students' Society, with a simple majority vote.
 - c. Notice of a motion to impeach shall be given at least seven days prior to the day on which the meeting is held
57. Any member of Council shall be removed if they miss two consecutive meetings without reasonable cause, or for missing four meetings in total, unless Council votes to affirm that member's status on Council.

Article XIII: Amendments

58. The Constitution may be amended:
 - a. At any General Meeting or;
 - b. By Referendum.
59. Notice of a motion to amend the Constitution shall be given at least seven days prior to the day on which the meeting or referendum vote is held.
60. If amended at a General Meeting, a motion to amend the constitution must pass by a majority of two-thirds of the Members who attend the meeting.
61. If amended by Referendum, a vote to amend the constitution must pass by a majority of two-thirds of the members who cast a vote.
62. The Constitution must be reviewed every 3 years.

Article XIV: Transition

63. All LSS Representatives and Officers are required to provide a reasonable transition document to their respective successor prior to June 1st.