

## **Defenders at Ohio State Constitution**

### **Article I - Name, Purpose, and Non-Discrimination Policy of the Organization.**

**Section 1: Name:** Defenders at Ohio State

**Section 2 - Purpose:** The Purpose of the Defenders at Ohio State is to help current law students figure out if public defense is the right career path for them; provide a nurturing and supportive community for aspiring public defenders; teach aspiring public defenders skills to help them succeed as public defenders; connect Moritz alumni who are doing public defense work with one another and provide them with helpful resources; and help connect students and alumni interested in public defense jobs with employers who are looking to hire public defenders.

**Section 3 - Non-Discrimination Policy and Sexual Misconduct Policy:** This organization does not discriminate on the basis of age, ancestry, color, disability, gender identity or expression, genetic information, HIV/AIDS status, military status, national origin, race, religion, sex, sexual orientation, protected veteran status, or any other bases under the law, in its activities, programs, admission, and employment.

As a student organization at The Ohio State University, Defenders at Ohio State expects its members to conduct themselves in a manner that maintains an environment free from sexual misconduct. All members are responsible for adhering to University Policy 1.15, which can be found here: <https://hr.osu.edu/public/documents/policy/policy115.pdf>. If you or someone you know has been sexually harassed or assaulted, you may find the appropriate resources at <http://titleIX.osu.edu> or by contacting the Ohio State Title IX Coordinator at [titleIX@osu.edu](mailto:titleIX@osu.edu).

### **Article II - Membership: Qualifications and categories of membership.**

All students enrolled at Moritz or a Moritz joint-degree program shall be welcome to join as members of Defenders at OSU. All Moritz students are entitled to vote in elections, run or apply for positions, and participate in sponsored events. However, only qualified electors are entitled to vote in the spring elections.

### **Article III – Methods for Removing Members and Executive Officers**

a. If a member engages in behavior that is detrimental to advancing the purpose of this organization, violates the organization's constitution or by-laws, or violates the Code of Student Conduct, university policy, or federal, state or local law, the member may be removed through a majority vote of the officers in consultation with the organization's advisor.

b. Any elected officer of the chapter may be removed from their position for cause. Cause for removal includes, but is not limited to: violation of the constitution or by-laws, failure to perform duties, or any behavior that is detrimental to advancing the purpose of this organization, including violations of the Student Code of Conduct, university policy, or federal, state, or local

laws. The Executive Committee may act for removal upon a two-thirds affirmative vote of the executive board in consultation with the organization's advisor.

c. In the event that the reason for member removal is protected by the Family Educational Rights and Privacy Act (FERPA) or cannot otherwise be shared with members (e.g., while an investigation is pending), the executive board, in consultation with the organization's advisor, may vote to temporarily suspend a member or executive officer.

**Article IV - Organization Leadership: Titles, terms of office, type of selection, and duties of the leaders.** Organization leaders represent the Executive Committee and general membership and are elected or appointed from the ranks of the organization's voting membership.

**Section 1: Required Officer positions:**

- a. President
- b. Vice President
- c. Secretary
- d. Treasurer

**Section 2: General Duties of Officers**

**a. President**

- i. The President shall serve as the chief executive officer of the organization, shall preside at all meetings of the organization and shall prepare the agenda for meetings.
- ii. The President shall be the official spokesperson of the organization, representing the policies, views, and opinions of the organization in its relations with the campus and community at large.
- iii. The President shall have such further powers and duties as may be prescribed by the organization.

**b. Vice President**

- i. Succeed the President in the event of resignation, withdrawal, or removal of the President
- ii. The Vice President shall perform all duties assigned by the President.
- iii. Carry out the duties of the President in the President's absence or incapacity.

**c. Secretary**

- i. The Secretary shall take minutes at all meetings of the organization, keep these on file, and submit required copies to all organization members.
- ii. The Secretary shall be responsible for all organization correspondence and shall keep copies thereof on file.
- iii. The Secretary shall publicize any meetings or events the organization might have.

**d. Treasurer**

- i. The Treasurer shall handle all financial affairs and budgeting of the organization, maintain all necessary accounting records, and prepare monthly financial reports for the membership.
- ii. Said records shall be maintained in accordance with generally accepted accounting principles.
- iii. The Treasurer shall maintain bank accounts in the organization's name, requiring signatures of both the Treasurer and President for authorized disbursements.

#### **Article V - Election / Selection of Organization Leadership**

Elections for the Executive Committee shall be held each spring semester. Committee members shall be Moritz Students. Each Moritz student shall be allowed to cast one vote for each position to which they are entitled to vote.

- a. For positions that consist of multiple seats, the candidates who receive the most votes cast for the positions shall be elected.
- b. For positions that consist of only 1 seat, the candidate who receives a majority of votes cast for each position shall be elected. In the event that no candidate receives a majority of votes cast for each position, a runoff election shall be held 2 academic days later between the 2 candidates receiving the most votes.
- c. In no event shall a candidate be elected to two or more positions. In the event a candidate has the most votes for multiple positions, the previous year's President shall contact the candidate and give that person 12 hours to decide which position they want to accept.

#### **Article VI - Executive Committee**

The Executive Committee represents the general membership, conducts business of the organization between general meetings of the membership, and reports its actions at the general meetings of the membership. This Committee is comprised of the organization leaders listed above.

#### **Article VII – Advisor(s) or Advisory Board: Qualification Criteria.**

The Advisor shall be a faculty member at Moritz. The Advisor shall be responsible for providing continuity to the organization and working with the Treasurer to ensure the Defenders at OSU maintains its tax exempt status.

#### **Article VIII – Meetings and events of the Organization: Required meetings and their frequency.**

Two general meetings and attendance at events hosted may be required for membership each academic year.

#### **Article IX – Attendees of Events of the Organization: Required events and their frequency.**

The organization reserves the right to address member or event attendee behavior where the member or event attendee's behavior is disruptive or otherwise not in alignment with the organization's constitution.

### **Article X – Method of Amending Constitution: Proposals, notice, and voting requirements.**

Any proposed amendments should be presented to the organization in writing and should not be acted upon when initially introduced. Upon initial introduction, the proposed amendments should be read in the general meeting, then read again at a specified number of subsequent general meetings and the general meeting in which the votes will be taken, and should either require a two-third or three-quarter majority of voting members (a quorum being present) or a majority or two-thirds of the entire voting membership of the organization, present or not. The constitution should not be amended easily or frequently.

### **Article XI – Method of Dissolution of Organization**

This organization may be dissolved after the Senate approves dissolution by a 3/4 vote of the general membership, provided that there is at least 60 days' notice of a vote on dissolution. Upon dissolution, the Board shall utilize the assets of the organization, including those arising from dissolution and distribution. Any balance shall be distributed proportionally among the contributing factors.

### **Defenders at OSU By-Laws**

#### **Article 1 – Parliamentary Authority**

The rules contained in Robert's Rules of Order shall govern the organization in all cases to which they are applicable, and in which they are not inconsistent with the by-laws of this organization.

#### **Article II- Membership**

Membership in the organization shall be open to those regularly-enrolled at the Moritz College of Law. The membership of the organization will always consist of at least 50% students.

#### **Article III- Election / Appointment of Government Leadership**

Elections rules and procedures, including eligibility for office, the nominating process, design of ballots and balloting procedures, and so on should be specified as well as appointment and ratification procedures. The timing of elections and/or appointments should be specified along with procedures to cover special circumstances (resignations, impeachments, etc.).

#### **Article IV- Executive Committee**

a. The President shall serve as the chief executive officer of the organization, shall preside at all meetings of the organization and shall prepare the agenda for meetings. The President shall be the official spokesperson of the organization, representing the policies, views, and opinions of the organization in its relations with the campus and community at large. The President shall have such further powers and duties as may be prescribed by the organization.

b. The Vice President shall preside at organization meetings in the absence of the President. The Vice President shall perform all legal duties assigned by the President. The Vice President shall assume the office of President if the office becomes vacant.

c. The Treasurer shall handle all financial affairs and budgeting of the organization, maintain all necessary accounting records, and prepare monthly financial reports for the membership. T Said records shall be maintained in accordance with generally accepted accounting principles. The Treasurer shall maintain bank accounts in the organization's name, requiring signatures of both the Treasurer and President for authorized disbursements.

d. The Secretary shall take minutes at all meetings of the organization, keep these on file, and submit required copies to all organization members. The Secretary shall be responsible for all organization correspondence and shall keep copies thereof on file.

#### Article V - Advisor/Advisory Board Responsibilities

The organization shall appoint at least one individual employed as a faculty or staff member by The Ohio State University Moritz College of Law to serve as an advisor to this organization.

#### Article VI - Meeting Requirements

Regular meetings shall be scheduled throughout the academic year. Special meetings may be called by the President. All members must be given a minimum of 24 hours notice prior to the meeting time.

#### Article VII - Method of Amending By-Laws

By-laws may be amended by proposing in writing and reading the change at a general meeting of the membership and then bring the proposed change up for a vote at the next general meeting with a 2/3 majority vote of the membership present (a quorum being present).

Constitution

Rev.

March 2019