

# **Constitution of the Buffalo Public Interest Law Program**

**“There Is No Justice Without Equal Access”**

July 23, 2020

## **Preamble**

The Buffalo Public Interest Law Program (BPILP) was founded at the University at Buffalo School of Law (Law School) in 1979. The goal of its founding members was to encourage law students to use their talents to bring equal access to those in need of legal help. Since 1993, this goal has been accomplished through providing competitive fellowships to law students who spend their summers working in the public interest sector. BPILP also works to connect law students with public interest employers through networking events. BPILP’s goal is to help and encourage law students to work and participate in the public interest sector to provide legal access to those in need of legal help.

## **Article One. Membership**

1. Generally.
  - a. The members of BPILP shall include the Executive and Associate Members. The terms “member” and “membership” as used in this Constitution shall refer to the members as here defined.
    - i. An “Executive Member” holds a position on the Executive Board.
    - ii. An “Associate Member” is any non-Executive Member.
2. Powers. The members shall have the following powers:
  - a. to amend this Constitution pursuant to Article Eight;
  - b. to vote by referendum on a proposal by the Executive Board to remove an Executive Member from their position or to expel any members, provided that removal of an Executive Member from their position or expulsion of a member requires a vote by two-thirds of the members; provided further that

the removed Executive Member from their position or member shall be given notice and an opportunity to be heard; and

- c. to make recommendations to the Executive Board.

## Article Two. Executive Board

### 1. Generally.

- a. The Executive Board shall be composed of the:

- i. President;
- ii. Vice President;
- iii. Chair of Fundraising;
- iv. Outreach Coordinator; and
- v. Programming Chair.

b. Any of the positions listed in Article Two, Section 1.a. may exist as a Cooperative Position (e.g. Co-President, Co-Vice President, etc.), and are not limited by Article Two, Section 1.a.

i. The term “Cooperative Position” shall refer to a position, as listed in Article Two, Section 1.a., held by two or more members during a single academic year.

c. All Executive Members must be enrolled and in attendance at the Law School, or in the case of dual degree students, must be enrolled and in attendance either in the Law School or the dual graduate program, during both semesters of the year in which they have been elected to serve as an Executive Member. Executive Members who learn that they will be absent for a semester (for whatever reason) must resign from their role on the Executive Board.

### 3. Powers. The Executive Board shall have the following powers:

- a. to adopt, repeal, or amend the Constitution of the BPILP;
- b. to determine BPILP policy;
- c. to authorize the expenditure of BPILP funds;
- d. by vote of two-thirds of the Board members, to propose a referendum, subject to Article One, Section 2.b., to remove an Executive Member

from their position for cause; provided that no Executive Member be removed from their position without notice and opportunity to be heard; and

e. by vote of two thirds of the Board members, to propose a referendum, subject to Article One, Section 2.b., to expel any Associate Member; provided that no Associate Member may be expelled without notice and opportunity to be heard.

3. Meetings, committees.

a. General meetings of the Executive Board shall be held regularly.

b. Special meetings may be called by the President.

c. For any meeting of the Executive Board, a quorum shall be a majority of Board members.

d. The Programming Chair shall act as the secretary and shall compile, maintain, and distribute the minutes of all Board meetings.

e. Meetings of the Executive Board shall be open to all members, unless closed by a vote of a majority of Board members or by the President.

4. President.

a. The President oversees all fundraising, outreach, and social programs performed by BPILP. The President performs administrative tasks, oversees the workings of the group as a whole, and supports the other Executive Members.

b. The President's duties shall include, but are not limited to:

i. implementing all policies and directives of BPILP as defined by this Constitution and resolutions of the Executive Board

ii. serving as the main point of contact between BPILP and Law School administration;

ii. serving as the main point of contact between BPILP and other student-run, Law School organizations;

iv. presiding at all BPILP meetings;

v. arbitrating all disputes among BPILP members;

vi. making immediate preliminary decisions in matters that, in their judgment, constitute an emergency; and

vii. interpreting the meaning of any portion of this Constitution and to apply it in a manner consistent with the goals, policies, and best interests of BPILP.

5. Vice President.

a. The Vice President aids the President in overseeing fundraising, outreach, and social programs performed by BPILP.

b. The Vice President's duties shall include, but are not limited to:

i. monitoring Associate Member's BPILP hours;

ii. seeking and reviewing non-BPILP sponsored or co-sponsored opportunities to be made available for BPILP hours;

iii. serving as the primary writer of Constitutional Amendments and By Laws;

iv. organizing and coordinating, with the Outreach Coordinator, any BPILP general information meetings; and

v. aiding in running the annual BPILP auction.

6. Chair of Fundraising.

a. The Chair of Fundraising organizes fundraising efforts and periodic BPILP mailings to alumni, donors, and businesses.

b. The Chair of Fundraising's duties shall include, but are not limited to:

i. organizing the annual BPILP auction;

ii. recruiting Associate Members to participate in fundraising efforts and periodic BPILP mailings to alumni, donors, and businesses; and

iii. serving as the master of ceremonies for the annual BPILP auction.

7. Outreach Coordinator.

- a. The Outreach Coordinator organizes all BPILP sponsored or co-sponsored internal Law School functions.
- b. The Outreach Coordinator's duties shall include, but are not limited to:
  - i. organizing all BPILP sponsored or co-sponsored internal outreach programs;
  - ii. recruiting Associate Members to participate in outreach programs;
  - iii. organizing and coordinating, with the Vice President, any BPILP general information meetings; and
  - iii. aiding in running the annual BPILP auction.

8. Programming Chair.

- a. The Programming Chair plans and organizes the BPILP social events.
- b. The Programming Chair's duties include, but are not limited to:
  - i. organizing any BPILP bar nights and other social events;
  - ii. recruiting Associate Members to participate in social events;
  - iii. acting as the secretary and compiling, maintaining, and distributing the minutes of all Board meetings; and
  - iv. aiding in running the annual BPILP auction.

Article Three. Associate Members

1. Generally.

- a. All Associate Members must be enrolled and in attendance at the Law School, or in the case of dual degree students, must be enrolled and in attendance either in the Law School or the dual graduate program, during either the Fall or Spring semester of the year in which they are an Associate Member. Associate Members who learn that they will be absent for a semester (for whatever reason) may remain an Associate Member during their absence, but must recognize their absence may impact their ability to receive a fellowship.

2. Duties. Associates Members shall have the following duties and powers:
  - a. Perform assigned or recommended BPILP tasks for BPILP hours;
  - b. Conduct meetings and submit formal recommendations regarding BPILP operations to the Executive Board;
  - c. Organize committees to help advance and improve BPILP.

#### Article Four. Elections

1. Elections shall be held during the spring semester or summer, on a date selected by the current Executive Board.
2. Nomination.
  - a. Any member may nominate any non-graduating member for an Executive Board position.
    - i. The nomination period shall begin no sooner than two weeks before the elections, but no later than one week before the elections, and will run up until one day prior to the elections.
    - ii. To submit a nomination, a member should submit the nominee's name, year, and position by email to the President, Vice-President, and Programming Chair.
    - iii. To accept a nomination, nominees must submit a brief paragraph detailing relevant experience and interest in the specified position.
    - iv. A nominee's brief paragraph will be made to all members, by email, at the close of the nomination period.
  - b. Any members interested in pursuing a Cooperative Position must jointly submit a proposal of intent to pursue such Cooperative Position, by email, to the President, Vice-President, and Programming Chair on or before a certain date and time, determined by the Executive Board, during the nomination period.
    - i. A proposal of intent to pursue a Cooperative Position shall include a brief paragraph detailing:
      - A. relevant experience and interest in the specified position by each of the interested members, and
      - B. a brief paragraph detailing the perceived benefits and purpose of pursuing a Cooperative Position.

ii. Any proposal under this sub-section shall be reviewed and voted upon by the Executive Board within a reasonable time after the close of the period wherein proposals of intent to pursue a Cooperative Position may be submitted. The any members involved in said proposal will be notified as to the result of the Executive Board's vote as soon as reasonably possible, but at least one day prior to the close of the nomination period.

A. If a proposal is rejected, any members involved in the rejected proposal are effectively nominated for the position and may submit a brief acceptance paragraph, as described in Article Four, Section 2.a.iii., prior to the close of the nomination period.

B. If the proposal is accepted by the Executive Board, the proposal will be made to all Members by email at the close of the nomination period.

3. Voting.

a. Voting will take place via online survey.

b. The online survey will open on a date specified by the current Executive Board following the nomination period detailed in Article Four, Section 2.a.ii.

c. The voting period will last at least one week, and may be extended by a vote of the Executive Board. The Executive Board will provide notice of any extension made under this sub-section as soon as reasonably possible.

d. Results of the election will be released to all members no later than one week after the end of the voting period.

e. Member's votes will be anonymous and numerical results shall not be announced.

i. The President shall review the results of the online survey at the end of the voting period and may share deanonymized, numerical results with the other members of the Executive Board.

f. A transition period shall last from the date results are released until the day of commencement, as determined by the Law School, whereupon the newly-elected incoming Executive Board shall be vested with their full powers and responsibilities under this Constitution. The division of powers and responsibilities during the transition period between the current Executive Board and the newly-elected, incoming Executive Board shall be at the discretion of the current President.

### Article Seven. Faculty Advisors

1. There shall be one or more faculty advisors to BPILP appointed by the Dean at the invitation of the Executive Board. The faculty advisors may attend and contribute to all meetings of the Executive Board.

a. The Executive Board shall submit the intended responsibilities of each faculty advisor to the Dean with their invitation. Intended responsibilities may include, but are not limited to, the roles of: Auction Advisor, BPILP Advisor, Fellowship Advisor, Special Programs Advisor, etc.

### Article Eight. Amendments and By Laws

1. Constitutional Amendments.

a. Generally.

i. The power to amend this Constitution (including addition of By-Laws) shall be vested in the Executive Board. Any article or section of this Constitution shall be amended by a simple majority of all Executive Members.

A. Quorum is required to pass an amendment. Quorum is achieved when a simple majority of the Executive Members is available to vote.

B. Absentee votes will be accepted and will count towards quorum. This includes online survey voting.

b. Procedures.

i. Any member may propose an amendment by presenting the amendment to the President. The President may make the proposed amendment available to all members. The amendment shall be voted on by the Executive Members after:

A. the amendment has been presented to all members,  
and

B. a reasonable period of time has been allowed for consideration of the amendment, provided, however, that neither minor changes in the language or punctuation of any proposed amendment nor minor substantive changes to the proposed amendment resulting from the ordinary course of consideration of, and accommodation with regard to, such proposed amendment shall prevent passage of such proposed amendment.



2. By Laws.

a. Generally.

i. The Executive Board may establish By Laws. By Laws include, but are not limited to, procedures, policies, and further delineation or restriction of powers and duties of members as are necessary and proper, and are not inconsistent with the provisions of this Constitution. By Laws must be approved in the same manner as Constitutional Amendments.

Article Nine. Fellowships

1. Generally.

a. Fellowships shall exist solely to advance the mission of BPILP to bring equal access to those in need of legal help.

b. Fellowships shall consist of funding made available to BPILP during the prior academic year through internal fundraising.

i. Fundraising may consist of, but is not limited to, the BPILP auction, bake sales, donations given by alumni, independent donors, and businesses, and bar night functions.

2. Eligibility requirements.

a. All members may be eligible to receive BPILP Fellowship funding provided that an eligible member has performed their duties under Article Three, Section 2.a.

3. BPILP tasks and BPILP hours.

a. BPILP hours shall be gained by completing tasks assigned or recommended by the Executive Board.

i. Members may propose additional events or opportunities to gain BPILP hours to the Executive Board for review. Any additional event or opportunity shall be voted upon by Executive Board before hours gained during the additional event or opportunity may be counted towards BPILP hours.

4. Fellowship terms.

a. The Fellowship shall be governed by the terms set forth in the Fellowship terms document, provided at the time the Fellowship is granted.

b. In the event that any language or requirements so embodied in the Fellowship terms document permit an interpretation inconsistent with any provision of this Constitution, then in each and every such event the applicable provisions of the Fellowship terms document shall govern.