

# NATIONAL LAWYERS GUILD COLORADO CHAPTER BYLAWS

## ARTICLE I - NAME AND PURPOSE

### Section 1. Name

The name of the organization shall be the National Lawyers Guild Colorado Chapter.

### Section 2. Purpose and Affirmation of Principles

#### *A. The State Chapter*

The National Lawyers Guild Colorado Chapter ("NLGCO") is a membership organization of lawyers, law students, legal workers, jailhouse lawyers, and legal observers that is dedicated to the need for basic change in the structure of our political, economic, and judicial system. We consider the law an instrument for the protection of the people and Mother Earth and her inhabitants, rather than an apparatus for their oppression.

#### *B. Statement of Principles*

This organization operates in coalition with many communities and organizations. We seek to operate this chapter according to non-hierarchical principles of solidarity, and therefore commit to work guided by the following principles:

**Compassion.** Our first goal is to focus on the needs of the communities and individuals we represent, and the expressed wishes of the communities with whom we work. Egos and agendas (political, religious, professional, or otherwise) must not interfere with this. We are expected to look after one another and to ensure safety, both as individuals and as a collective membership. If you see someone that needs something, help them.

**Humility.** Certifications, skill level and experience will be respected in regard to our work. Both professional expertise and lived experience will be respected regarding organizing and educational work. They will not, however, translate into a hierarchy of duties or division of labor. Everyone can clean toilets, organize supplies, wash dishes, and pick up after themselves. Before speaking or asking for something, consider whether your question or comment needs to be addressed or whether you can find the information on your own.

**Respect.** Everyone will be treated with respect and dignity, regardless of type of case, identity, or social status of any kind, including developmental, physical, and psychiatric disabilities and chemical dependencies. Chapter members and guests from the community will be talked with, not at or about in front of them. Legal jargon will be explained in clear and understandable terms. When training and/or orienting new members and volunteers, nobody will be objectified.

**Generosity.** We ask that members give to this organization and movement more than they take. We aspire to work with a mind towards solidarity. Every effort will be made to assess skill and willingness

to volunteer among our members and visitors, and to include as many members of the community in this work as is ethically and logistically possible.

**Wisdom.** When working together we will prioritize and center the voices and opinions of people from non-dominant groups that have historically been silenced or ignored. We recognize that the duty to protect client confidentiality and the attorney-client privilege is sacred. The reputation, integrity, and confidentiality of any of our members, visitors, allies, and volunteers will also be strictly respected.

**Courage.** Everyone will be sensitive to issues of oppression and privilege. Please gently confront oppressive behavior in others and be willing to have your own oppressive behavior recognized and confronted. Respect people's time and labor, and seek guidance on how to call out and confront oppression graciously, and how to be generous if you are called out or confronted.

**Patience.** Everyone will recognize their own competencies and limitations. Training and growth opportunities, both legal and cultural, will be ongoing for all members, no matter their age, background, or experience. If you have an idea or suggestion, consider whether you can commit to implementing the idea or suggestion before offering it.

We have organized to:

1. Promote justice in the administration of the law.
2. Constitutions, the law, and the administrative and judicial agencies of government;
2. Protect and foster democratic institutions, making such systems responsive to the will of the people;
3. Maintain and protect the human and civil rights and liberties of all the people, animals, nature, and the Earth in the face of persistent attacks;
4. Eliminate economic and social oppression of all minority groups;
5. Improve the relations between the legal profession and the community at large; and
6. Encourage a genuine concern for racial, ethnic, gender, sexual orientation, age, ability, status, social, cultural, economic, and political justice aspects and the interests and rights of humans, animals, nature, and the Earth within legal education.

### *C. The National Organization*

NLGCO is an independent state chapter of the national body of the National Lawyers Guild (the "National Organization") and:

1. Serves as a network linking National Lawyers Guild members with each other both locally and nationally;
2. Provides political and material support for members who are in furtherance of the goals of the organization;
3. Provides support for political and social movements through coalition work legal representation by individual members of the Guild, and by informing our members, members of the legal community, and the general public on issues which are consistent with the principles embodied in the preamble to the National Lawyers Guild Constitution and Resolutions passed by the National Organization: and
4. Undertakes projects which further the goals of the National Organization.

## **ARTICLE II - MEMBERSHIP**

### **Section 1. Eligibility for Membership**

Membership is open to any lawyer, law student, legal worker, jailhouse lawyer, or legal observer who is a member in good standing with the National Organization, lives or practices in Colorado, and supports the purpose and affirmation of principles in Article I, Section 2. Applicants shall be admitted by applying for membership electronically or in writing to the National Office and being accepted into membership by the same.

The chapter expects that all attorney-client and attorney work-product privileges and protections, as well as First and Fifth Amendment privileges, are applicable to members' work in the chapter. Where relevant, when members serve as agents or and/or attorneys representing clients as part of chapter work, such members agree to invoke these privileges if asked at any time about information related to a case with the chapter.

If a member receives a subpoena from law enforcement or any government agency arising out of work with the chapter, the member is to immediately inform the chapter in writing and seek counsel in order to fight disclosure of any confidential information. Members agree to fully cooperate in any efforts to quash subpoenas or other legal process related to chapter work if at any time served with such process related to work with the chapter.

Membership is not permitted for individuals who are employed in any capacity by any law enforcement or private security entity, prosecutorial agency, or other similar organization (or by the agents of such organizations).

Membership is not permitted for individuals acting as an informant, infiltrator, or agent of any government agency, or with any non-government entity whose interests may be in conflict with the mission, vision, and bylaws of this chapter and the national Guild.

Members are required to immediately advise the chapter and national office in writing if, during the course of their membership, they become an informant or agent of any government agency or non-government entity whose interests may be in conflict with the interests of the chapter.

Regarding work of the chapter, members will not knowingly deliver any confidential information to any government entity, law enforcement agent or agency, or to any private person who is not an authorized recipient of confidential information.

### **Section 2. Annual Membership Contributions**

The National Organization sets the amount suggested for annual dues in its membership application, as amended from time to time. Continued membership is contingent upon being up-to-date with all membership requirements.

### **Section 3. Rights of Members**

Each member shall be eligible to vote at the annual meeting and on any interim issue open to membership vote.

#### **Section 4. Restriction of Privileges and Termination**

##### *A. Resignation*

Any member may resign by submitting a written resignation letter, with signature and means of contact for verification, to any member of the Steering Committee.

##### *B. Failure to Satisfy Requirements of Membership*

1. Upon the written notification of no less than three NLGCO members regarding the actions of any one specific member failing to satisfy the requirements of membership set forth in Article II Section 1 the following will occur:
  - a) The Steering Committee shall review the complaints. If a simple majority of the Steering Committee determines that the complaints have merit, then a Steering Committee member will give written notice of a failure to satisfy the requirements of membership to the member and request the member correct the failure.
  - b) After the member has received written notice, if any single NLGCO member notifies the Steering Committee that the member has continued failure to satisfy any requirement of membership, and a simple majority of the Steering Committee determines that the complaint has merit, then a "membership consideration" meeting will be held at the following Steering Committee meeting, or in urgent circumstances- an emergency meeting may be called at the discretion of the Steering Committee.
    - i) If a complaint alleges a member is substantially frustrating the aims and purpose of the NLGCO by failing to satisfy any other requirement of membership in Article II, Section 1:

At the membership consideration meeting, if the unanimous Steering Committee decides that the member is substantially frustrating the aims and purpose of the NLGCO, the Steering Committee shall have the power to take any one or more of the following actions:

      - 1) Require "a reconciliation meeting" with at least one of the members who submitted the member complaint to the Steering Committee and any member who wishes to attend. A unanimous Steering Committee will assign a neutral arbiter who will draft a short report to be distributed to any requesting members. A reconciliation meeting is not a disciplinary action, but a resolution device, and neither the persons who submitted the member complaint, nor the person whose membership is under consideration, are to be considered censured.
      - 2) Issue a formal censure or reprimand published to the entire NLGCO membership.
      - 3) Elect to terminate certain privileges of membership including, but not limited to, access to the NLGCO listserve, personal participation in meetings, speaking in the name of NLGCO, or termination or modification of any other privilege of membership.
      - 4) Expel the member from the NLGCO.

Some examples of "substantially frustrating the aims and purpose of the NLGCO" include, but are not limited to, a repeated and persistent failure to communicate respectfully with other members, disclosing confidential NLGCO information to third parties for the purpose of harming the NLGCO, and any intentional misuse of NLGCO financial resources.

2. No disciplinary actions of any kind shall ever be instituted against any member of the NLGCO, except under the conditions in these by-laws.
3. The member and the National Organization will receive written notice of any of the above actions within 48 hours of the Steering Committee's determination.

*C. Responsibilities of Members and Non-disclosure*

1. Responsibility to point out oppressive, hurtful, and exploitative behavior
2. Responsibility to maintain confidentiality.
3. Responsibility to maintain organizational integrity = NO SNITCHES.

**Section 5. Non-Voting Membership**

The Steering Committee shall have the authority to establish and define non-voting categories of membership. Such non-voting membership categories shall include any non-voting categories established by the National Organization. including, but not limited to, the "Friend of the Guild" category.

**ARTICLE III - MEMBERSHIP MEETINGS**

**Section 1. Regular Meetings**

Regular membership meetings shall take place at least four times per year (quarterly), though the steering committee is encouraged to hold these meetings monthly, with efforts to be made for meetings to be accessible outside of Denver.

Among meeting attendees, one member shall be designated to take minutes, which will then be transmitted to the Steering Committee to be stored in a centralized location. One member shall be designated as moderator and meetings shall be moderated according to progressive stack.

**Section 2. Annual Meeting**

An Annual Meeting shall be held for the purpose of electing and installing Steering Committee members and new officers, receiving reports of the activities of NLGCO, and determining the direction of NLGCO for the coming year. The meeting should precede the annual National Convention to facilitate the membership's consideration of any issues to be decided at the National Convention. The Steering Conunittee shall designate the specific time and date. Attendance at the Annual Meeting is open to members, guests, and visitors.

**Section 3. Special Meetings**

Special Meetings are any meetings held in addition to the Annual Meeting. The At-Large Steering Committee members or a simple majority of the Steering Committee may call Special Meetings. A

petition signed by 60% of the voting members shall require the At-Large Steering Committee members to call a Special Meeting in a timely manner. The “petition” can be conducted by e-mail ballot.

#### **Section 4. Quorum**

At any Annual or Special Meeting, a quorum will be composed of no less than four members of the Steering Committee and four additional NLGCO members in good standing. If a quorum is not reached, the At-Large Steering Committee members will not call the meeting to order, will not conduct any NLGCO business, and shall reschedule the meeting as soon as possible and notify the membership.

#### **Section 5. Voting**

A simple majority vote of the members in good standing shall determine the issues voted upon.

### **ARTICLE IV - STEERING COMMITTEE**

#### **Section 1. Steering Committee Size**

The Steering Committee of the NLGCO is responsible for the overall policy and direction of the organization. The Steering Committee shall be composed of volunteer members, elected by the membership, and guided by the core principles as stated in Article I. Leaders of the NLGCO are entrusted stewards of the organization - they do not govern.

The members of the steering committee shall be composed of:

1. Five at-large members elected by the membership, at least one of whom must be a non-attorney legal worker;
2. Two law student members, each elected by the respective CU and DU law school chapters; and
3. Each permanent committee shall elect one liaison to sit on the steering committee.

The five at-large steering committee members have various responsibilities, among which are:

1. Convening the Annual Meeting and any Special Membership Meetings, all Steering Committee meetings, and any other meetings as scheduled by the Steering Committee.
2. Speaking publicly on behalf of the organization, when appropriate.
3. Maintaining the organization's good standing with the NLG, and ensuring that the organization meets any other fiduciary and financial obligations, including oversight of those finances.
4. Maintaining the chapter's finances. These members are accountable for receiving and paying monies on behalf of the organization, keeping the check book and financial records of NLGCO in good order, develop fundraising plans, and make financial information available to the rest of the Steering Committee and the NLGCO members. The steering committee may designate a treasurer for this purpose who shall remain accountable to the steering committee. Financial reports shall be presented at the Annual Meeting, including an annual budget of estimated income and expenses.
5. Keeping the Regional Vice President of NLG apprised of the NLGCO's activities, and vice versa.

## **Section 2. Steering Committee Role**

At the Steering Committee's discretion, it may delegate responsibility of day-to-day operations to staff or committees established by the Steering Committee for specific purposes. The Steering Committee shall have plenary power of NLGCO between Annual Meetings. No litigation, amicus briefs, or any other advocacy shall be undertaken in the name of, or in cooperation with, the NLGCO without the prior approval of the Steering Committee, or a committee created by the Steering Committee for that purpose. The Steering Committee may create committees as needed. Members in good standing may serve on committees.

## **Section 3. Terms**

All Steering Committee members shall serve 18-month terms. Individual members elected to the steering committee may not serve more than two consecutive terms at a time unless there are no other members willing to serve.

## **Section 4. Meetings**

The Steering Committee shall meet at least four times each year (quarterly) at an agreed-upon time and place. Three Steering Committee members or the President may convene meetings upon five days' notice to other members of the Steering Committee, unless good cause and emergency circumstances dictate shorter notice. Steering Committee meetings are open to all members. The Steering Committee shall act as a collective body convened and chaired by five At-Large members. Decisions of the Steering Committee shall be by consensus, whenever possible, and by a two-thirds vote using Roberts Rules of Order when necessary. In between meetings, if emergency issues arise, Steering Committee members may discuss issues and make decisions over email or telephone, as necessary. Any NLGCO business conducted by the Steering Committee in this emergency fashion shall be reported to the NLGCO membership by email to the listserv or recorded in the minutes of the next regular meeting.

## **Section 5. Agenda**

The the five At-Large Steering Committee members shall be responsible for creating a written agenda prior to each Steering Committee meeting to be distributed to the Steering Committee members. The written agenda will be provided to any member in good standing upon request made to the the five At-Large Steering Committee members. Any attorney/client, work product, confidential, or other sensitive information will not appear in the agenda, Any member in good standing can request that an issue be placed on the Steering Committee agenda by contacting the the five At-Large Steering Committee members at least one week in advance of the Steering Committee meeting, unless emergency circumstances require shorter notice. The the five At-Large Steering Committee members will place that issue on the agenda and allow the member to speak to the issue if they so request, unless that members' privileges have been otherwise restricted in accordance with the procedures in Article II, Section 4.

## **Section 6. Quorum**

A quorum of the Steering Committee shall be 40%.

## **Section 7. Elections**

New or current Steering Committee members shall be elected or re-elected by the members at the Annual Meeting. A simple majority of the members present will elect the Steering Committee members. Those members who receive the seven highest number of votes will constitute the Steering Committee. In the event of a tie between the members receiving the seventh and eighth highest number of votes, there shall be a secondary election between just those two members.

### **Section 8. Election Procedures**

At least 45 days prior to the Annual Meeting, the Steering Committee shall solicit nominations for Steering Committee positions, allowing one month for nominations to be received. The Steering Committee shall also actively recruit candidates to encourage new leadership and diversity. The Steering Committee shall submit to the NLGCO membership a list of all candidates responding to the solicitation or recruited by the Steering Committee at least two weeks prior to the Annual Meeting.

### **Section 9. Terminations and Removal**

Resignation from the Steering Committee must be in writing and received by the Steering Committee, with signature and means of contact for verification. A Steering Committee member may be removed for failing to attend more than half the regular membership or Steering Committee meetings or by vote of the Steering Committee from the Steering Committee by a three-fourths vote of the remaining Steering Committee Members or by a simple majority of the full voting membership at an Annual Meeting or Special Membership Meeting.

Grounds for removal include self-dealing, putting one's own self-interests above the interests of the organization, and other behavior not comporting with or in conflict with the tenets found in Article I.

### **Section 10. Vacancies**

When a vacancy on the Steering Committee exists mid-term, the Steering Committee will solicit nominations for new members within two weeks of resignation or removal. These nominations shall be sent out to Steering Committee members to be voted upon at the next Steering Committee meeting. Vacancies will be filled in this manner to the end of the replaced Steering Committee member's term. Vacancies shall not interfere in any way with the Steering Committee's ability to conduct business.

## **ARTICLE V – OTHER COMMITTEES**

### **Section 1. Types of Committees**

Apart from the steering committee, there are two types of committees: temporary and permanent. Upon recognizing a particular area of need or focused attention, any two or more interested members of the NLGCO may petition the Steering Committee to form a committee

### **Section 2. Committee Creation**

Any two or more members of the NLGCO may petition to form a committee. The petition shall be sent to the Steering Committee and indicate whether the committee proposed would be temporary or permanent. If temporary, the petitioning members must also state the expected duration during which the committee will exist.

### *A. Temporary Committees*

Any two or more interested members of the NLGCO may petition the Steering Committee to form a temporary committee. The temporary committee shall be authorized and created upon a quorum vote by the Steering Committee, which shall take such vote no later than two weeks after receiving the petition. The temporary committee shall send a summary of the committee's work to each Steering Committee meeting. Temporary committees need not send representative members to Steering Committee meetings but may if they choose or if the Steering Committee requests it. A temporary committee may be dissolved by its members by sending notice to the steering committee, or upon a 3/4ths majority vote to the NLGCO membership.

### *B. Permanent Committees*

Any two or more interested members of the NLGCO may petition the Steering Committee to form a permanent committee. The proposal shall outline the proposed committee, the reasons therefore, and the committee's scope of work. The Steering Committee shall then provide notice to the NLGCO membership of the proposed permanent committee and select a date for a membership vote on the question of whether to create the permanent committee. The membership vote shall occur in accordance with the procedures laid out in Article III. As stated in Article IV, a liaison decided upon by the permanent committee's membership shall sit on the Steering Committee. A permanent committee can be dissolved by a 3/4ths majority vote to the NLGCO membership.

## **Section 3. Steering Committee Liaison**

Within 60 days of a Membership Vote authorizing the creation of a permanent committee, the members of the permanent committee shall self-select a member to be a liaison to the steering committee. The liaison shall have voting power as a member of the steering committee as detailed in Article IV. Committee liaisons to the Steering Committee shall be subject to the fiduciary duties and requirements governing all officers and members of the Steering Committee. No member may sit in two roles upon the steering committee; therefore, if an at-large or law student liaison steering committee member is also part of a permanent committee, that person may not also serve as the liaison to the steering committee. Rather, the permanent committee must choose a different liaison to serve as their steering committee member. Permanent committee liaisons to the steering committee are subject to the same election requirements and term limits as set out in Article III, and as such must be put to a vote of the permanent committee membership every 18 months, and may serve no more than two consecutive terms unless there are no other members willing to serve.

## **ARTICLE VI AMENDMENTS**

These bylaws may be amended as necessary by a majority of the NLGCO voting members. A redlined copy of the bylaws containing all proposed amendments must be provided to the body voting on the amendments at least five weeks in advance or when notice of the meeting is required, whichever is greater.

## **ARTICLE VII MISCELLANEOUS**

### **Section 1. Diversity**

NLGCO shall encourage broad public support and participation in its activities and shall not discriminate in any manner whatsoever against any person on the basis of race, nationality, religion, gender, gender identity, gender expression, sexual orientation, age, or mental or physical handicap or disability, political belief or affiliation, formal education level, or condition of restraint in any institution. NLGCO should reflect the diversity and composition of the communities it serves, and people of color and under-represented groups shall be encouraged and recruited to participate in all aspects of the NLGCO's activities and leadership.

## **Section 2. Notice of Meetings and Minutes**

Unless otherwise specified in these bylaws, written notice of NLGCO meeting, shall be sent out to the membership as far in advance as practicable, and in no event less than one week prior to the meeting unless good cause and emergency circumstances dictate shorter notice. At every NLGCO meeting, including meetings of any committees, minutes shall be taken, recording in sufficient detail the business discussed and actions taken, except that any privileged attorney-client information, work product information, or confidential or sensitive information shall not appear in any minutes published to the general membership. If any privileged attorney/client information, work product information, or confidential and sensitive information discussed during a NLGCO meeting is not included in published minutes, the minutes shall still explicitly state the category of information that was discussed but not included in the minutes. The minutes of all NLGCO annual and Special Membership meetings and Steering Committee meetings shall be published to the membership as a matter of course. The minutes of meetings of all NLGCO committees shall be sent to the members of the Steering Committee, and will be made available to members in good standing upon request.

## **Section 3. Meeting Accessibility**

All NLGCO meetings, including meetings of any committees, will be held at locations that are fully accessible to persons of all abilities. It is the responsibility of the person or body calling the meeting to ensure, in advance, that the meeting space is fully accessible. In addition, any body or person calling a meeting will endeavor to allow persons to attend the meeting electronically or telephonically. The fact that a meeting can be attended electronically or telephonically is meant to encourage participation by NLGCO members outside of the Denver Metro area and does not in any way relieve the meeting organizer from ensuring that the physical meeting space is fully accessible.