

**CONSTITUTION
of the
LEGAL AND LITERARY SOCIETY
of
OSGOODE HALL LAW SCHOOL**

Approved by by-law motion on November 16, 2021

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PREAMBLE

Recognizing the benefits that a Constitution provides with the intention of facilitating open and responsible government, we hereby establish the following Articles that shall bind the Executive members of the Legal & Literary Society and all those bodies established under its authority as the undergraduate student representative body of Osgoode Hall Law School of York University.

ARTICLE I – OBJECTIVES AND PURPOSES OF THE SOCIETY

1. The Society shall provide a united means of administration in order to:

- a. promote the welfare and interests of the students of Osgoode Hall Law School and to provide and/or support activities, facilities, publications, and services which address student needs and/or objectives;
- b. promote and safeguard the rights of all students to equal treatment regardless of sex, gender identity, gender expression, marital status, family status, race, colour, creed, nationality, ancestry, place of origin, political beliefs, sexual orientation, age, mental or physical disabilities;
- c. promote intra-University cooperation and communication as well as represent L&L in relation with the Law School, York University, other institutions, and the general community; and,
- d. participate fully and actively within the York University community.

ARTICLE II – INTERPRETATION

1. In this Constitution:

- a. "By-Election" means an election held to fill a vacancy on the Executive or Caucus arising after an Election but before the end of term of office for that position;
- b. "By-Law" means a Motion approved in accordance with Article XIII [By-Laws];
- c. "Caucus" or "Student Caucus" means the Student Caucus of Faculty Council of Osgoode Hall Law School;
- d. "Chair" or "Chairperson" means the Executive Member, or Regular Member appointed by the Executive, who is the presiding officer, moderator, and deciding vote of their assembly;
- e. "Club" means an organization whose membership is made solely of Regular Members and Executive Members and which is recognized by the Executive;
- f. "Election" means an election conducted in accordance with Article XVI [Election Procedure], sections 1 and 3;
- g. "Election Handbook" means the rules, procedures, and guidelines by which the Chief Electoral Officer oversees elections;
- h. "Executive Meeting" means a Regular or Special Meeting conducted in accordance with Articles IX [Executive Meetings];
- i. "Executive Member" means any individual member of the Executive of the Legal and Literary Society as identified in Article IV [The Executive], together the "Executive";
- j. "JCR Bar" means the L&L operated student pub, located in Junior Common Room;
- k. "L&L" or "Society" means the Legal & Literary Society of Osgoode Hall Law School, comprised of all undergraduate students of Osgoode Hall Law School of York University;
- l. "Law School" means Osgoode Hall Law School of York University;
- m. "Motion" has the meaning given to it in the most recent edition of *Roberts Rules of Order Newly Revised*;
- n. "Nomination" means the nomination of a candidate for any office required to be filled in an Election or By-Election;
- o. "Organization" means any organization which is run by Regular Members and receives support from the Society but is not a Club;
- p. "Recall" means a recall conducted in accordance with Article XVIII [Recall];

- q. "Referendum" means a referendum conducted in accordance with Article XVII [Referendum];
- r. "Regular Member" means any undergraduate student attending the Law School, who has paid the required student activity fee;
- s. "School Day" means any and all days during which classes are normally scheduled at the Law School;
- t. "Spaces" means designated club offices, the Junior Common Room, and any additional spaces that come under the Society's purview;
- u. "Student" means all students enrolled in the undergraduate program of the Law School, whether as full time, extended time, exchange students or members of a joint program with another faculty; and,
- v. "Year Representative" means any or all of the First Year, Second Year, and Third Year Representatives.

ARTICLE III – MEMBERSHIP

1. Membership of the Society shall consist of Regular Members.
2. All members of the Society shall be entitled to:
 - a. make reasonable use of the Society's Spaces;
 - b. participate in the Annual General Meetings of the Society in accordance with Article VIII [Annual General Meetings];
 - c. attend all Regular and Special Meetings of the Executive except those designated by the Executive as provided in Article XI [Open and In-Camera Meetings]; and,
 - d. enjoy such other privileges as may be conferred by this Constitution or by act of the Executive.
3. Regular Members shall be entitled to:
 - a. vote at Annual General Meetings, in Elections, and on Referenda and Recall of the Society;
 - b. propose or second amendments to the constitution, in accordance with Article XIX [Amendments to the Constitution];
 - c. propose Referendum and Recall proceedings in accordance with Articles XVII [Referendum] and XVIII [Recall];
 - d. nominate or second candidates for the Executive;
 - e. stand for election or hold office on the Executive, subject to qualifications for office as outlined in these Articles;
 - f. establish, join, or hold office in organizations sanctioned by the Society; and,
 - g. participate in any events or activities sponsored by the Society.

ARTICLE IV – THE EXECUTIVE

1. The Executive shall lead the Society and make decisions on behalf of its members. The Executive shall endeavour to make decisions in the best interests of the Society, guided by the objectives and purposes of the Society as defined in Article I, while considering the long-term health and sustainability of the Society.

2. The Executive shall consist of the following officers:

- a. The President;
- b. The Vice President Internal;
- c. The Vice President External;
- d. The Vice President Outreach
- e. Social Convener;
- f. The Secretary;
- g. The Treasurer;
- h. The Equity Officer;
- i. The Third Year Representative;
- j. The Second Year Representative;
- k. Four (4) First Year Representatives, one from each section; and,
- l. The Chair of Caucus, who sits *ex officio*.

3. The term of office of each Executive Member shall begin May 1 and end on April 30 of the following year. If no successor is elected by the end of the Executive's term, an Executive Member may continue in office until their successor is elected.

4. The last Executive Meeting of the term shall be a transitional meeting held following the Election and shall be a joint meeting of the incoming and outgoing Executive.

5. Executive Members shall be elected annually from the Regular Members as per the election procedures defined in Article XVI [Election Procedure].

6. Executive Members shall have the right to vote on all matters brought before them at an Executive Meeting and bind the Society and its membership.

ARTICLE V – GENERAL POWERS OF THE EXECUTIVE

1. As the Executive is the representative body of the Society, it:
 - a. shall recommend general policy;
 - b. may propose and enact By-Laws; and
 - c. shall abide by and enforce its By-Laws, policies, and any other Motions made by the Society.
2. The Executive shall be empowered to:
 - a. enact, amend, repeal and enforce By-Laws within the provisions of this Constitution, such By-Laws to be passed in accordance with Article XIII [By-Laws], provided that no By-Law be passed which contravenes the Articles or spirit of this Constitution;
 - b. levy and arrange for the collection from Regular Members of the Society a compulsory student activity fee, or any other fee as may be levied by the Executive from time to time, the amount of such fee to be levied or changed only by a Referendum of the Regular Members;
 - c. administer these fees and all other funds accruing to the Society, and to engage in any legal or commercial undertakings necessary to achieve its objectives or purposes;
 - d. create boards, commissions, and committees reporting to the Society; to provide for the appointment of the members to these bodies; and to delegate subordinate powers to these bodies;
 - e. delegate representatives to serve on external boards, committees, or other organizations;
 - f. call Annual General Meetings of the Society in accordance with Article VIII [Annual General Meetings];
 - g. initiate Referendum proceedings in accordance with Article XVII [Referendum];
 - h. recognize any club;
 - i. recognize any Regular Member of the Society who has been selected by a recognized club, society, organization, or association as its spokesperson;
 - j. grant or withdraw from any such club, society, organization, or association funds requested for their activities;
 - k. set financial criteria to which clubs, societies, associations or organizations shall adhere;
 - l. further promote or advise regarding the actions of any such club, society, organization, association, board, commission, committee, or representatives as the Executive may deem necessary;

- m. employ personnel, provide for their remuneration, and define their responsibilities;
- n. provide for the maintenance of Society property and any facilities required for the furtherance of the objectives and purposes of the Society;
- o. represent the student body at official functions and on public occasions; and,
- p. perform any other act or deed that the Executive deem necessary.

ARTICLE VI – DUTIES AND QUALIFICATIONS OF THE EXECUTIVE

1. Every Executive Member shall:

- a. be a Regular Member of the Society throughout their term of office;
- b. submit a complete transition report, before the end of the academic year, to both their successor and the incoming President. The transition report shall include, in addition to any information the Executive Member feels is appropriate to pass on to their successor, the following:
 - i. a list of key contacts;
 - ii. a timeline of regular duties of the office; and,
 - iii. a list of relevant usernames and passwords and any other information necessary to access services used by the officeholder;
- c. meet with their successor before the end of the academic year in order to effect transition of their office;
- d. report to the Executive as necessary;
- e. represent the Society on such committees, bodies, or councils as the President may designate; and,
- f. discharge any additional powers and duties as conferred or required by these Articles and By-Laws, or as required from time to time by the Executive.

2. The **President** shall:

- a. act as the Chief Executive Officer of the Society and, be charged with final responsibility for carrying out the Constitution, By-Laws, and policies of the Society;
- b. be one (1) of the four (4) signing officers of the Society;
- c. call and preside over general meetings of the Society and the Executive in the role of Chairperson;
- d. act as the representative of the Society in all official functions of the Law School in addition to any other functions and public occasions as required, and designate appropriate representatives of the Society when more than one (1) representative is required for such functions and occasions;
- e. if unable to attend a meeting or function, notify the Vice President Internal;

- f. consult regularly with the officers of the Law School in order to report on Society policies and activities, and to obtain information on changes to Law School and University policies and activities;
- g. submit, in conjunction with the Executive, a written report outlining the events of their year's tenure and recommendations for consideration by the incoming Executive, at a transitional meeting required by Article IV [The Executive]; and,
- h. sit as a member of Caucus.

3. The **Vice President Internal** shall:

- a. be one (1) of the four (4) signing officers of the Society;
- b. exercise the powers of and be charged with the duties of the President in their absence;
- c. in cooperation with the President, be responsible for activities of boards, committees and commissions established by the Executive;
- d. be responsible for all social media posts on behalf of the Society including moderating comments and delegating such duties as required;
- e. oversee the Legal & Literary Society website; and,
- f. sit as a member of Caucus.

4. The **Vice President External** shall:

- a. maintain records of Club membership, and keep current copies of Club constitutions;
- b. be responsible for the recognition of Clubs by the Society and their annual budgets;
- c. be one (1) of the four (4) signing officers of the Society;
- d. be responsible for the enforcement of any Executive policy with respect to posterage in the Law School;
- e. liaise with the Office of the Executive Officer on issues relating to Club management and finances;
- f. liaise between the Executive and all Clubs recognized by the Society; and,
- g. oversee the operations of all Clubs recognized by the Society.

5. The **Vice-President Outreach** shall:

- a. create sponsorship packages and conduct outreach to firms for all L&L events and initiatives

- b. aid the 1L, 2L and 3L representatives with sponsorship outreach for their respective formal
- c. aid the Vice President Internal with sponsorship for JCR programming
- d. facilitate and maintain relationships within Greater York University and other law schools.
- e. [Optional: organize an annual career fair with all sponsors with assistance from the Social Convener and Vice President Internal]
- f. [Optional: Assist with social media].

6. The **Social Convener** shall:

- a. organize, promote, and oversee school-wide social events that foster the spirit of community within the Law School; and,
- b. be responsible for ensuring that all social events achieve the objectives set out in Article I [Objectives and Purposes of the Society].

7. The **Secretary** shall:

- a. maintain a current, authoritative copy of the Constitution and By-Laws of the Society in both printable and electronic format (on the Society's website);
- b. conduct correspondence and post events of interest to students of the Law School in the name of the Society, as authorized by the Executive or the President;
- c. be the official recording clerk of the Society and the custodian of all records, including records of all Executive and Annual General Meeting minutes, email Motions, and other records which may be of permanent value to the society except records specifically assigned to others;
- d. maintain records transparently and ensure they are without bias or implied intent;
- e. have the minutes approved by a simple majority at the next Executive Meeting; and,
- f. prepare the agenda for the Executive and Annual General Meetings in consultation with the President and make the necessary arrangements for such meetings.

8. The **Treasurer** shall:

- a. be one (1) of the four (4) signing officers of the Society;
- b. be responsible for effecting payment of outstanding bills of the Society and ensuring the collection of the accounts receivable;
- c. be responsible for ensuring that the books of all Clubs and Organizations operating under the auspices of the Society are kept in order, and may collect and audit such books;

- d. liaise with the Society's auditor at the start of their term of office to ensure conformity of the Society's financial record keeping with that of the auditor;
 - e. prepare an operational budget which shall:
 - i. outline all income and expenses that the Society incurs throughout the Term;
 - ii. be prepared by the beginning of the academic year;
 - iii. be maintained throughout the Term;
 - iv. be accessible to members of the Society upon request; and,
 - v. be approved by the Executive.
 - f. prepare two (2) clubs budgets, one (1) per academic semester, which shall:
 - i. allocate funding for each recognized club;
 - ii. be prepared in conjunction with the President and Vice President External; and,
 - iii. be approved by the Executive.
 - g. ensure the keeping of a permanent and accurate record of all financial transactions of the Society; and,
 - h. inspect the books of the *Obiter Dicta* and JCR Bar, written notice to be given to the senior business manager of the *Obiter Dicta* and the JCR Bar manager at least seven (7) days prior to this inspection, as required.
9. The **Equity Officer** shall:
- a. sit as a member of Caucus;
 - b. sit on the Equality Committee of Faculty Council;
 - c. to the extent possible, facilitate anti-oppression training for all members of the Society, particularly for Executive Members and club executives, with an aim to promote equity at the Law School;
 - d. liaise between equity seeking groups, the Executive, and all recognized Clubs and Organizations to:
 - i. ensure all Society activities are not exclusionary or discriminatory in nature; and,
 - ii. investigate and report to the Executive on equity concerns related to all Society activities.
 - e. represent the Society when issues regarding discrimination and equity are raised in the Law School community;

- f. work with the President and Vice President Internal to develop equity-based and other relevant campaigns, events, and programs; and,
- g. promote mental health awareness and lead the student body in responding to mental health issues.

10. The **Third Year Representative** shall:

- a. act as a liaison between the third year students of the Law School and the Executive;
- b. arrange for graduate photographs; and,
- c. arrange for a joint composite photograph of the Executive and Student Caucus to be taken and for the joint photograph of the preceding Executive and Student Caucus to be displayed in the Society's office.

11. The **Second Year Representative** shall:

- a. act as a liaison between the second year students of the Law School and the Executive;
- b. co-ordinate the sale of Osgoode apparel on behalf of the Executive; and,
- c. assist the Treasurer, as needed.

12. Each **First Year Representative** shall:

- a. act as liaison between the first year students of the Law School and the Executive;
- b. in conjunction with the Caucus representative from their section, host a town hall meeting, at least once (1) per academic year; and,
- c. assist at least one (1) Executive member with a special project of the First Year Representative's choosing during the academic year.

ARTICLE VII – STUDENT CAUCUS

1. The Society shall be represented at all meetings of the Faculty Council of the Law School by Caucus.
2. Caucus shall have complete autonomy from the Executive to deal with matters of an academic nature within the Law School and shall govern itself in accordance with its own Constitution.
3. In the event of conflict regarding jurisdiction, the President of the Society and the Chair of Caucus shall have the power to strike a panel to address and manage the issue to resolution.
4. The panel will be composed of: the Vice President Internal of the Society, the Equity Officer of the Society, the Vice Chair of Caucus and the Director of Communications of Caucus. They shall vote to assign jurisdiction to either the Society or Caucus.
 - a. The panel will be given 48 hours to make a majority decision.
 - b. In the event that the panel cannot reach a resolution supported by the majority within the stated time frame, the President of the Society shall assign jurisdiction to either the Society or Caucus.

ARTICLE VIII – ANNUAL GENERAL MEETINGS

1. There shall be an Annual General Meeting of the Society, chaired by the President of the Society, within seven (7) days of the receipt of:

- a. the instructions of the Executive by a simple majority; or,
- b. a request signed by not less than five percent (5%) of the Regular Members of the Society, whose names shall be validated by student identification number.

2. Annual General Meetings shall be held on a School Day.

3. Motions and agenda items by any Regular Member must be submitted to the Secretary at least seven (7) days before the Annual General Meeting. Executive Members retain the discretion to move motions not previously submitted to the Secretary.

4. The agenda of an Annual General Meeting shall be confined to the business for which the meeting was called.

5. Notices of Annual General Meetings must be posted conspicuously, at least two (2) School Days prior to the commencement of the meeting.

6. Voting at the Annual General Meeting shall be by show of hands, and a quorum shall be ten percent (10%) of the Regular Members and a simple majority of Executive Members.

7. The procedure followed at Annual General Meetings shall be in accordance with the most recent edition of *Robert's Rules of Order Newly Revised*.

8. Motions put forward at an Annual General Meeting require approval by a simple majority of the Regular Members in attendance and a simple majority of the Executive Members in attendance.

9. A Motion or By-Law approved at an Annual General Meeting can be rescinded:

- a. by Referendum; or,
- b. by a Motion approved by a two-thirds majority of Regular Members present at a subsequent Annual General Meeting.

10. A Motion adopted at an Annual General Meeting will have the same effect as a Motion adopted at an Executive Meeting, except that such a Motion cannot be reversed at a subsequent Executive Meeting.

ARTICLE IX – EXECUTIVE MEETINGS

1. There shall be Executive Meetings called by the President or their designate selected from the Executive Members and held on dates as designated by the President.
2. An Executive Meeting must also be called by the President if they are notified in writing that a meeting is so desired by a simple majority of the Executive.
3. Notice of such Executive Meetings must be posted conspicuously at least two (2) School Days prior to the commencement of such a meeting.
4. There shall not be fewer than twelve (12) Executive Meetings during the term of the office of the Executive.
5. The Society adopts the most recent edition of *Robert's Rules of Order Newly Revised* as the official rules of order to be used at meetings, except in such circumstances where it shall have approved the adoption of its own rules.
6. A simple majority of the members of the Executive, including, once elected, at least one (1) First Year Representative, shall constitute a quorum at Executive and Emergency Meetings.
7. An Executive Member may be represented at a Regular or Emergency Meeting by a proxy who may exercise a voting right in place of the absent Executive, provided that the consenting proxy and President are notified in writing. The proxy must be another Executive Member.
8. An Executive Member shall not be represented by a proxy at two (2) consecutive meetings, at the discretion of the President.
9. If it is necessary for the Executive to hold an Emergency Meeting, the following procedures shall apply:
 - a. Such meetings may be called by the President on twelve (12) hours' notice to all Executive Members.
 - b. Actions and procedures that constitute notice shall include reasonable effort by the President to communicate personally with the Executive Members.
 - c. The President shall call an Emergency Meeting at their discretion or if requested by a majority of the Executive Members.

ARTICLE X – EXECUTIVE ORDERS

1. If a matter must be decided before an Executive or Emergency Meeting can be convened, an Executive Order may be passed, which shall have the full force and effect as if it was passed at a meeting by the Executive, provided that majority consent for the Executive Order is obtained from an *ad hoc* committee consisting of the President, the Treasurer, and any three additional Executive Members.
2. Where such an *ad hoc* committee cannot be reasonably convened to vote on the Executive Order, the President may issue such Executive Order unilaterally.
3. Before making any Executive Order there must be reasonable attempts to give notice to the Executive.
4. Any Executive Order must be made in accordance with the Constitution.
5. The Executive must be notified of the Executive Order at the next Executive Meeting.

ARTICLE XI – OPEN AND IN-CAMERA MEETINGS

1. All Executive Meetings shall be open to the public unless a portion thereof is designated to be *in-camera* upon a successful motion by an Executive Member. *In-camera* sessions are closed to the public and to everyone except Executive Members and individuals specifically invited to attend. Individuals who are not Executive Members shall only be allowed to attend an *in-camera* session upon approval by a simple majority of the Executive Members.
2. Open justification for the Motion must be given by the chairperson prior to the meeting being closed. As a general rule, *in-camera* sessions should be restricted to legal or employment matters of the Society or matters of a personal nature relating to Regular Members or Executive Members where there is a reasonable expectation that the matter should remain private.
3. All Motions and their results made at *in-camera* sessions shall be published in the public minutes of that meeting, unless the results of the Motion are of a sensitive nature (for example, employment or legal matters). In that case, Motions and their results shall remain confidential unless released by a simple majority vote of the Executive.

ARTICLE XII – MOTIONS

1. All Motions require a mover and a seconder and require approval by a simple majority of Executive Members to pass.
2. All Motions adopted by the Executive shall remain in force until repealed.
3. Voting at meetings shall be by show of hands or roll call, or both, unless otherwise agreed upon by a simple majority of Executive Members or at the request of the President.
4. Motions carried out via email shall require each Executive Member to respond with comments or their vote within seven (7) days. At the discretion of the President, emergency Motions carried out via email must be designated as such and shall require each Executive Member to respond with comments or their vote within twenty-four (24) hours. The Secretary will record the results of the vote and any discussion and include the record in the minutes of the following Executive Meeting.
5. Motions may be repealed by another Motion; such Motion requires approval by a simple majority of Executive Members to pass.

ARTICLE XIII – BY-LAWS

1. A By-Law shall take precedence over an ordinary Motion. Any Motion that conflicts with a By-Law shall be considered out of order.
2. A Motion that is to become a By-Law shall be explicitly designated as a By-Law in its wording when presented to the Executive Members. The Motion must then be passed by a two-thirds ($\frac{2}{3}$) majority of Executive Members present at an Executive Meeting, or by a two-thirds ($\frac{2}{3}$) majority of the Regular Members present at an Annual General Meeting, in order to be adopted.
3. If adopted, a Motion designated as a By-Law shall be recorded by number and date.
4. The Secretary shall keep a current list of By-Laws that are to be appended to the Constitution.
5. To amend or repeal a By-Law, a Motion to amend or repeal must be passed by a two-thirds ($\frac{2}{3}$) majority of Executive Members.

ARTICLE XIV – CHIEF ELECTORAL OFFICER

1. A Chief Electoral Officer shall be appointed to administer and supervise all Elections, By-Elections, Referendums, and Recalls.
2. The Chief Electoral Officer shall be appointed by the President, Vice President Internal, and the Chair of Caucus as approved by Executive Members at least five (5) days preceding the opening of nominations for any Election, By-Election, Referendum, or Recall.
3. The Chief Electoral Officer must be a Regular Member of the Society but may not be an Executive Member or a Member of Caucus or a Student Senator.
4. The Chief Electoral Officer shall maintain, update, and enforce the guidelines in the Election Handbook, in conformity with those specified in the Constitution and By-Laws of the Society.
5. Material updates to the Election Handbook, pertaining but not limited to, Nomination eligibility criteria must be approved by both the Executive and Caucus.
6. The Chief Electoral Officer may be removed by a two-thirds ($\frac{2}{3}$) majority of the Executive.
7. The **Chief Electoral Officer** shall:
 - a. be in charge of all matters regarding the holding of Elections, By-Elections, Referenda and Recall, including receipt and certification of Nominations, coordinating the online voting platform, supervising campaigns, the posting of notices, and the declaration of elected candidates;
 - b. respond to questions related to the holding of Elections, By-Elections, Referenda and Recall;
 - c. conduct the Elections, By-Elections, Referenda and Recall on days agreed upon by the Executive and Caucus;
 - d. have final authority to enforce electoral regulations or decide matters of contention;
 - e. have discretion to disqualify candidates for serious violations of the electoral guidelines;
 - f. ensure that each nominated candidate meets the requirements set out in Article VI [Duties and Qualifications of The Executive];
 - g. not be eligible to vote in an Election, By-Election, Referendum or Recall, except in the case of a tie; and,
 - h. not be eligible to run for office in Society or Caucus Elections or By-Elections unless notice of resignation is given to the Executive fourteen (14) days prior to the opening of Nominations for such Elections or By-Elections.

ARTICLE XV – NOMINATION PROCEDURE

1. Nomination forms shall be provided by the Chief Electoral Officer at least seven (7) days prior to the closing of Nominations.
2. Nominations shall close not less than three (3) days prior to the first day of polling.
3. Nominees may only be candidates for one (1) office within the Society or Caucus in any one (1) election. For clarity, candidates may run for either one (1) position within the Society or one (1) position within Caucus but not both. Additionally, candidates may run for office as a Student Senator on its own or concurrently with an office within the Society or Caucus.
4. If no Nominations are received for any office by the Nomination deadline, the Chief Electoral Officer shall:
 - a. close Nominations for all offices for which Nominations have been received;
 - b. extend the Nomination period for all offices for which no Nominations have been received by no less than three (3) and no more than seven (7) days;
 - c. if, after the new Nomination period has closed, no new Nominations are received, hold a By-Election on a School Day; and,
 - d. if no Nominations are received during the By-Election Nomination period then the President shall appoint one (1) or more Regular or Executive Members to the vacant role.
5. Nominations shall be kept confidential until after the Nomination deadline has passed.
6. The candidate shall consent in writing to their Nomination.
7. Nomination forms shall be affirmed by signature by not less than ten (10) Regular Members of the Society excluding the signature of the candidate.
8. Candidates standing for election shall meet the requirements for their office as outlined in the Election Handbook:
 - a. First Year Representatives shall be nominated by students who, at the Nomination deadline, are completing their first year in the JD program;
 - b. the Second Year Representative shall be nominated by students who, at the Nomination deadline, are completing their first year in the JD program or second year in a joint program; and,
 - c. the Third Year Representative shall be nominated by students who, at the Nomination deadline, are completing their second year in the JD program or third year in a joint program.

ARTICLE XVI – ELECTION PROCEDURE

1. Elections for Executive Members and members of Caucus, with the exception of the First Year Representatives, shall be held once each year during the month of March.
2. Elections for First Year Representatives of the Executive and Caucus shall be held within thirty-five (35) days after the first day of the fall semester.
3. Failure of any member of the Executive to continue to meet the qualifications of office required by the Election Handbook shall result in the forfeiture of their office and the position shall become vacant.
4. Executive positions vacant prior to winter break shall be filled by By-Election within fifteen (15) School Days.
5. Executive positions that become vacant after the first day of winter break, with the exception of the President, shall be filled by appointment of the majority of the Executive. Should the office of the President become vacant after the first day of winter break, the Vice President Internal shall become the President.
6. Polling shall be conducted by online voting in accordance with the guidelines established by York University.
7. Voting by proxy shall not be permitted.
8. In the event that the online voting platform experiences technical difficulties for part or all of any designated polling day, the Chief Electoral Officer shall designate an additional polling day as soon as is practical.
9. The results of any Election, By-Election, Referendum, or Recall must be ratified by a two-thirds ($\frac{2}{3}$) majority of the Executive no earlier than forty-eight (48) hours after the closing of the voting period. Results shall not be published until ratification succeeds. For a period of forty-eight (48) hours after the closing of the voting period, the following objections may be brought to the Executive for consideration before ratification:
 - a. a recommendation by the Chief Electoral Officer that the result of the Election, By-Election, Referendum, or Recall should be invalidated because the number and/or degree of violations or improprieties during the election has cast doubt into the legitimacy of the results; or,
 - b. a petition presented by a Regular Member, signed by at least ten percent (10%) of Regular Members requesting that the Election, By-Election, Referendum, or Recall should be invalidated.
10. If any results are invalidated pursuant to the above, the Chief Electoral Officer will host a By-Election to fill the vacant role in accordance with Article XV [Nomination Procedure].

ARTICLE XVII – REFERENDUM

1. The Chief Electoral Officer shall initiate the Referendum procedure within ten (10) School Days of the receipt of a petition signed by ten percent (10%) of the Regular Members of the Society or by a Motion approved by two-thirds ($\frac{2}{3}$) of the Executive.
2. If the Referendum question proposes to modify or create a levy charged by the Society, the Chief Electoral Officer shall conduct the Referendum in accordance with the Guidelines and Procedures for the Conduct of Student Referenda at York University (the “Referendum Guidelines”) and these Articles, insofar as they are not in conflict with the Referendum Guidelines.
3. If the Referendum question is related to a purpose other than 2.0 above, it shall be conducted in accordance with the policies and procedures within these Articles.
4. To be successful, the Referendum must:
 - a. be voted on by ten percent (10%) of Regular Members; and,
 - b. be approved by a simple majority of the votes cast.
5. The Referendum process shall be supervised by the Chief Electoral Officer.
6. The decisions of the Referendum shall be binding on the Society.

ARTICLE XVIII – RECALL

1. A Recall is the act of removing from office an Executive Member by petition of the Regular Members, or by a vote of Executive Members, if the Executive Member is not meeting their duties and responsibilities pursuant to this Constitution.

2. Recall by Regular Members:

- a. In order to initiate a Recall of an Executive Member who is a Year Representative, a petition signed by ten percent (10%) of the member's constituents must be presented to the Executive.
- b. In order to initiate a Recall of any Executive Member other than Year Representatives of this Article, a petition signed by ten percent (10%) of the Regular Members must be presented to the Executive.
- c. A Referendum on the petition must be called at the next Executive Meeting and put to a vote of the member constituents within ten (10) School Days of its receipt.
- d. Quorum for the Referendum on the Recall shall be ten percent (10%):
 - i. of the members' constituents, if the Executive being recalled is a First, Second, or Third Year Representative; or,
 - ii. of all of the Regular Members, if the Executive Member is not a Year Representative.
- e. The Referendum shall be successful if approved by a two-thirds ($\frac{2}{3}$) majority of votes cast.

3. Recall of an Executive Member, other than the President or Vice President Internal, by Executive Members:

- a. In order to initiate a Recall of any Executive Member, the President and Vice President Internal, must write a formal warning to the Executive Member informing them of the impending Recall and offering the opportunity to:
 - i. Improve their performance;
 - ii. Voluntarily resign; or,
 - iii. Submit to a Recall vote by the Executive.
- b. If the Executive Member does not improve, as determined by the President and Vice President Internal, or resign, then the President and Vice President Internal must invite the Chief Electoral Office to preside over a Regular Meeting where the Motion is heard

to Recall the Executive Member.

- c. To succeed, the Recall Motion must have three-quarters ($\frac{3}{4}$) approval by the Executive.

4. Recall of the President or Vice President Internal, by Executive Members:

- a. In order to initiate a Recall of any one (1) of the President or Vice President Internal, a formal warning must be delivered by the Chief Electoral Officer on behalf of a majority of the Executive to the President or Vice President Internal informing them of the impending Recall and offering the opportunity to:
 - i. Improve their performance;
 - ii. Voluntarily resign; or,
 - iii. Submit to a Recall vote by the Executive.
- b. If the President or Vice President Internal, does not improve as determined by a majority of Executive Members, or resign, then any Executive Member other than the President or Vice President Internal, must invite the Chief Electoral Officer to preside over a Regular Meeting where the Motion is heard to Recall the Executive Member.
- c. To succeed, the Recall Motion must have three-quarters ($\frac{3}{4}$) approval by the Executive.

5. If the Referendum on the petition for Recall is successful, or the vote to Recall by the Executive is successful, the recalled Executive Member shall forfeit their position and the vacancy on the Executive may be filled in a By-Election in accordance with Article XVI [Election Procedure].

6. The Recall process shall be supervised by the Chief Electoral Officer.

ARTICLE XIX – AMENDMENTS TO THE CONSTITUTION

1. Amendments to this Constitution may be proposed by a Motion approved by two-thirds ($\frac{2}{3}$) of Executive Members, or by a petition signed by at least ten percent (10%) of the Regular Members.
2. Proposed amendments shall be put to a Referendum in accordance with Article XVII [Referendum], except that the Referendum must be approved by a two-thirds ($\frac{2}{3}$) majority of the votes cast.
3. Proposed amendments must be posted conspicuously prior to the commencement of voting on the amendments, and notice must also be given to students by as many reasonable means of communication as is practicable.
4. A proposed amendment, once approved by Referendum, will come into effect immediately unless otherwise indicated in the text of the Referendum question.

ARTICLE XX – OATH OF AFFIRMATION

1. New Executive Members shall take the following oath of affirmation at its first Executive Meeting following their election or appointment:

"I solemnly affirm that I shall faithfully observe and uphold the provisions of the Constitution and By-Laws of the Legal and Literary Society of Osgoode Hall Law School of York University and to the best of my ability shall administer the duties of my position for the benefit of the students I represent and the Law School."

ARTICLE XXI – EFFECT OF CONSTITUTION

1. This Constitution comes into effect immediately upon approval by Referendum.
2. Any previous Constitution of the Society is hereby repealed and all By-Laws, approved Motions or any other acts of the Society inconsistent with the Constitution are hereby revoked.
3. Upon entering into effect, this Constitution recognizes and gives continuing effect to existing By-Laws approved by the Executive.
4. All matters of clarification of this Constitution shall be dealt with by By-Law or Motion approved by a two-thirds ($\frac{2}{3}$) majority of the Executive.
5. The Articles of this Constitution shall prevail in the event of any inconsistency with any By-Law or Motion of the Executive.

ARTICLE XXII – LAW STUDENTS' SOCIETY OF ONTARIO

1. The Legal and Literary Society hereby joins the Law Students' Society of Ontario (“LSSO”), an advocacy body representing students attending Ontario law schools or an equivalent body.
2. The President of the Society and the Chair of Caucus, who sit on the LSSO, retain discretion to invite one (1) Executive Member or member of Caucus to serve as an additional representative on the LSSO.

BY-LAWS

BY-LAW I – ADDITIONAL POWERS AND DUTIES OF THE EXECUTIVE

1. In addition to the duties of the President identified in Article VI [Duties and Qualifications of The Executive], the President shall:

- a. be the Society representative on the Student Representative Round Table of York University (SRR);
- b. be a representative of the Society at meetings of the Law Student's Society of Ontario (LSSO); and,
- c. be the Society representative on the Board of Directors for the Alumni Association.

2. In addition to the duties of the Vice President Internal identified in Article VI [Duties and Qualifications of The Executive], the Vice President Internal shall:

- a. be responsible for creating and managing event pages for ticket sales on the website.

3. In addition to the duties of the Vice President External identified in Article VI [Duties and Qualifications of The Executive], the Vice President External may:

- a. in accordance with By-Law XXVIII [Physical Accessibility for Students with Disabilities] enforce provisions relating to clubs.

4. In addition to the duties of the Social Convener identified in Article VI [Duties and Qualifications of The Executive], the Social Convener shall:

- a. act as coordinator of regular Osgoode social nights, including liaising with any hired pub staff as required;
- b. create a calendar of perennial events at the Law School in collaboration with the Vice President Internal. The Social Convener may add events to the calendar at their discretion;
- c. assist the First Year Representatives, Second Year Representative, and Third Year Representative with planning their end of term parties as required; and,
- d. in accordance with By-Law XXVII [Physical Accessibility for Students with Disabilities] enforce provisions relating to social events.

5. In addition to the duties of the Third Year Representative identified in Article VI [Duties and Qualifications of The Executive], the Third Year Representative shall:

- a. coordinate the annual Dean's graduation formal celebration; and,
- b. co-ordinate the production and distribution of the yearbook.

6. In addition to the duties of the Second Year Representative identified in Article VI [Duties and Qualifications of The Executive], the Second Year Representative shall:

- a. coordinate the production and distribution of the annual agenda;
- b. co-ordinate the end of the year social function primarily for second year students;
- c. be responsible for coordinating the annual Legal and Literary Society Honour Awards and ensure that necessary engraving and distribution of the awards is completed; and,
- d. assist the Third Year Representative with the yearbook, as needed.

7. In addition to the duties of the First Year Representatives identified in Article VI [Duties and Qualifications of The Executive], the First Year Representative shall:

- a. co-ordinate the end of year spring formal celebration primarily for first year students; and,
- b. co-ordinate at least one (1) end of term social function primarily for first year students per academic semester.

BY-LAW II – CLUB GUIDELINES

1. All Clubs must act in accordance with the principles of this Constitution.
2. Upon notification that any Club, or any officer acting on behalf of any Club, may be:
 - a. practicing or advocating for activities involving violence or hatred towards protected groups (as defined in the Ontario *Human Rights Code*);
 - b. in breach of any part of this Constitution; or
 - c. misrepresenting and/or slandering the Executive and/or Osgoode Hall Law School and/or York University; or,
 - d. appropriating club funding for personal use.

The Executive shall investigate the allegations and, if substantiated, may:

- e. by special majority of voting members of the Executive, revoke recognition and funding for the Club; and/or,
 - f. require the Club to take any and all actions necessary to rectify the issue.
3. All affiliations of a Club to other organizations must be stated clearly and concisely in the constitution of the Club.
4. The Executive may, upon request, require that any affiliation be verified in writing by the parent organization.

5. The following factors shall be considered when ratifying Clubs:
 - a. the level of utility which the proposed club will provide to the student body;
 - b. the purpose of the proposed club;
 - c. a minimum of ten (10) Society members interested in joining an Equity Club, or a minimum of twenty-five (25) Society members interested in joining an Interest Club (Clubs will self-declare their club type, which may be re-classified by the VP External with proper reasoning and can be appealed to the President);
 - d. the methods by which the proposed club will assist in the educational growth and community development of its members; and,
 - e. whether Clubs ratified in previous school years perform the same or similar functions and/or share the same principles.

6. If a Club is not ratified due to any or all of the above factors, a proposed officer of the Club may request review by the Vice President External, Vice President Internal, and President, who, provided there is no conflict of interest, shall have sole and final authority to ratify the Club.

7. In the event of a conflict of interest between an Executive Member and a Club, such Executive Member shall recuse themselves from such decisions.

8. Ratification requests must be submitted to the Vice President External for consideration by the Executive by a date to be set by the Vice President External.

9. Recognition will enable a club to:

- a. reserve and access rooms within Osgoode for club purposes;
- b. post notices;
- c. book tables and chairs;
- d. make use of Osgoode audio-visual equipment;
- e. at the Vice President External's discretion, reserve a locker and/or office space;
- f. request funding, receive reimbursements, and have access to a Club bank account;
- g. make use of the basement and second floor common areas, and subject to permission from the Office of the Executive Officer, Gowlings Hall and the Gowlings Hall Atrium;
- h. reserve the JCR for club events and collaborate with the Bar Manager if bar service or similar arrangements are required;
- i. be listed as a Club on the Society website; and,
- j. communicate events and initiatives to students via the Society's weekly e-mail; within the guidelines as established by the Executive.

10. All Club budget requests must be in writing and must be received by the Executive in such manner and at such time as determined by the Vice President External. Budget requests and Club spending must meet the Club Financial Guidelines as found under Article I. Note that Article I may be amended at the discretion of the President, Treasurer, and VP External.

11. Any and All External Bank Accounts are subject to the rules and guidelines ratified by the Executive in 2017, as found under Article II.

12. To receive funding, a Club must have at least two Club executive members as signing authorities.

13. Only under special circumstances, and with the approval of the Executive, will the following expenses be funded:

- a. travel expenses;
- b. accommodation expenses;
- c. purchase or maintenance of equipment; and,

- d. honouraria or other remuneration of club members.

13. Only under very rare circumstances, and with the approval of the Executive, will the Executive fund a project after it has taken place.

14. Other organizations besides Clubs are eligible to approach the Executive for funding on a project basis. Such applications should be made to the Executive in writing.

15. All Clubs must ensure that equal rights are extended to every Regular Member without discrimination and in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age, mental or physical disability or sexual or political orientation.

- a. this section does not preclude any Club that has its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age, mental or physical disability or sexual or political orientation from implementing policies, programs or activities in furtherance of this object.

16. Every Club must have on file with the Society an approved copy of its current constitution. The following elements must be incorporated into every Club constitution:

- a. the name of the Club;
- b. any affiliation to other organizations;
- c. statement of purpose/objective;
- d. membership (Rules/Guidelines);
- e. Executive – including:
 - i. Composition;
 - ii. Method of Election;
 - iii. Method of Appointment; and,
 - iv. Duties/Responsibilities of the Executive.
- f. meetings (who calls them); and,
- g. amendments to the constitution.

17. Every Club must create and file with the Society a generic email for the club (i.e. osgoodeclub@gmail.com).

BY-LAW III – COMMITTEES

1. The Executive may from time to time appoint such committees and their Chairpersons as it deems necessary and shall confer upon them such powers and duties as the Executive shall determine.
2. All committees and their Chairpersons shall be responsible to the Executive for their activities, shall periodically make written reports and shall conduct their business in accordance with Executive directives.
3. All meetings of committees shall be held at the call of the Chairperson of that committee.
4. A quorum of any committee is a majority of the voting members of that committee.

BY-LAW IV – ORIENTATION COMMITTEE

1. The Orientation Committee shall:
 - a. be composed of two (2) Co-Chairs as appointed by the Executive on the recommendation of the President, and have as its members Regular Members as determined by the Co-Chairs in addition to the Social Convener and Treasurer;
 - b. be responsible to the Executive for the organization of a programme of orientation for first year students;
 - c. be responsible for all expenditures and receipts in connection with the orientation programmes; and,
 - d. consult with the Equity Officer.
2. The President will be a member of the Orientation Committee and will adopt a supervisory role to ensure the objectives of the Committee are being carried out.
3. On request to the President, an application may be made to apply as three (3) Co-Chairs.

BY-LAW V – FINANCIAL ACCOUNTABILITY

1. The accounts of the Society shall be audited by an accredited chartered accountant as appointed by the Executive and audited financial statements for the fiscal year-end (April 30 of each calendar year) must be submitted to York University Student Community & Leadership Development by September 30 of the same calendar year.
2. In addition to the year-end audited financial statements, an interim report prepared by an accredited chartered account for the current fiscal year must be submitted by February 28 of that calendar year unless otherwise directed by York University Student Community & Leadership Development.
3. The Treasurer shall prepare a budget for every fiscal year, which is to be presented for approval by the Executive on or before the first Executive Meeting in September. From time to time, over the course of the fiscal year, the Treasurer shall submit for approval any amended budgets as required.
4. All expenditures of the Society that are in the ordinary course of its operations (whether through the operations budget or the clubs budget) and have been allocated funds by way of the approved budget must be approved by two (2) of the Executive Members who have been designated as signing authorities. Expenditures that do not meet the foregoing criteria must be approved by a simple majority of the Executive.
5. All cheques or e-transfers made by the Society must be signed by two (2) Members of the Executive who have been designated as signing authorities.
6. Any student who expends Society funds without proper authorization from a Club or Organization signing authority, committee chairperson, the Executive, or the Treasurer, shall be personally liable for such expenditure, and the Executive at its sole discretion shall have the right to recover from the student the amount of the unauthorized expenditure.
7. The Treasurer or the majority of the Executive shall have the authority to demand that any monies in committee or club accounts be audited by the Treasurer. The Treasurer or the majority of the Executive may require that the balance on hand in such accounts be transferred to and deposited with the Society.
8. The audit report shall be accessible to any Regular Member upon request to the Treasurer.

BY-LAW VI – SOCIETY COLOURS

1. The Executive may authorize or prohibit the use of official Society colours and designs in relation to merchandise, the yearbook, the agenda, and any other uses.

BY-LAW VII – *OBITER DICTA*

1. *Obiter Dicta* shall be the official general periodical publication of the Society. The Society shall not recognize any other general periodical publication. For clarity, Regular Members may establish other types of publications including but not limited to, journals, non-periodical publications, blogs, etc.
2. The Society shall accept and hold onto the levy funds collected by York University on behalf of *Obiter Dicta* and shall release them annually to an authorized representative of *Obiter Dicta*.
3. The Society shall submit *Obiter Dicta*'s financial statements as part of the Society's annual financial audit in order to receive levy funds collected by York University, *Obiter Dicta* shall be responsible for the prorated cost of this audit.
4. The Constitution and By-Laws of the Society shall be interpreted to uphold and encourage the editorial independence of *Obiter Dicta*.

BY-LAW VIII – POSTERING POLICY

1. Subject to the policies of the Administration of the Law School or York University, advertisements, notices, bills and announcements may be posted within the Law School only by Clubs or other Organizations, unless:
 - a. the item is of an academic nature;
 - b. the item refers to the non-commercial sale of goods or services of particular interest to the students at Osgoode; or
 - c. alternative arrangements have been made with the President or Secretary of the Society.
2. The Society recognizes the following individuals or groups:
 - a. all Clubs that have constitutions on file with the Society;
 - b. the Chief Electoral Officer of the Law School, and all candidates for election whom they recognize, subject to any limitation imposed by the CEO;
 - c. Caucus;
 - d. York Federation of Students (“YFS”) , and all student clubs and organizations recognized by YFS, except profit-making enterprises;
 - e. *Obiter Dicta*, the JCR Bar, and any commercial enterprises established under the authority of the Legal & Literary;
 - f. all Commissions, Committees and Boards created by the Society or Caucus;
 - g. any organization established by York University to provide a service to students; and,
 - h. any recognized charity promoting an activity of particular interest to students at the Law School.
3. All advertisements, notices, announcements and bills must include the name of the group, Organization, or Club.
4. Postering is permitted only in:
 - a. the JCR;
 - b. the main locker room including the stairwell;
 - c. the basement and second floor common areas, Gowlings Hall and Gowlings Hall Atrium;
 - d. the glass doors in the principle entrance way on the main floor; and,
 - e. any bulletin board explicitly designated for use by the individual or group placing the posters in question.

5. In the case of an election, the Chief Electoral Officer may further limit the permitted locations and timing for posting related to the elections.
6. All items which do not conform to sections 3 or 4 may be removed by members of the Executive or their appointees.
7. All posters must be removed within twenty-four (24) hours after the date of the proposed event; failure to do so may result in the loss or suspension of posting privileges.

BY-LAW IX – MEMBERSHIP AGREEMENT WITH THE YORK UNIVERSITY GRADUATE STUDENTS' ASSOCIATION

1. The Society shall be an Associate Member of the York University Graduate Students' Association ("YUGSA") as required by York University Presidential Regulation 4.
2. One (1) Executive Member shall sit on the YUGSA council on matters concerning the Society.
3. The terms of an Associate Membership Agreement negotiated between the Society and the Graduate Students' Association shall be approved by the Executive.
4. The Society shall be responsible for ensuring the availability of the YUGSA Health Plan to Regular Members.

BY-LAW X – CONFLICT OF INTEREST GUIDELINES

1. A conflict of interest is a situation where a person has, or is perceived to have, a personal or business interest, including but not limited to: a relationship as a director, officer, agent, or member, that might benefit from a decision which they are involved in making, or is able to influence those making it.
2. Executive Members shall disclose any membership held in any Club, Committee, or Organization, prior to any vote pertaining to such groups.
 - a. If the matter at issue is financial in nature, the Executive Member shall abstain from voting.
3. If there is ambiguity regarding a potential conflict of interest, Executive Members shall note the potential conflict to the Chair of the Executive Meeting. The Chair shall assess the presence of a conflict of interest, or the perception of one, and determine what actions, if any, are appropriate to address the situation.
4. Normally, after a disclosure of a conflict of interest, the Chair should ask the Executive Member with the conflict to excuse themselves from the decision-making process.
5. A vote can be conducted afterwards without the Executive Member present, or the Chair may allow the Executive Member with the conflict to be present and abstain for the vote.
6. If the Chair is deemed to have a conflict of interest, another Executive Member who has been deemed to not have any potential or presumed conflicts of interest shall conduct the duties of the Chair.
7. If an individual has reasonable cause to believe that an Executive Member has failed to disclose an actual or possible conflict of interest, they shall inform the President and the individual of the basis for such belief.
8. The President shall afford the individual an opportunity to explain the alleged failure to disclose. If, after hearing the response and making further inquiries as necessary, the President determines that the Executive Member has failed to disclose an actual or possible conflict of interest, they shall take appropriate action.
 - a. Appropriate action may include:
 - i. recommendation to the Executive for Recall of such Executive Member; and/or,
 - ii. a reconsideration of the vote.
9. If the President is the Executive Member under investigation, the determination of if a conflict of interest was not disclosed shall be conducted by another Executive Member who has been deemed by a majority of the Executive not to have any potential or presumed conflict of interest.

10. The minutes of any Executive Meeting at which a situation involving a conflict of interest or an appearance of a conflict of interest is considered shall reflect that:

- a. The individual with the conflict made disclosure, withdrew from consideration of the situation, or recused themselves from the meeting room and abstained from voting; or,
- b. The individual with the conflict made disclosure but continued to participate pursuant to instructions from the Chair. Those instructions shall be included with the minutes.

11. In order to uphold the editorial independence of *Obiter Dicta*, no Executive Member may hold a concurrent position as Editor-in-Chief or Managing Editor of *Obiter Dicta*.

BY-LAW XI – LEGAL AND LITERARY SOCIETY HONOUR AWARDS

1. The Legal and Literary Society Awards (the “Awards”) will be yearly awarded by the Executive on the basis of each Award’s criteria.
2. The nomination period will be advertised for a minimum two (2) week period. Any Regular Member of the Society may make nominations.
3. The Executive shall provide to the Law School a list of all recipients in a timely fashion such that the awards may be included on transcripts and in Convocation materials.
4. The Executive shall oversee the distribution of physical awards to each recipient, subject to budgetary restrictions or other unforeseen circumstances.
5. The Executive may from time to time create additional categories for awards to students, faculty, staff, and administration in recognition of exceptional service and contribution to the Osgoode Hall Law School student community.
6. The Graduating Student Award for Exceptional Leadership shall be awarded to ten (10) to twelve (12) graduating students at Spring Convocation and shall be awarded based on the breadth and depth of the candidates’ involvement in law school life, including involvement in clubs, student government, and other major undertakings within the Osgoode community throughout the entirety of the candidate's tenure at Osgoode.
7. The Faculty Award for Excellence in Teaching Award shall be awarded to one (1) to two (2) members of faculty at the last Faculty Council of that current academic year and shall be awarded based on the candidates’ breadth and depth of involvement in law school life, both inside and outside of the classroom, and may consider the candidates’ longstanding contributions that extend beyond the current academic year.
8. The Excellence in Teaching Award will be awarded on recommendation of the Society to the recipient at the last Faculty Council of that current academic year on the basis of service to the Law School student community and excellence in teaching.
9. The Faculty Award for Equity and Social Justice shall be awarded to one (1) to two (2) members of faculty based on their commitment to furthering equity through creating an inclusive classroom and shall be awarded based on how the faculty member furthered equity through creating an inclusive classroom, incorporating equity into the curriculum, the way in which the faculty member encouraged awareness and respectful conversation around potentially controversial equity issues, participation in programs designed to support marginalized students or increased awareness about equity matters, and the faculty member's academic work.
10. The Staff Award for Outstanding Contribution to the Osgoode Community shall be awarded to one (1) staff member at the Law School and shall be awarded based on the evaluation of the staff member’s contributions to all facets of Law School life and may consider long standing contributions which extend beyond the current academic year.

11. The Osgoode Student Club Award for Community Building shall be awarded to at least one (1) club which has made a significant contribution to the Osgoode community through its events, engagement, and service to Osgoode community members. Nominators are encouraged to consider the depth and breadth of the club's commitment to strengthening the student community at the Law School through a variety of different lenses (such as academic, social, or cultural).

BY-LAW XII – CLINICAL/EXCHANGE PROGRAM PARTICIPATION

1. A Regular Member may not serve as a President, Treasurer, or Vice President External if they have accepted and will, during any period of their term of office, be participating in an exchange or clinical program that will require them to be off campus, during the fall or winter semesters, for four (4) business days a week or longer. An exception to this can be provided for Vice President External or Treasurer, provided a two thirds majority of the Executive vote in favour of such an exception.
2. A Regular Member may not serve on the Executive if their academic or extracurricular commitments preclude them from attending official meetings of the Society normally scheduled on Wednesdays.

BY-LAW XIII – SOCIETY AND CAUCUS JOINT MEETING

1. In the spirit of ensuring a unified student government at the Law School, the Executive, and Caucus shall conduct at least one (1) joint meeting per term (the "Joint Meeting").
2. The agenda for the Joint Meeting shall be determined jointly by the Society President and the Chair of Caucus.
3. The Joint Meeting shall normally be held on or before November 15 and March 15 of each academic term, at the discretion of the Society President and the Chair of Caucus.

BY-LAW XIV – ACCESSIBILITY OF THE EXECUTIVE

1. The Executive shall ensure it is accessible to Regular Members of the Society by normally maintaining a schedule of regular office hours.
2. The Executive shall establish a schedule of office hours for the year and shall decide which Executive Members are to be present in the office during such hours.
3. The Executive shall post the office hours in a conspicuous location accessible to all members of the Society.
4. Executive Members shall respond to emails or other correspondence from Regular Members within a reasonable frame of time. Executive Members shall use their discretion in determining response time.

BY-LAW XV – ELECTORAL REFORM

1. The Executive empowers the Chief Electoral Officer to alter existing policies, rules and guidelines regarding the election process, subject to section 5 of this By-Law.
2. The electoral policies, rules, and guidelines shall apply to the Executive and Caucus elections.
3. The electoral policies, rules and guidelines shall be reviewed annually by the Chief Electoral Officer to ensure accuracy.
4. From time to time, a sub-committee of the Executive and/or Caucus may be struck to examine the electoral policies, rules and guidelines in detail to ensure continued relevancy. It is recommended that such sub-committee include the Chief Electoral Officer.
5. All changes to electoral policies, rules and guidelines shall be made in consultation with the Executive and Caucus. All substantial changes may be subject to the final approval of the Executive.

BY-LAW XVI – PHYSICAL ACCESSIBILITY FOR STUDENTS WITH DISABILITIES

1. For the purposes of this By-Law:

- a. *Barrier-Free* means that a building and its facilities (including, but not limited to, washrooms, main area of the event, and dance floors) have no steps to entry, or alternately has a ramp or elevator, or both; that washrooms have a push button or other accessible form of entry and that there is a stall which can accommodate a wheelchair; and that there is enough physical space for mobility aid users to navigate;
- b. *Club Event* means any event organized or promoted by a club, whether on or off campus, whether funded by L&L or otherwise;
- c. *L&L Event* means any event organized by a member, or members, of the Executive or over which the Executive exercises reasonable oversight. For clarity, this includes, but is not limited to, bi-weekly Executive meetings, Winter Retreat, end of year formals, Orientation Week, Wendy Babcock Drag Show, and Mock Trial, but does not include Club Events; and,
- d. *Pub Night* means any event deemed such by the Executive, whether organized by a member of the Executive or by a club.

2. L&L shall work with persons with disabilities to determine what method of accommodation works for them. Accommodation methods may include, but are not limited to:

- a. Providing documents readable by screen readers or other such tools; and,
- b. Maintaining a database on the L&L website, which identifies Barrier-Free venues, accommodation methods, and reports from clubs.

3. To provide an inclusive environment where all students can access services and events, regardless of ability, the following practices and methods shall be implemented:

- a. All L&L Events shall use Barrier-Free venues;
- b. All L&L Events and Pub Nights shall publish the Event Checklist;
- c. All Pub Nights shall use Barrier-Free venues;

- d. Any Pub Night which is not organized solely by the Social Convener shall be organized by a club in collaboration with the Social Convener;
- e. All clubs shall make best efforts to ensure Club Events use Barrier-Free venues;
- f. Each academic semester, clubs shall acknowledge that funding from L&L for Club Events is contingent upon such events using Barrier-Free venues;
- g. Clubs shall inform the Accessibility Committee promptly if a venue which was thought to be Barrier-Free is found not to be;
- h. Clubs shall provide contact information on all promotional materials to allow students with disabilities to discuss their requirements;
- i. Clubs shall publish the Event Checklist for each Club Event;
- j. After each off-campus Club Event, clubs shall report to the Vice President External, on whether the venue was Barrier-Free (and if not, identify the specific barriers) and which accommodations were made. This report may be included on the L&L website to improve the database of Barrier-Free venues; and,
- k. Parallel events shall be organized where an event cannot be made fully Barrier-Free:
 - i. Organizers shall consult with the Accessibility Committee when planning parallel events. In the event that an appropriate parallel event cannot be organized, then funding and support for the main event shall be withdrawn.
 - ii. Parallel events must be of similar character. For clarity, acceptable events are those which share a room (such as volleyball and board games) or those which are of similar interest to the student body (such as ROM and baseball game).
 - iii. Parallel events must not relegate students with disabilities to spaces which other students will not occupy. For clarity, offering a space on the ground floor of a venue when the main area of the event is on a different, inaccessible floor is not acceptable.

4. The Executive shall:

- a. keep minutes and records of all working groups discussed and undertaken; and,

- b. form an Accessibility Committee.

5. The Accessibility Committee shall be composed of:

- a. The Vice President External, the Social Convener, who shall be the Chair of the Committee, and the Equity Officer of the Executive;
- b. Any interested members of equity-seeking clubs which advocate on behalf of students with disabilities; and,
- c. Any interested Executive or Regular Members of L&L.

6. The Accessibility Committee shall be responsible for:

- a. Addressing any feedback regarding the Accessibility By-Law; and,
- b. Remaining in contact with the equity-seeking clubs which advocate on behalf of students with disabilities to address specific needs of students with disabilities.

7. The Accessibility Committee shall:

- a. Meet at least once per academic semester, and as often as is reasonable or practicable otherwise;
- b. Keep minutes and records of all initiatives discussed and undertaken; and,
- c. Report to the Executive regularly during scheduled meeting times.

8. The purpose of the Event Checklist is to inform the student body about the accessibility of events and must be used whether or not the event meets the definition of Barrier-Free. The Event Checklist shall include, but not be limited to, the following:

- a. Venue Name:
- b. Venue Address:
- c. Closest TTC Station: *[list station and streetcar or bus route as needed and whether all are accessible]*
- d. Building Entrance Accessibility: *[i.e. The entrance is step free.]*

- e. Main Area Accessibility: *[i.e. Event is on one level. Wheelchair area at stage left.]*
- f. Washroom Accessibility: *[i.e. One fully accessible bathroom with push button access.]*
- g. Closed Captioning/Sign Language Interpretation/Large Print Documents (if applicable): *[contact the Accessibility Committee to determine which of these is preferred by students.]*

BY-LAW XVII – PROCEDURES REGARDING ALLEGATIONS OF WRONGDOING AGAINST MEMBERS OF THE L&L EXECUTIVE

1. Formal complaints of wrongdoing against a member of the executive of the Legal and Literary Society may be submitted in writing to the Equity Officer, who shall notify the President and Vice President Internal 72 hours of receipt of the complaint.
 - a. If the complaint is regarding the Equity Officer, it may be submitted to the complainant's Year Representative who will then be responsible for all responsibilities hereafter assigned to the Equity Officer in this by-law.
2. The Equity Officer shall provide a written response to the complainant(s) within 72 hours of receiving the written complaint that provides a timeline regarding how the complaint will be investigated.
3. The Equity Officer shall notify the accused party within seven days of the complaint and at least ten days in advance of the executive meeting in which the complaint will be addressed:
 - a. The complaint shall be shared with the executive members (with redactions if necessary for privacy reasons) three days in advance of the executive meeting in which the complaint shall be addressed.
 - b. The Equity Officer shall present the complaint to the Executive Team and allow for a period of questions.
 - c. The accused member shall be granted a limit of one hour to address the executive members in response to the complaint.
 - d. Following the presentation, the executive may move to suspend or impeach the accused member by 2/3 majority.
4. An executive member may be impeached by a 2/3 vote of the executive, and will be stripped of their title and associated responsibilities effective immediately.
5. An executive member may be suspended for a period of time voted upon by 2/3 of the executive, and will be barred from acting under the authority of their office during the

designated period.

6. An impeached or suspended executive member may file a formal appeal to the Equity Officer. Upon receipt of an appeal, the Equity Officer must render an appeal decision with an Appeals committee that includes the President or Vice President Internal and at least three regular members of the Legal and Literary Society.

BY-LAW XVIII – COMPLAINTS PROCESS FOR ORGANIZATIONS RATIFIED UNDER THE LEGAL AND LITERARY SOCIETY

1. The Legal and Literary Society commits to being Open, Accessible and Democratic as it is defined in the *Regulation Regarding Student Organizations* Schedule D as it relates to formal complaints made against clubs and organizations ratified under this Society.
2. Formal complaints against clubs and organizations ratified under the Legal and Literary Society may be submitted in writing to the Equity Officer and the Vice President External, who shall notify the President and Vice President Internal within three days of receipt of the complaint.
 - a. If the complaint is regarding the Equity Officer or a club in which they are an Executive member, it may be submitted to the complainant's Year Representative who will then be responsible for all responsibilities hereafter assigned to the Equity Officer in this by-law.
3. The Equity Officer shall provide a written response to the complainant(s) within 72 hours of receiving the written complaint that provides a timeline regarding how the complaint will be investigated and how any resulting decision will be made no later than twenty-one days after the complaint has been received.
4. The club shall investigate the complaint internally, handled by their designated executive member as per the Constitutional requirements, and provide their findings to the Equity Officer within 21 days of being notified of the complaint.
5. If the Legal and Literary Society deems the internal investigation insufficient, a formal investigation may be commenced by an external party agreed upon by the Equity Officer, President, Vice President External and Vice President Internal and shall be completed within 21 days after the complaint has been received.
 - a. It is within the discretion of the Executive as to whether an internal investigator will be required to fulfil elements of the investigation that are not covered under the existing Executive Roles.
 - b. It is within the discretion of the Executive to add more time to the above deadlines if an external party is involved in the investigation.
6. The investigation shall result in an investigative report detailing its findings, including suggested remedies, if required.

7. Upon receipt of the investigative report, the Equity Officer shall present the findings to the executive members (with redactions if necessary for privacy reasons) at the next executive meeting. The findings must be shared with the executive, the complainant(s), and the accused party three days in advance of the meeting in which the complaint will be addressed.
8. The Equity Officer may make a recommendation regarding a remedy based on the report which can include but is not limited to;
 - a. Suspending the accused club;
 - b. Ordering the club to host an internal investigation;
 - c. Recommending the club suspend an accused member.
9. The Executive shall vote on the proposed remedy and must pass the motion with 2/3 majority. The decision shall be provided in writing to the complainant(s), the accused party, and available upon request for members of the Legal and Literary Society.

BY-LAW XX – PROCEDURES REGARDING E-COMMUNICATION AND L&L FACEBOOK GROUPS

1. For the purpose of this By-Law:
 - a. *E-communication* refers to all communication sent out by L&L (including, but not limited to, the weekly newsletter, posts on social media on behalf of @legallandlit).
 - b. *Facebook Groups* refers to the “Class of 20__” Facebook groups that L&L moderates and is the admin of. The “Legal and Lit Used Book Sale Page” has separate and more specific rules for buying and selling textbooks which can be found on the Facebook group.
 - c. *The Code* refers to the *Code of Student Rights & Responsibilities* set out by York University and can be found here: <http://oscr.students.yorku.ca/student-conduct>
 - d. *Osgoode Club* refers to official Osgoode clubs that have been ratified under L&L
 - e. *Third Party* refers to companies or individuals not in association with Osgoode, or any ratified Osgoode clubs under L&L.
 - f. *Valid Members of L&L Monitored Facebook Groups* refers to both JD or JD/MBA students who will be graduating in that year AND representatives from ratified Osgoode clubs for the “Class of 20__” groups.
 - g. *Online Safety Committee* refers to a committee of student volunteers led by the Equity Officer to help monitor the Facebook groups. Each ratified equity-seeking club is entitled to a seat on this committee and there are additional seats for general members of the student body at large.
2. All *valid* members of the L&L monitored Facebook groups are:
 - a. Entitled to connect with your peers, exchange advice, share events and opportunities as long as it is respectful and does not violate *The Code*.
 - b. When posting about a **single, continuous event**, each valid member of the Facebook group (including ratified club representatives) shall post **no more than three times** regarding the same event.

- c. When posting about **multiple, separate events**, (as part of a week-long conference, for example), each valid member of the Facebook group (including ratified club representatives) shall post **no more than five times** regarding the same event.
- 3. L&L will not share any third-party materials through our channels. This includes, but is not limited to, the weekly newsletter and posts on social media on behalf of @legalandlit.
- 4. Only valid members of the L&L monitored Facebook groups are to join and share posts.
- 5. Any post or comment violating *The Code* may be removed at the admin's discretion upon consulting with the Online Safety Committee.
- 6. This By-Law is in effect as of September 13, 2023.

ARTICLE I

Legal and Literary Society Club Budget Guidelines

Restrictions on Budget Use

Money cannot be budgeted for, nor can budgeted money be used for:

- Alcohol
- Reimbursing a current or recently graduated Osgoode student for services rendered (i.e photography, event planning, etc.)
- A headshots event (unless the Legal and Literary Society does not organize one for that applicable school year)
- Canva Premium (You can gain access to the Legal and Literary Society team account by emailing the VP External)
- Exam care packages
- Executive retreats/dinners
- Money budgeted for charity
- Club merchandise

The maximum amount of money that can be spent on a particular item, per event, is:

- \$80 on Coffee (unless expecting over 50 attendees)
- \$250 on a Photographer
- \$50 for raffle items per semester, which must be requested as part of an event budget

Maximum Budget Request Per Event

Event Type	Maximum That Can Be Requested*
Speaker/Panel Event	\$200 maximum
Academic Seminar	\$250 maximum, one per semester
Career/Info/Self-Help/Study Session	\$250 maximum, one a year
Socializing Event	\$20 per registered attendee up to a max of \$400 a year**
Honoraria	\$25 max per speaker, must be a gift or gift card, no cash
Advertising/Promo Material/Orientation/Clubs Fair	\$80 maximum a year

*If a club submits in unison with another club for a joint event, can request x2 the budget max for that event

**If a pub night is planned, must also ensure a non-alcoholic opportunity exists as well

Special Events

If you have a special event, you can submit a separate special events request which allows you to go past the maximums and get more money than the official budget maximums. This request includes an event description, line-item breakdown, and justification as to the event. We strongly encourage these types of events and will do what we can to help legitimate events succeed. Applications for such events will be submitted to the VP External through a form provided to all clubs at the beginning of every school year.

Club Account Utilization

The aforementioned restrictions do not apply for money spent out of the club's own account, **except for the non-reimbursement of current or recent Osgoode students.** The treasurer reserves the right to refuse such a reimbursement with adequate reasoning, which can be appealed by the club to the Executive.

ARTICLE II

Legal and Literary Society External Club Bank Accounts Exemption

Last Updated: 2017

The Legal and Literary Society has granted a few exceptions to the no-external-accounts rule, but with some stipulations. Exceptions are only granted on a year-by-year basis. **External accounts are a privilege and are only be granted on very strict conditions.**

External account exceptions must be renewed annually and are contingent upon abiding by the following rules:

- There must be at least two signing authorities on the account at all times.
- All cheques written or withdrawals made must be signed by two officers.
- Each expense must be separately accounted for and proper documentation must be kept for each one. Proper documentation includes, but is not limited to:
 - A summary of the expense and the justification for why it was incurred (unless it is obvious);
 - Itemized receipts related to the expense, along with any credit card receipts if a purchase was paid by a credit card (receipts should be clear and unambiguous, with the name of the business and contact information clearly visible thereon); and
 - Any other proof that the expense was actually incurred by the individual being reimbursed, if applicable.
- Submission of all bank statements for the period May 1 to April 30 to the Treasurer by the end of May.
- Records of reconciliation for each bank statement, with each transaction thereon being matched to a fully-documented expense or approved deposit. Reconciliations *must* be done on a monthly basis and signed by the treasurer of the club.
- The signing authorities for the account must be transferred to the successor officers before the end of the academic year.

The foregoing should be made available to the Treasurer on demand and kept on file by the club for at least three years of the end of the academic year in which the transactions took place.

External accounts have been *considered* if a club is regularly (as in, every year, within reasonable memory) engaging in such a high volume of transactions during the course of an academic year that it will place a substantial burden on the L&L Treasurer to manage those funds on a club's behalf. Most clubs do not get even close to this level of onerousness. It is at the discretion of the Treasurer if a club is to receive an exception to the no-external-accounts rule.