

MLSA | MANITOBA LAW STUDENTS' ASSOCIATION

CONSTITUTION

We the students enrolled at Robson Hall, the Faculty of Law at the University of Manitoba, having the inherent right of self-governance in respect of matters relevant to our education and personal development, hereby associate as the Manitoba Law Students' Association under this Constitution and agree to be bound by its authority.

Article I – Definitions

1. The definitions set out in this section apply in this Constitution and all Policies of the Manitoba Law Students' Association:
 - a. "**Class**" means, collectively, all members of the Association in one of the three years of full-time studies in the undergraduate Juris Doctor program at Robson Hall.
 - b. "**1L**", "**2L**", and "**3L**", where modifying "Class", mean the first, second, and third year of studies, respectively.
 - c. "**Accessibility Audit**" means an evaluation report identifying barriers to accessibility.
 - d. "**Accessible**" and "**Accessibility**" means barrier-free access to information, places and events that are generally available.
 - e. "**Barrier**" means anything that interferes with a person's physical, mental, intellectual, or sensory impediments, or anything else that impairs a member's full, effective and equal participation.
 - f. "**Council**" means the Councillors of the Association.
 - g. "**CRO**" means Chief Returning Officer.
 - h. "**Executive**" means the Executive Committee, comprised of the President, Vice President External, Vice President Internal, and Vice President Finance.
 - i. "**Fall Term**" means the semester under the University of Manitoba's academic calendar beginning in September and ending in December
 - j. "**MBA**" means the Manitoba Bar Association.
 - k. "**MILSA**" means the Manitoba Indigenous Law Students' Association.
 - l. "**MLSA**" or "**Association**" means the Manitoba Law Students' Association.
 - m. "**Robson Hall**" means the Faculty of Law at the University of Manitoba.
 - n. "**Section**" means, collectively, the 1L Class members that commonly attend class together, with each Section typically designated by Robson Hall as A01, A02, etc.
 - o. "**UMSU**" means the University of Manitoba Students' Union.
 - p. "**University**" means the University of Manitoba.

- q. “**Winter Term**” means the semester under the University of Manitoba’s academic calendar beginning in January and ending in April.
2. This Constitution repeals all previous constitutions or other similar documents which have existed.

Article II – The Manitoba Law Students’ Association

1. The name of this Association shall be the Manitoba Law Students’ Association (MLSA).

Article III – Objectives

1. The objectives of the Association are
 - a. to support the academic interests and performance of members;
 - b. to support the professional development of members;
 - c. to support the positive well-being of members;
 - d. to achieve effective self-governance and strong representation of interests necessary to achieve all other MLSA objectives; and,
 - e. to ensure that all members can fully, effectively and equally participate in the Association.

Article IV – Membership

1. Each student enrolled in full-time or part-time undergraduate studies at Robson Hall is a member of the Manitoba Law Students’ Association.
2. Subject to any regulations of the University and University of Manitoba Student Union (UMSU), Council may require members to pay annual dues to the MLSA.
3. A member ceases to be a member of the Association if they are not enrolled as a full-time or part-time undergraduate student at Robson Hall.

Article V – Councillors

1. The Councillors are the voting officers.
2. The Councillors of the Association shall be:
 - a. President;
 - b. Vice-President External;
 - c. Vice-President Internal;
 - d. Vice-President Finance;
 - e. UMSU Representative;
 - f. University Senate Representative;

- g. 1L Class Representative, of which there are three such offices, with one representing each 1L Section;
 - h. 2L Class Representative, of which there are two such offices;
 - i. 3L Class Representative, of which there are two such offices;
 - j. MILSA Representative;
 - k. Manitoba Bar Association Representative;
 - l. Gender and Sexual Minority Students' Representative;
 - m. Students Living with Disabilities Representative;
 - n. Womens' Representative; and
 - o. Visible Minorities Representative.
3. The councillors shall perform the duties prescribed by this constitution, the policies of the Association, and by the parliamentary authority adopted by this Association.
 4. The Councillors will be elected by the members or otherwise appointed subject to the Election Policy.

Term and Eligibility of Councillors

5. To be eligible to hold office, a person must be a member of the Association.
6. The term of office of a Councillor begins
 - a. in the case of a Councillor elected during the Winter Election, on May 1 following their election; or
 - b. in the case of a Councillor otherwise elected or appointed to their office, the date of their election or appointment, or another date specified at that time.
7. The term of each Councillor expires on April 30 following the start of their term of office, or when the Councillor:
 - a. dies;
 - b. resigns;
 - c. is removed from office; or
 - d. ceases to be a member.
8. A Councillor may resign at any time by providing a notice of resignation in writing to the President or the Council Chair.
9. Upon the resignation of the President, the Vice-President Internal will immediately become President and the office of Vice-President Internal will be vacant. If the office of Vice-President Internal is vacant at the time of resignation of the President, the Vice-President External will immediately become President and the office of Vice-President External will be vacant. Responsibilities of the vacant position will be delegated by the Executives until the position can be filled as soon as possible by following the appropriate procedures.

Removal

10. A Councillor who fails to discharge the duties of her or his office may be removed from their office by a two-thirds vote of Council

Limitations

11. No member shall hold more than one office at a time

Article VI – Non-Voting Officers

1. The Executive Committee must appoint each of the following Non-Voting Officers from amongst the members in accordance with this Constitution and any Policies:
 - a. Governance Coordinator;
 - b. Council Chair; and
 - c. Chief Returning Officer.
2. The Executive Committee may by Policy designate additional Non-Voting Officers and define their powers and duties.
3. Subject to this Constitution, each Non-Voting Officer has the right
 - a. to receive notice of and attend each meeting of Council; and
 - b. to provide input as permitted under any rules of procedure adopted by the Council.

Removal

4. A Non-Voting Officer who fails to discharge the duties of her or his office may be removed from office by a two-thirds vote of Council.

Article VII – Meetings

Meetings of Council

1. A meeting of Council held during either the Fall Term or the Winter Term is deemed to be an Academic Term Meeting, while a Meeting of Council held outside of both the Fall Term and the Winter Term is deemed to be a Non-Academic Term Meeting.

Calling Meetings and Notice of Meetings

2. A meeting of Council may be called
 - a. by the President; or
 - b. by petition of no fewer than three Councillors.

3. The President must call at least one Meeting of Council in each of the months of September, October, November, January, February, and March.
4. At a Meeting of Council, business may only be transacted if each Councillor and Non-Voting Officer is given, by no later than the prescribed notice period, the following:
 - a. notice of the date, start time and location of the meeting;
 - b. the text of any resolutions to be considered.
5. The prescribed notice period is
 - a. forty-eight hours prior to the start of an Academic Term Meeting; or
 - b. ninety-six hours prior to the start of a Non-Academic Term Meeting
6. Notice must be given to each Councillor in writing by personal service or electronic mail to an electronic address provided by the Councillor.

Quorum

7. At a meeting of Council, business may only be transacted if a quorum is present, a quorum being
 - a. in the case of an Academic Term Meeting, no fewer than eight Councillors, at least two of whom must be a member of the Executive; and
 - b. in the case of a Non-Academic Term Meeting, no fewer than six Councillors, at least one of whom must be a member of the Executive.

Voting

8. Only Councillors have the right to vote at a meeting of Council, and each Councillor may only cast one vote on each question that arises.
9. Subject to this Constitution, each question before Council is to be decided by a majority of the votes cast on the question. On an equality of votes, a question is defeated.
10. In the event that a Councillor is presiding over a meeting of Council, that Councillor may only vote to break a tie.

Attendance and Participation

11. Subject to this Constitution, each member has the right to attend and provide input at each meeting of Council, unless it is a closed session.
12. Subject to this Constitution, each Councillor has the right
 - a. to receive notice of and attend each meeting of Council;
 - b. to participate and provide input as permitted under any rules of procedure adopted by Council;
 - c. to cast a vote on each motion that comes before Council; and
 - d. to an accessible and barrier-free Council meeting.

13. A Councillor may, if no other Councillor objects, participate in a meeting of Council or of a committee of Council by means of a telephonic, electronic, or other communication facility that permits all participants to communicate adequately with each other during the meeting and any Councillors so participating are deemed to be “present” at the meeting.
14. Council may by resolution choose to proceed in closed session, the effect of which is to
 - a. require all individuals that are not Councillors to leave the meeting, except any individuals or officers specifically named as eligible to remain in the resolution to proceed in closed session;
 - b. require all those in attendance during the closed session to not make any written records of what occurred during closed session; and
 - c. require all those in attendance during the closed session to keep confidential the discussions that occurred during the closed session, except from Councillors then in office and any other individuals present during the closed session.

Resolution in Lieu of Meeting

15. A resolution in writing, signed by all those entitled to vote on that resolution at a meeting of Council, is as valid as if it had been passed at a meeting of Council. A copy of each such resolution must be kept with the minutes of the meetings of Council.

All-Member Meetings

16. Upon the presentation of a petition to the President signed by at least one-third of all members of the Association, the President must call and hold an All-Member Meeting within 30 days.
17. The President must provide notice to all members of the Association as to the date, start time, and location of the All-Member Meeting, at least ninety-six hours prior to the start of the meeting
18. All members of the Association have the right to vote at an All-Member Meeting.
19. Quorum at an All-Members Meeting is one-third of all members of the Association.
20. The President must act as the presiding officer over all All-Member Meeting. If the President is not present or otherwise unable to preside over an All-Member Meeting, the members then present must appoint a presiding officer from amongst their number to preside. A motion to appoint a presiding officer in accordance with this section is always in order.
21. The presiding officer of an All-Member Meeting may only vote to break a tie.
22. If a resolution at an All-Member Meeting would have the effect of amending this Constitution, then such a resolution may only be adopted if it has the support of at least two-thirds of all members voting at the All-Member Meeting, and if adopted, takes immediate effect without requiring ratification by referendum.

Article VIII – Parliamentary Authority

1. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with this Constitution, the Policies of the Association and any special rules of order the Association may adopt.

Article IX – Constitutional Amendments

Amendment Resolution

1. This Constitution may be amended, subject to ratification, at any Academic Term Meeting of the Association by a two-thirds vote, provided that the amendment has been submitted in writing at the previous Academic Term Meeting.
2. If an Amendment Resolution is ultimately carried by Council, then the President must call a referendum to consider ratification of the Amendment Resolution. Such referendum must be held between ten and sixty days after the Amendment Resolution has been carried by Council.
3. After a referendum has been called to consider ratification of an Amendment Resolution, the President must provide notice to all members of the Association of the referendum date and the text of the Amendment Resolution that was carried, no later than seven days prior to the referendum.
4. An Amendment Resolution is ratified where:
 - a. a majority of members voting in the referendum cast votes in support of the Amendment Resolution; and
 - b. at least one-hundred members vote in the referendum, inclusive of spoiled ballots and abstentions.

Certain Resolutions Out of Order

5. During a Non-Academic Term Meeting, a resolution to amend this Constitution is deemed out of order and must not be considered by Council.