

# **Constitution of the New York Democratic Lawyers Council**

## **PREAMBLE**

*We, the members of the New York Democratic Lawyers Council, are a coalition of lawyers and others dedicated to fostering universal participation and trust in the electoral process by ensuring that:*

*All eligible persons can register to vote easily,*

*All registered voters are able to vote simply, fairly and without intimidation, and*

*All votes are counted and all voting systems are open and reliable.*

### **Article I. Organization and Purpose**

Section 1. This organization shall be known as the New York Democratic Lawyers Council (the "NYDLC")

Section 2. The NYDLC is the New York section of the Democratic National Committee's Democratic Lawyers Council and is affiliated with the New York State Democratic Committee.

Section 3. The purpose of the organization shall be for lawyers and others who live and or work in New York State and who support the goals of the Democratic Party to use their skills to support the goals so stated in the NYDLC's Preamble set forth above and to take actions in furtherance of the Preamble; to monitor and improve election processes; to advocate on behalf of voters and registrants and those who would be voters and registrants; to promote reform of Voting Rights laws; to stimulate an active interest in governmental affairs and promote involvement in the political process; to promote the policies and practices that are consistent with the highest principles of the legal profession and the Democratic Party; to increase the efficiency of popular government, expand democracy and to provide the highest degree of justice and social welfare for the citizens our country.

Section 4. This organization shall foster, supervise and coordinate the activities of the local chapters of the Democratic Lawyers Council located in New York State.

### **Article II. Membership**

Section 1. Any person who shares the goals of the NYDLC and wishes to associate with the NYDLC and who lives and/or works in New York State may be accorded membership in this organization. Membership is open to but not limited to (by profession or otherwise), any person who has been admitted to the practice of law, is either an attorney in good standing or a retired attorney, and resides and/or practices in New York State or any law student who lives and/or studies in New York State.

Section 2. This organization shall be composed of members who may be organized into duly chartered chapters (each a “Chapter”) of the NYDLC.

Section 3. The Steering Committee of the NYDLC shall have the authority, in its discretion, to create a Chapter and issue a Chapter charter to any group representing a geographic region or law school which requests recognition as a Chapter and which demonstrates that it has established a core of active members and demonstrates a commitment to the Preamble and Purpose of the NYDLC.

### **Article III. Dues and Affiliation**

Section 1. The NYDLC and/or each Chapter shall have the authority (but not the obligation) to determine the amount of annual dues (including tiered dues), if any, for active membership in its organization. No individual shall be excluded from membership in the NYDLC or its Chapters by virtue of an inability to pay dues.

Section 2. Any organization desiring to become affiliated with the NYDLC shall submit a written request to a Co-Chair of the NYDL together with a list of and contact information for its current members. The Co-Chair shall bring the matter before the Steering Committee for its consideration and the Steering Committee, in its discretion, shall determine whether to accept the affiliation.

### **Article IV. Structure and Officers; Voting**

Section 1. The governing body of the NYDLC shall be the Steering Committee.

Section 2. The officers of the NYDLC shall be the following:

- (a) Co Chairs. Between two (2) and (4), as established by the Steering Committee not less than twenty-eight (28) days prior to the meeting at which they are elected;
- (b) Regional Vice Presidents. Not more than five (5) and representing such geographic areas as established by the Steering Committee not less than twenty-eight (28) days before the meeting at which they are elected;
- (c) Secretary;
- (d) Treasurer.

Section 3. The Steering Committee shall consist of the officers designated in this Article, the committee chairs, the members of the Advisory Committee and the other individuals designated as members of the Steering Committee in this Article

Section 4. Any NYDLC member who shall be elected by and to a National Democratic Lawyers Council office shall be an ex-officio voting member of the Steering Committee of the NYDLC. The immediate past Co-Chairs shall be designated as Co-Chairs Emeritus and shall be ex-officio voting members of the Steering Committee of the NYDLC.

Section 5. Any member of the NYDLC shall be a voting member of the Steering Committee if they are in attendance, in person or by telephone or internet, at the meeting at which they propose to vote and

have attended in person or by telephone or internet at least two (2) of the previous four (4) consecutive Steering Committee meetings. The Secretary, with the assistance of the Executive Director, shall be responsible for maintaining Steering Committee attendance lists and the Secretary's lists shall be considered final for purposes of determining attendance.

Section 6. The officers shall be elected at a meeting of the Steering Committee held in the first quarter of the calendar year in odd-numbered years for a term of two years upon at least twenty-eight (28) days notice. In the event of a vacancy in any office, the vacancy shall be filled by appoint by the Co-Chairs until the next occurring Steering Committee meeting, at which time an election shall be held to fill such vacancy. Nominations for all elections may be made from the floor at the meeting at which the election is conducted.

## **Article V. Committees**

Section 1. There shall be the following standing committees

- (a) Steering Committee
- (b) Advisory Committee

Section 2. The Steering Committee shall be the governing body of the NYDLC and shall be composed as set forth in Article IV above. All meetings of the Steering Committee shall be open to the attendance and participation of the members and may be attended in person or when available, by telephone or internet. The co-chairs of the Steering Committee shall be the Co-Chairs of the NYDLC.

Section 3. The Advisory Committee members and chairs (or co-chairs) shall be appointed by the Co-Chairs of the NYDLC with the consent of the Steering Committee. The Advisory Committee shall consist of election law practitioners with experience and expertise in election law and campaign finance law and other individuals who can provide valuable advice to the NYDLC. The Advisory Committee shall be responsible for advising the Treasurer to ensure that the NYDLC is in compliance with all applicable city, state and federal campaign finance laws. The Advisory Committee shall further provide advice and oversight on election law and voter rights issues.

Section 4. The Steering Committee may create such other committees as, in their discretion, they deem appropriate and determine the duties and responsibilities of each such committee. The Co-Chairs of the NYDLC, with the consent of the Steering Committee shall appoint the chairs (or co-chairs) of each such committee and the members of such committees.

## **Article VI. Duties and Responsibilities of the Officers**

Section 1. The Co-Chairs shall direct the officer of the NYDLC as its chief administrative officers. They shall chair the Steering Committee and shall be ex-officio members of all other committees. The Co-Chairs, with the consent of the Steering Committee, may appoint or hire an Executive Director and other staff who shall perform such duties as directed by the Co-Chairs in accordance with the policies established by the Steering Committee.

Section 2. The Regional Vice Presidents shall promote recruitment and activity with their respective regions.

Section 3. The Secretary shall keep a record of all meetings of the NYDLC, a roll of its members and a copy of the formal reports of its officers and committees. The Secretary shall be responsible for sending out notices as required.

Section 4. The Treasurer shall receive and disburse all funds of the NYDLC. The Treasurer shall keep a budget and keep records of all receipts and disbursements, which may be audited upon demand of the Steering Committee. The Treasurer shall work with the Advisory Committee and the New York State Democratic Party to ensure compliance will applicable campaign finance laws.

## **Article VII. Meetings**

Section 1. The Steering Committee shall meet at least four (4) times a year at the discretion of the Co-Chairs and upon petition of one-quarter (1/4) of the elected officers.

Section 2. There shall be a meeting of the members of the NYDLC in the first quarter of the calendar year in odd-numbered years at a time and place specified by the Co-Chairs or, if the Co-Chairs fail to call such a meeting, a call shall be issued by majority vote of the Steering Committee which may also schedule and call additional meetings of the members.

Section 3. A quorum at a meeting of the members shall consist of representation of at least fifty (50) percent of the chartered Chapters and fifty (50) percent of the elected officers. A quorum once established at any meeting shall not be lost by depletion of members prior to adjournment.

Section 4. Notice of meeting of the members or the Steering Committee shall be given to all Chapters at least thirty (30) days prior to the meeting and to the extent practicable, to the members. The preferred method of notification shall be e-mail whether individually or by "blast e-mail." Such e-mail to the last e-mail address provided by a member shall be presumed to be valid notification to such member.

Section 5. Except as inconsistent with this Constitution or the By-Laws of the NYDLC, the most recent edition of Robert's Rules of Order shall govern the proceedings of all meetings of the NYDLC.

## **Article VIII. Support of Democratic Candidates**

Section 1. The NYDLC shall support the duly nominated candidates of the Democratic Party.

Section 2. No officer or member of the NYDLC may use his or her official designation or the stationery, emblem or name of the NYDLC to advance the cause of any individual primary candidate. Any officer or member who does so shall be subject to discipline including expulsion by action of the Steering Committee pursuant to the procedures set forth in Article IX.

## **Article IX. Removal of Officers**

Section 1. Elected and Appointed officers and members of the NYDLC maybe impeached for good cause by majority vote at any regular or special meeting of the Steering Committee. Upon adoption of a resolution of impeachment, it must be forwarded to the impeached officer within ten (10) days.

Section 2. An impeached officer shall be entitled to make his or her case before the next meeting of the Steering Committee held not less that ten (10) nor more than forty-five (45) days following the adoption of the resolution. The meeting shall be chaired by one of the Co-Chairs chosen by lot provided that if the impeached officer is a Co-Chair, one of the remaining Co-Chairs chosen by lot shall preside. The impeached officer shall have the right to present document, witnesses and/or his or her own presentation. Members of the Steering Committee shall be allowed to state and support the charges against the impeached officer or state their support for the impeached officer.

Section 3. The Steering Committee, upon the completion of the presentations, may, by a two-thirds (2/3) vote remove the impeached officer from office.

Section 4. As used herein, the term “good cause” shall mean malfeasance, misfeasance, actions serving to bring the NYDLC into disrepute, failure to attend three out of five consecutive meetings, inability or refusal to adequately fulfill the duties of the office or demonstrated failure to support the goals of the NYDLC or the Democratic Party.

## **Article X. Representation of the Organization**

The Steering Committee shall appoint those persons who shall be duly accredited delegates to all meetings and conventions at which the NYDLC is to be represented.

## **Article XI. Amendments**

Section 1. This Constitution maybe amended by a two-thirds (2/3) vote of the attending members of the Steering Committee which is then ratified by a two-thirds (2/3) vote of the members at a meeting duly called for that purpose.

Section 2. By-Laws, not inconsistent with this Constitution, may be adopted and amended by a two-thirds (2/3) vote of the attending members of the Steering Committee at a meeting duly called for that purpose.