

BYLAWS OF THE NATIONAL LAWYERS GUILD

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SECTION 1 - DUES AND ASSESSMENTS

Section 1.1 No Dues for Jailhouse Lawyers - There shall be no dues for jailhouse lawyer members, except that each jailhouse lawyer may be assessed an amount necessary to cover a subscription to Guild Notes.

Section 1.2 Two Chapter Categories - There shall be two categories of chapters: Staffed Chapters and Unstaffed Chapters. Chapters which have one or more staff members working in them who are members of any union representing employees of the National Lawyers Guild shall be designated Staffed Chapters. Chapters which have one or more staff members working in them, including work-study staff members, who are not eligible for membership in any union representing employees of the National Lawyers Guild may petition the National Executive Committee for designation as a Staffed Chapter as provided in these Bylaws. The National Executive Committee's decision on any such petitions shall be made in consultation with any union which represents National Lawyers Guild employees. The National Executive Committee shall not deny the Staffed Chapter designation in order to ensure receipt of the higher dues percentage which Unstaffed Chapters pay to the National Office. The National Executive Committee shall deny the Staffed Chapter designation to chapters which hire work-study staff:

- (a) on a temporary basis as defined by any collective bargaining agreement between the National Lawyers Guild and any union representing National Lawyers Guild employees; or
- (b) in order to avoid paying the higher dues percentage which Unstaffed Chapters pay to the National Office; or
- (c) for the purpose of avoiding the terms and conditions of any collective bargaining agreement between the National Lawyers Guild and any union representing National Lawyers Guild employees; or
- (d) for another inappropriate purpose.

Section 1.3 Dues Division with Chapters/Regions - The National Office shall retain fifty percent (50%) of the annual dues collected from members of unstaffed chapters and staffed chapters that elect to have the National Office collect their annual dues. The balance shall be remitted to the appropriate chapter and region pursuant to any agreement for division of dues between chapters and regions, except that no law student dues shall be remitted.

Section 1.4 Division of Dues with National Office:

(a) Unstaffed Chapters that collect their own annual dues shall remit to the National Office forty percent (40%) of the dues collected.

(b) Staffed Chapters that collect their own annual dues shall remit to the National Office twenty-eight percent (28%) of the dues collected.

Section 1.5 Dues Remitted to NO Quarterly - Staffed and Unstaffed Chapters who collect their own dues from their members, shall remit the National Office's share of all dues collected to the National Office quarterly, along with a current mailing list of active chapter members; provided that no less than fifteen (15) days following the end of each quarter, all such chapters shall provide the National Office with a full accounting of the amount of dues they have collected in the quarter just ended, so that the National Office can compute the amount of dues owed by the chapter for the quarter just ended and bill the chapter accordingly.

Section 1.6 Progressive Dues Schedules - All Chapters, whether Staff or Unstaffed, shall, in the setting of their members' annual dues, employ a progressive dues schedule.

Section 1.7 Dues Schedule - Dues for at-large members (those not on the membership rolls of any Staffed or Unstaffed Chapter) and for members of chapters which elect not to collect their own members' dues, shall be as follows:

(a) New Members:

Law Students	\$15.00
Lawyers and Legal Workers	\$50.00

(b) Renewing Members:

Law Students	\$15.00
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Lawyers and Legal Workers Annual income:

under \$20,000	\$45.00-\$75.00
\$20,000-\$25,000	\$75.00-\$100.00
\$25,000-\$30,000	\$100.00-\$165.00
\$30,000-\$40,000	\$165.00-\$220.00
\$40,000-\$50,000	\$220.00-\$275.00
\$50,000-\$65,000	\$275.00-\$325.00
\$65,000-\$75,000	\$325.00-\$375.00
\$75,000-\$100,000	\$375.00-\$425.00
Over \$100,000	\$500.00 or more*

*Entitles member to waiver of \$100.00 annual convention registration fee

(c) Jailhouse Lawyers No dues, but \$7.50 if subscribing to Guild Notes

(d) Dues for members of affiliated minority legal organizations pay one-half of the amount for their income level under the renewing members schedule.

Section 1.8 Failure to Pay Dues - Failure to pay dues as herein provided shall result in loss of membership.

Section 1.9 Dues Escrow / Quarterly Payments to Chapters / Unclaimed Dues - All dues collected by the National Office shall be placed in an escrow account, separate from all other National Office accounts. Chapters shall receive quarterly reports on the chapter's membership dues payments. Chapter contacts shall be offered quarterly payment of the chapter portion of their members' dues received that quarter. Chapters offered their portion of their membership dues shall claim those dues by requesting payment from the National Office bookkeeper within 90 days of being offered. Dues unclaimed by a chapter contact within the time provided shall be considered a contribution to the National Office. Chapters shall keep the National Office advised of their designated chapter contact. If the National Office is not kept advised of the designated chapter contact, chapter quarterly membership dues payments shall be treated as are dues payments of at-large members.

Section 1.10 Petitions to Change Chapter Dues Status - Any chapter shall be able to change the way in which its members' dues are collected from the manner provided under subparagraphs 3 or 4 above, by petition to the National Executive Committee (NEC), subject to the requirements for same established by the NEC. The decision as to whether a chapter meets the requirements established by the NEC shall be made by the Treasurer and the National Office Executive Director. A chapter may appeal that decision to the National Finance Committee (NFC) and, if not in agreement with the decision of the NFC, to the full NEC.

Section 1.11 Transfers to 50% Dues Rebate Status - Chapters which collect their own dues, but which fail to keep current on their quarterly dues payments, may be transferred to Section 1.3 status upon the recommendation of the National Treasurer and/or the NFC; provided that a six month grace period be observed before a chapter is moved from the Staffed to the Unstaffed category in order to permit the chapter to replace its departing staff. Any chapter so transferred may appeal that decision to the NFC and, if not in agreement with the decision of the NFC, to the full NEC.

Section 1.12 Financial Crisis Petitions to NFC - Staffed Chapters shall have the right to petition the NFC to request that it propose to the NEC a reduction in dues collected in the event of a financial crisis where staff may be laid off, in order to prevent the need to lay off staff.

Section 1.13 At-Large Member Dues Rebate to Regions - All members-at-large shall remain on the national dues system and the portion of their dues which would otherwise be remitted to the chapter will be remitted to the region to which the member belongs.

Section 1.14 Chapter Financial Reports - A financial report shall be published by January 31 of each year and submitted to the Treasurer.

SECTION 2 - DISSOLUTION OF CHAPTERS

If a chartered chapter's membership falls below eight members in good standing for a period of one year or more, the National Convention may withdraw the charter in accordance with the provisions of this section. Upon petition of three quarters of the members in good standing of a

chapter or upon the petition of the National Executive Committee made to the convention that the chapter no longer is able or its members do not desire to function as a chapter because the chapter lacks sufficient membership, the Convention may determine that less than eight members in good standing desire to maintain the existence and functioning of the chapter. All members of the chapter shall become members-at-large.

SECTION 3 - COMMITTEES, PROJECTS, AND TASK FORCES

Section 3.1 National Committees, Projects, and Task Forces - may be established from time to time by the National Executive Committee, or National Convention.

Section 3.2 Responsible to NLG - National Committees, Projects and Task Forces shall be responsible in their work and publications to the national organization and specifically to the decision of the National Convention, and the National Executive Committee.

Section 3.3 Local Chapter to Advise on Local Issues - National Committees, Projects and Task Forces should not take positions on problems within local areas without soliciting the input of the local chapter.

SECTION 4 - PROJECT, COMMITTEE, AND TASK FORCE ASSESSMENTS

Section 4.1 Annual Assessments - Each National Project, Committee, and Task Force with gross income in excess of \$5,000 annually shall be assessed and shall remit to the National Office an annual assessment to be negotiated and agreed upon between representatives of each Project, Committee, or Task Force and the national organization.

Section 4.2 Annual Reporting - Each National Project, Committee, and Task Force shall submit to the National Office a report detailing its income and expenses for the prior year and a budget for the next year by on or about January 15 each year.

Section 4.3 National Income-Producing Events - Notwithstanding the above, adjusted income or "profits" obtained by an NLG group from fund-raising events done in conjunction with the national organization, and for which the National Office has received or will receive a previously agreed upon portion of the proceeds, will not be included in the group's annual adjusted income in determining the assessment due to the national organization. Any amount an NLG group pays pursuant to this to section shall be credited toward the annual assessment owed to the national organization by that group.

Section 4.4 Waivers - Assessments may be waived in whole or in part by the National Finance Committee (NFC) for a good cause, after a written waiver application is made by the NLG group. Waiver applications shall be submitted to the NFC. Waivers may be granted either prospectively, for purposes of avoiding a cash flow problem, or retroactively, to avoid undue hardship. In deciding whether to grant assessment waivers, the following factors shall be considered:

(a) Compliance with reporting and consultation requirements;

- (b) Current and/or future plans, activities, etc;
- (c) Sources and amounts of current and anticipated income;
- (d) Current and anticipated income;
- (e) Size and activities of membership of the group; and
- (f) Any other factors deemed relevant.

SECTION 5 - OFFICERS AND STAFF IDENTIFICATION

Officers and staff may sign statements as individuals and identify their position within the organization if it is noted that the organization is listed for identification purposes only.

SECTION 6 - REGIONS AND REGIONAL VICE PRESIDENTS

Section 6.1 RVP Selection by Region - Regional Vice Presidents shall be selected in a democratic manner to be decided by each region. In the event of a dispute concerning the fairness or propriety of a selection procedure adopted by a region or sub-region, two chapters, or ten percent of the members within such region or sub-region may petition to the National Executive Committee to establish a procedure to resolve the dispute.

Section 6.1 Regions Determined by NEC - The number and boundaries of geographic regions shall be determined by the National Convention or National Executive Committee. Each region shall be represented by one Regional Vice President.

SECTION 7 - NATIONAL EXECUTIVE COMMITTEE

Section 7.1 Voting at NEC Meetings - shall be as follows: National Officers, one vote each; RVPs, one vote each; national office staff, two votes; Executive Director, one vote; and the two Law Student Vice Presidents sharing one vote.

Section 7.2 National Jailhouse Lawyer Vice President to be Informed - The National Executive Committee shall, to the extent practicable, keep the National Jailhouse Lawyer Vice President informed as to the issues before the organization and ensure his or her access to information necessary for the performance of his or her duties, and shall take appropriate steps to maintain the confidentiality of communication to and from the National Jailhouse Lawyer Vice President. Recognizing, however, that there is no guarantee that communications to and from incarcerated persons can be maintained as confidential, the National Executive Committee may, in its discretion, withhold sensitive information from communications to the National Jailhouse Lawyer Vice President or provide such information only in summary or other form.

Section 7.3 National Jailhouse Lawyer Vice President NEC Participation - The National Executive Committee shall, to the extent practicable, facilitate the National Jailhouse Lawyer Vice President's full participation in its decision-making process. Such arrangements may include, without limitation by enumeration, permitting the National Jailhouse Lawyer Vice President to vote in absentia or by mail ballot, circulating the National Jailhouse Lawyer Vice President's written comments prior to National Executive Committee discussion, or arranging

participation by speakerphone or other telecommunications.

SECTION 8 - ELECTION PROCEDURES

Section 8.1 National Officers Elected by Majority Vote - In elections for national officers, no candidate shall be considered elected until she or he shall have received a majority of the votes of those present and voting. Abstentions shall not be counted as votes.

Section 8.2 Election Procedure - Elections shall be conducted as follows: A vote shall first be taken in which all candidates shall be voted upon. If one receives a majority, that candidate shall be considered elected. If no candidate receives a majority, the candidate who received the fewest votes shall be deemed excluded and a new vote shall be taken in which all remaining candidates shall be voted upon. If in this vote no candidate receives a majority, the candidate who received the fewest votes shall be deemed excluded and a new vote shall be taken in which all remaining candidates shall be voted upon. This process shall be continued until a vote produces a majority for one candidate.

In an election for Vice President, voting shall then begin for the other Vice Presidential position.

SECTION 9 - CONSTITUTIONAL REVISIONS

The National Executive Committee is authorized to consider and recommend to the membership at a National meeting, further revisions of the Constitution and the By-Laws. The National Executive Committee may delegate this function to a Constitutional Revisions Committee which will perform overview functions. Any Guild member or Chapter who wishes to offer Constitutional revisions is encouraged to direct proposed changes to the National Executive Committee. All proposed revisions must be presented to the membership at least sixty (60) days before a national meeting.

SECTION 10 - PERMANENT RESOLUTIONS COMMITTEE

A Permanent Resolutions Committee is established whose purposes include: drafting or encouraging the drafting of resolutions which are presented at National meetings; functioning as a subcommittee of the Podium Committee at National meetings; reviewing all resolutions which are presented to that meeting. The Committee may also work with the National Executive Committee if resolutions are presented to that body. The members of the Resolutions Committee shall be recommended by the National Executive Committee to the Convention. Additional nominations may be offered before the members of the Resolutions Committee are ratified and approved by the Convention. All members of this Committee shall serve for a term from the convention at which they are selected until the next convention.

SECTION 11 - AMICUS COMMITTEE

The membership at a national convention shall select an Amicus Review Committee which shall

serve from that convention at which they are selected until the next convention. The National Executive Committee may make recommendations for membership. Nominations will be accepted before selecting a Committee. The Committee shall be directly responsible to report to the officers after it has reviewed every amicus brief which the national organization or a committee, project or task force wishes to or has been asked to endorse. All chapters are strongly encouraged to submit amicus briefs to this Committee before endorsing. No brief by a chapter may conflict with Guild policy. The Review Committee will function according to written Amicus policy as adopted at a national meeting. The National Executive Committee may review this written policy and offer additional recommended changes to the membership at a national meeting.

SECTION 12 - NEC SUBCOMMITTEES

Section 12.1 The National Finance Committee (NFC) - shall be a standing subcommittee of the National Executive Committee. It shall be chaired by the NLG Treasurer and composed of the NLG President, NLG Executive Director, National Lawyers Guild Foundation (NLGF) President, as standing members, and up to five other members appointed by the NFC standing members and confirmed by the NEC to staggered two year terms of office. The NFC shall review budgets presented by the NLG Treasurer and make recommendations as to whether the budgets as presented or after modification by the NFC should be adopted by the NEC. The NFC in cooperation with the NEC shall be responsible for developing and promoting fund raising efforts to finance the national organization. The NFC shall have such other authority as may be provided elsewhere in the NLG Constitution or Bylaws or by delegation of the NEC in accordance with the provisions of the NLG Constitution and Bylaws.

Section 12.2 Ad Hoc Subcommittees - The NEC shall have authority to appoint ad hoc subcommittees as it may deem necessary or advisable from time to time to efficiently and effectively perform the functions of the NEC in accordance with the provisions of the NLG Constitution and Bylaws.