

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

Approved by referendum
on March 16, 2007

Table of Contents

PREAMBLE.....	1
ARTICLE I: OBJECTIVES AND PURPOSES OF THE SOCIETY.....	1
ARTICLE II: INTERPRETATION.....	2
ARTICLE III: MEMBERSHIP.....	4
ARTICLE IV: THE EXECUTIVE.....	5
ARTICLE V: POWERS OF THE EXECUTIVE.....	6
ARTICLE VI: POWERS, DUTIES AND QUALIFICATIONS OF THE EXECUTIVE MEMBERS	8
1. THE PRESIDENT	
2. THE VICE-PRESIDENT INTERNAL	
3. THE VICE-PRESIDENT EXTERNAL	
4. SOCIAL CONVENER	
5. THE SECRETARY	
6. THE TREASURER	
7. THE THIRD YEAR REPRESENTATIVE	
8. THE SECOND YEAR REPRESENTATIVE	
9. THE FIRST YEAR REPRESENTATIVES	
ARTICLE VII: STUDENT CAUCUS.....	13
ARTICLE VIII: GENERAL MEETINGS.....	14
ARTICLE IX: REGULAR MEETINGS.....	15
ARTICLE X: SPECIAL MEETINGS	16
ARTICLE XI: EXECUTIVE ORDERS.....	17
ARTICLE XII: PROCEDURE AT EXECUTIVE MEETINGS.....	18
ARTICLE XIII: OPEN AND IN-CAMERA MEETINGS.....	19
ARTICLE XIV: MOTIONS.....	20
ARTICLE XV: BY-LAWS.....	21
ARTICLE XVI: THE ELECTORAL COMMISSION.....	22
ARTICLE XVII: NOMINATION PROCEDURE.....	24
ARTICLE XVIII: ELECTION PROCEDURES.....	25
ARTICLE XIX: REFERENDUM.....	27
ARTICLE XX: RECALL.....	28
ARTICLE XXI: AMENDMENTS TO THE CONSTITUTION.....	29
ARTICLE XXII: FINANCIAL ACCOUNTABILITY.....	30
ARTICLE XXIII: OATH OF AFFIRMATION.....	31

ARTICLE XXIV: GENERAL.....	32
BY-LAW I: ADDITIONAL POWERS AND DUTIES OF THE EXECUTIVE MEMBERS.....	33
BY-LAW II: CLUB GUIDELINES.....	37
ETHICS	
AFFILIATION	
RECOGNITION	
FUNDING	
EFFECT OF THIS DOCUMENT	
BY-LAW III: COMMITTEES.....	42
BY-LAW IV: ORIENTATION COMMITTEE.....	43
BY-LAW V: REPEALED.....	44
BY-LAW VI: REPEALED.....	45
BY-LAW VII: OSGOODE COLOURS.....	46
BY-LAW VIII: OBITER DICTA.....	47
BY-LAW IX: POSTERING POLICY.....	48
BY-LAW X: REPEALED.....	50
BY-LAW XI: MEMBERSHIP WITH GRADUATE STUDENTS ASSOCIATION.....	51
BY-LAW XII: REPEALED.....	52
BY-LAW XIII: ACCESS TO CLUB ACTIVITIES.....	53
BY-LAW XIV: GUIDELINES FOR ORGANIZATIONS WHOSE MEMBERS ARE APPOINTED BY THE LEGAL & LITERARY SOCIETY EXECUTIVE.....	54
BY-LAW XV: REPEALED.....	55
BY-LAW XVI: CONFLICT OF INTEREST GUIDELINES.....	56
BY-LAW XVII: MEMBERSHIP AGREEMENT WITH THE ONTARIO LAW STUDENTS’ ASSOCIATION.....	57
BY-LAW XVII: HONOURS, AWARDS.....	58
BY-LAW XIX: INTENSIVE/EXCHANGE PROGRAM PARTICIPATION RESTRICTIONS.....	59
BY-LAW XX: LEGAL AND LITERARY SOCIETY AND STUDENT CAUCUS SYNERGY.....	60
BY-LAW XXI: HEALTH PLAN ADMINISTRATOR.....	61
BY-LAW XXII: HEALTH PLAN CONTINGENCY ACCOUNT.....	62
BY-LAW XXIII: STANDARD OPERATING PROCEDURES MANUAL.....	63
BY-LAW XXIV: ACCESSIBILITY.....	64
BY-LAW XXV: ELECTORAL REFORM	65

BY-LAW XXVI: FIRST YEAR SUPPORT – JOINT COMMITTEE OF THE LEGAL AND LITERARY
SOCIETY AND STUDENT CAUCUS..... 66

Preamble

Recognizing the benefits which an explicit constitution provides, and intending to allow for the open and responsible government of the undergraduate student body of Osgoode Hall Law School of York University, we hereby establish the following Articles which shall be binding on the Executive of the Legal and Literary Society and all bodies established under its authority

Article I

OBJECTIVES AND PURPOSES OF THE SOCIETY

1. The Society shall provide a united means of expression and administration in order:
 - a) to promote the welfare and interests of the students of Osgoode Hall Law School and to provide services, activities, publications, and facilities which address student needs or objectives;
 - b) to promote and safeguard the right of all students to equal treatment regardless of sex, race, colour, creed, nationality, ancestry, place of origin, political beliefs, sexual orientation, age, mental or physical disabilities;
 - c) to promote intra-university cooperation and communication and represent the members of the Society in relations with the Law School, University, institutions and community; and
 - d) to participate fully and actively within the University community in its decision-making.

Article II

INTERPRETATION

In this Constitution:

- a) “By-Election” means an election held to fill a vacancy on the Executive or Student 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 XV;
- c) “Conspicuous/Conspicuously” means in a manner easily accessible to the members of the Society, including the website of the Society
- d) “Executive” means the Executive of the Legal and Literary Society as identified in Article IV;
- e) “Election” means an election conducted in accordance with Article XVIII, sections 1 and 3;
- f) “Executive Meeting” means a Regular or Special Meeting conducted in accordance with Articles IX and X;
- g) “Honourary Member” means any person who the Executive designates as an honorary member of the Society in a By-Law;
- h) “Law School” means Osgoode Hall Law School of York University;
- i) “Members of the Executive” means the Voting Members of the Executive identified in Article IV;
- j) “Motion” means a motion tabled in accordance with Article XIV, section 2;
- k) “Nomination” means the nomination of a candidate for any office required to be filled in an Election or By-Election;
- l) “Recall” means a referendum conducted in accordance with Article XX;
- m) “Referendum” means a referendum conducted in accordance with Article XIX;
- n) “Regular Member” means any undergraduate student attending the Law School, who has paid the required student activity fee;
- o) “School Days” means days during which classes are normally scheduled at the Law School

- p) “Society” means the Legal & Literary Society, comprised of all undergraduate students of Osgoode Hall Law School of York University;
- q) “Student Caucus” means the Student Caucus of Faculty Council of Osgoode Hall Law School; and
- r) “Voting member” means a voting member of the Executive in the case of an Executive Meeting or a Regular Member of the Society subject to the requirements of Article VIII in the case of a General Meeting.

Article III

MEMBERSHIP

1. Membership of the Society shall be Regular or Honourary members.
2. All members of the Society shall be entitled to:
 - a) make reasonable use of the Society's property;
 - b) participate in the General Meetings of the Society;
 - c) attend all Regular and Special Meetings of the Executive except those designated by the Executive as provided in Article XIII; and
 - d) enjoy such other privileges as may be conferred by this Constitution or by further enactment of the Executive.
3. Regular Members shall be entitled to:
 - a) vote at General Meetings, in Elections, and on Referenda and Recall of the Society;
 - b) propose or second amendments to the constitution, in accordance with Article XXI;
 - c) propose Referendum and Recall proceedings in accordance with Articles XIX and XX;
 - d) nominate or second candidates for the Executive;
 - e) stand for election or to hold office on the Executive subject to qualifications for office as outlined in the By-Laws of the Society;
 - f) establish and join organizations or hold office in such organizations under the sanction of the Society; and
 - g) participate in any events or activities sponsored by the Society or its agents.

Article IV

THE EXECUTIVE

1. The Voting Members of the Executive shall be:

- The President
- The Vice-President Internal
- The Vice-President External
- Social Convener
- The Chair of Student Caucus of Faculty Council
- The Secretary
- The Treasurer
- The Third Year Representative
- The Second Year Representative
- Two (2) First Year Representatives;

to be elected each year in accordance with Article XVIII.

2. The following shall be delegated as Voting Members of the Executive:
 - a) the Chair of Student Caucus of Faculty Council as selected in accordance with the Student Caucus Constitution;

Article V

POWERS OF THE EXECUTIVE

1. The Executive shall be the legislative and executive body of the Society and:
 - a) shall recommend general policy;
 - b) may propose and enact legislation; and
 - c) shall act as the final directive body for the implementation of Executive legislation and policies, this Constitution and all By-Laws appended hereto
2. The Executive shall be empowered to enforce the Articles of this Constitution:
 - a) to enact, amend, repeal and enforce By-Laws within the provisions of this Constitution, such By-Laws to be passed in accordance with Article XV, provided that no By-Law be passed which contravenes the Articles or spirit of this Constitution;
 - b) to levy and arrange for the collection from regular members of the Society a compulsory Student Activity fee, the amount of the fee to be changed only by a referendum of the Regular Members;
 - c) to administer these fees and all other funds accruing to the Society and to engage in any legal or commercial undertaking necessary to achieve the objectives or purposes of the Society;
 - d) to create boards, commissions and committees subject to the Society, to delegate representatives to serve on other bodies and to provide for the appointment of the members of these boards, commissions, committees and to delegate subordinate powers to any such boards, commissions, and committees, and representatives while retaining the right of ultimate control;
 - e) to call General Meetings of the Society in accordance with Article VIII;
 - f) to initiate Referendum proceedings in accordance with Article XIX;
 - g) to recognize any club;
 - h) to recognize any Regular Member of the Society who has been selected by a recognized club, society, organization, or association as its spokesperson;
 - i) to grant any such club, society, organization or association funds requested for their activities and to retain regulatory control, including the right to withdraw any grant or appropriation of funds made to any club, society or organization

under its jurisdiction if, in the opinion of the Executive, the monies so granted or appropriated are being used for purposes for which they were not granted or appropriated;

- j) to set financial criteria to which clubs, societies, associations or organizations applying for funds shall adhere;
- k) to 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;
- l) to employ personnel, provide for their remuneration and define their responsibilities;
- m) to provide for the maintenance of Society property and any facilities required for the furtherance of the objectives and purposes of the Society;
- n) to represent the student body at official functions and on public occasions.

Article VI

POWERS, DUTIES AND QUALIFICATIONS OF MEMBERS OF THE EXECUTIVE

1. The **President** shall:

- a) be a Regular Member of the Society;
- b) act as the Chief Executive Officer of the Society and, be charged with final responsibility for carrying out the legislation, policies, Constitution and By-Laws of the Society;
- c) call and preside over general meetings of the Society and the Executive in the role of Chairperson;
- d) be an *ex officio* voting member on all boards, commissions and committees appointed by the Executive;
- e) 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 representative is required for such functions and occasions;
- f) if unable to attend a meeting or function, notify the Vice-President;
- g) consult regularly with the officers of the Law School and through other channels in order to report on Society policies and activities and to obtain information on changes in Law School and University policies and activities;
- h) submit, in conjunction with the Executive, a written report outlining the events of his or her year's tenure and recommendations for consideration by the succeeding Executive, at a joint meeting required by Article IX section 5;
- i) sit as a member of the Student Caucus;
- j) keep files of all minutes of Executive Meetings and such other matters or records as may be of permanent value to the Society;
- k) be an undergraduate of the Law School throughout his or her term of office; and
- l) discharge any additional powers and duties listed in the By-Laws.

2. The **Vice-President Internal** shall:

- a) be a Regular Member of the Society;

- b) exercise the powers of, and be charged with the duties of the President in absence of the latter;
- c) in cooperation with the President, be responsible for activities of boards, committees and commissions established by the Executive;
- d) in the absence of the President, chair all meetings of the Society and exercise all the powers of the President *pro tempore*;
- e) sit as a member of Student Caucus;
- f) oversee the Legal and Literary Society website
- g) be an undergraduate at the Law School throughout his or her term of office; and
- h) discharge the duties listed in the By-Laws.

3. The **Vice-President External** shall:

- a) be a Regular Member of the Society;
- b) report to the executive at every regular meeting;
- c) liaise with the Office of Student Affairs and other third parties on issues relating to the Society, its finances and its governance;
- d) act as a general liaison officer between the Executive and all clubs recognized by the society.
- e) oversee the operations of all clubs recognized by all clubs recognized by the Society
- f) represent the Society on such committees, bodies or councils as the President may designate;
- g) be an undergraduate at the Law School throughout his or her term of office; and
- h) discharge the duties listed in the By-Laws.

4. The **Social Convener** shall:

- a) be a Regular Member of the Society;
- b) organize, promote and oversee school-wide social events that will foster the spirit of community within the Law School;

- c) be an undergraduate at the Law School throughout his or her term of office; and
- d) discharge the duties listed in the By-Laws.

5. The **Secretary** shall:

- a) be a Regular Member of the Society;
- b) maintain a current, authoritative copy of the Constitution and By-Laws of the Society in both printable and electronic format (on the website of the Society) and any amendments thereto;
- c) take general responsibility for the communications of the Society;
- d) be responsible for matters concerning organizations operating under the auspices of the Society, excepting those matters specifically made the responsibility of another Member or other Members of the Executive;
- e) be the official recording clerk of the Society and the custodian of all records of proceedings excepting those specifically assigned to others, such records to be maintained in such a way as to be open to inspection by any member of the Society and those authorized by the President, at such reasonable times as established;
- f) keep minutes of meetings of the Society in a form approved by the Executive and post them on the website of the Society;
- g) keep minutes of other meetings when required;
- h) not in any way enter his or her opinions into the records and have the minutes approved by a simple majority at the next Regular Meeting of the Executive before presentation to the public;
- i) post a copy of the agenda of each Regular Meeting of the Executive in a conspicuous location and on the website of the Society at least twenty-four hours before each meeting of the Executive;
- j) be an undergraduate at the Law School throughout his or term of office; and
- k) discharge the duties listed in the By-Laws.

6. The **Treasurer** shall:

- a) be a Regular Member of the Society competent in matters of accounting;
- b) present a written report on the financial status of the Society to the Executive at the end of each semester;

- c) ensure the keeping of a permanent and accurate record of all financial transactions of the Society;
- d) be responsible for payment of outstanding bills of the Society, direct collection, for receipt and deposit of funds payable to the Society and for general administration of the funds to the Society;
- e) be one of the three signing officers, two of whom are required for the endorsement or signing of any cheque or other instrument;
- f) have the authority to examine the books of all recognized clubs, committees, commissions and boards of the Society at any time, and, if the need arises, freeze their account with the approval of the President until the matter is considered by the Executive at the next regular meeting;
- g) be responsible for ensuring that the books of all organizations operating under the auspices of the Society are kept in order, and be responsible for the collection and auditing of such books at least once annually;
- h) advise the Executive of financial matters;
- i) before submitting budgets of organizations to the Executive, review each budget and present his or her recommendations;
- j) be an undergraduate at the Law School throughout his or her term of office; and
- k) discharge the duties listed in the By-Laws.

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

- a) be a Regular Member of the Society;
- b) act as a liaison between the third year students of the Law School and the Executive;
- c) carry out Society policy and initiate activities within the third year classes;
- d) be an undergraduate enrolled in the third year of the Law School throughout the regular School Year commencing during the term of office of the executive; and
- e) discharge the duties listed in the By-Laws.

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

- a) be a Regular Member of the Society;

- b) act as a liaison between the second year students of the Law School and the Executive;
- c) carry out Society policy and initiate activities within the second year class;
- d) be an undergraduate enrolled in the second year of the Law School throughout the regular school year commencing during the term of office of the Executive; and
- e) discharge the duties listed in the By-Laws.

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

- a) be a Regular Member of the Society;
- b) act as liaison between the first year students of the Law School and the Executive;
- c) carry out Society policy and initiate activities in the first year class;
- d) be an undergraduate enrolled in the first year of the Law School throughout his or her term of office; and
- e) discharge the duties listed in the By-Laws.

Article VII

STUDENT CAUCUS

General Provisions:

1. The Society shall be represented at all meetings of the Faculty Council of Osgoode Hall Law School by the Student Caucus of the Faculty Council
2. The Student 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. The Student Caucus shall retain all powers and authorities traditionally exercised.

Event of Conflict:

4. In the event of conflict regarding jurisdiction, the President of the Society and the Chair of the Student Caucus shall have the power to strike a joint working group to address and manage the issue to resolution.
5. This working group shall have equal representation from the Legal and Literary Society Executive and the Student Caucus.
6. In the event that the President of the Society and the Chair of the Student Caucus are unable to strike the working group or the working group cannot reach an appropriate resolution the following procedure shall apply:
 - a) A panel composed of the Vice President Internal of the Society, the Vice President External of the Society and the Vice Chair of the Student Caucus shall vote to assign jurisdiction to either the Legal and Literary Society or the Student Caucus.
 - b) The panel will be given 48 hours to make a unanimous decision.
 - c) In the event that the panel can not reach a unanimous resolution within the stated time frame, the President of the Society shall assign jurisdiction to either the Legal and Literary Society or the Student Caucus.

Article VIII

GENERAL MEETINGS

1. There shall be a General Meeting of the Society, chaired by the President of the Society, within seven 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 of the Regular Members of the Society whose names shall be validated by student identification number
2. There shall be a General Meeting of the Society, chaired by the President of the Society, to present the budget from the previous year, and plans for the upcoming year
3. In no such case shall a General Meeting be held on a day other than a School Day.
4. The agenda of a General Meeting shall be confined to the business for which the meeting was called.
5. Notices of such General Meeting must be posted conspicuously, at least two School Days prior to the commencement of the meeting.
6. Voting at the General Meeting shall be by show of student card, and a quorum shall be ten percent of the Regular Members.
7. The procedure followed at General Meetings shall be in accordance with *Robert's Rules of Order Newly Revised*.
8. Matters discussed at General Meetings shall be recorded and fully discussed at the next Regular Meetings of the Executive.
9. The minutes of the General Meetings shall be posted conspicuously immediately after such meetings.
10. A Motion approved at a General Meeting can be rescinded:
 - a) by Referendum
 - b) by Motion approved by a two-thirds majority at a subsequent General Meeting; or
11. A Motion adopted at a 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

REGULAR MEETINGS

1. There shall be Regular Meetings of the Executive called by the President or his or her designate selected from the Members of the Executive and held on dates as designated by the President;
2. A Regular Meeting must also be called by the President if he or she is notified in writing that a meeting is so desired by a simple majority of Voting Members of the Executive.
3. Notice of such Regular Meetings must be posted conspicuously at least two School Days prior to the commencement of such a meeting.
4. There shall not be fewer than sixteen Regular Meetings during the term of the office of the Executive.
5. The last Regular Meeting of the Executive shall be held following the Election required by Article XVIII section 1 and shall be a joint meeting of the incoming and outgoing Executive.
6. At the joint meeting required by section 5 of this Article, each member of the outgoing Executive may make recommendations to the incoming Executive.
7. A Member of the outgoing Executive who does not make any recommendations in accordance with section 6 of this Article and any other member of the Executive who so chooses shall meet with his or her successor, or make written recommendations to his or her successor, the Executive, or both, within two weeks of the joint meeting required by section 5 of this Article.

Article X

SPECIAL MEETINGS

1. Special emergency meetings may be called by the President on twelve hours notice to all Executive members.
2. Actions and procedures which constitute notice shall include all reasonable effort by the President to communicate personally with the members and, in the failure thereof, written notice posted conspicuously in the Society office.
3. The President shall call a Special Meeting if so requested by a majority of the Members of the Executive.

Article XI

EXECUTIVE ORDERS

1. In the case of any matter which must be decided before a Special Meeting of the Executive can be convened, an Executive Order may be passed, provided majority consent is obtained in an *ad hoc* committee of the President, the Treasurer, and any three additional Voting Members of the Executive.
2. Where such an *ad hoc* committee cannot be established before a decision must be made, the President may make an Executive Order provided he or she acts in good faith and in accordance with the Constitution.
3. Before making any Executive Order there must be reasonable attempt to give notice to all Members of the Executive.
4. Such Executive Order must not contravene previous Society policy and the Executive must be notified of the Executive Order at the next Regular Meeting of the Executive.

Article XII

PROCEDURE AT EXECUTIVE MEETINGS

1. The Society adopts as the rules of its procedure *Robert's Rules of Order Newly Revised* except in such circumstances where it shall have approved the adoption of its own rules.
2. Any six Voting Members of the Executive shall constitute a quorum at Regular and Special meetings of the Executive.
3. A Voting Member of the Executive may be represented at a Regular or Special Meeting by a proxy who may exercise a voting right in place of the absent Voting Member, provided that such authority is designated in writing in a form approved by the Executive.
4. A Voting Member of the Executive shall not be represented by a proxy at two consecutive meetings.

Article XIII

OPEN AND IN-CAMERA MEETINGS

1. All Executive Meetings shall be open except by a Motion of a Member of the Executive, such Motion to designate the meeting or any portion thereof as closed to any persons other than Voting Members of the Executive and to be approved by two-thirds of the Voting Members of the Executive.
2. Open justification for the Motion must be given by the chairperson prior to the meeting being closed.
3. Motions carried and recorded individual votes of such closed meetings shall be published separately after the meeting and kept on file, with access given upon request to any Regular Member of the Society.

Article XIV

MOTIONS

1. All Motions adopted by the Executive shall remain in force for the duration of the current Executive or until rescinded, unless such Motions are designated as By-Laws.
2. A Motion may be brought by any Voting Member and shall require:
 - a) the oral or written submission of the Motion to the Executive; and
 - b) the moving and seconding of the Motion by two Voting Members of the Executive.
3. Voting shall be by show of hands unless otherwise agreed upon by a simple majority of the Voting Members on Motion from a Member or at request of the President.
4. The President shall vote only in the case of a tie.

Article XV

BY-LAWS

1. Motions adopted by the Executive may be designated as By-Laws.
2. To become a By-Law, a Motion must be passed by a two-thirds majority of all Voting Members at a General or Executive Meeting.
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 which shall be appended to the Constitution.
5. To repeal a By-Law, a Motion to repeal must be passed by a two-thirds majority of the Members of the Executive.
6. A By-Law adopted at a General Meeting can be repealed only:
 - a) by a Referendum; or
 - b) in conformity with *Robert's Rules of Order Newly Revised*.

Article XVI

THE ELECTORAL COMMISSION

1. There shall be established an Electoral Commission whose purpose shall be to administer and supervise all Elections, By-Elections, Referendums, and Recalls.
2. The Electoral Commission shall be composed of the Chief Electoral Officer as appointed by the Executive at least five days preceding the opening of nominations for any Election, By-Election, Referendum, or Recall and such Deputy Officers as may be appointed by the Chief Electoral Officer.
3. Each member of the Electoral Commission must be a Regular Member of the Society but may not be a Member of the Executive.
4. The Electoral Commission shall supervise all aspects of the Nominations, campaigns, Elections, By-Elections, Referenda and Recall and it may adopt, publish, or have published through the Society office any campaign and election rules that may be necessary, in conformity with those specified in the Constitution and By-Laws of the Society.
5. The **Chief Electoral Officer** shall:
 - a) be in charge of all matters regarding the holding of Elections, By-Elections, Referenda and Recall, including the drawing of voters' lists, receipt and certification of Nominations, the posting of notices, establishment of polls, the counting of ballots and the declaration of elected candidates and approved Referenda and Recall questions.
 - b) conduct the Elections, By-Elections, Referenda and Recall on days established by the Executive;
 - c) be eligible to vote for Elections, By-Elections, Referendums or Recalls only in case of a tie, but otherwise maintain complete impartiality;
 - d) have final authority to enforce electoral regulations or decide matters of contention, subject to the direction of Executive resolutions;
 - e) have discretion to disqualify candidates for serious violations of the electoral guidelines;
 - f) insure that each nominated candidate meets the requirements set out in Article VI;
 - g) not be eligible to run for office in Society Elections or By-Elections unless notice of resignation is given to the Executive fourteen days prior to the opening of Nominations for such Elections or By-Elections;

6. The **Deputy Electoral Officers** shall:

- a) assist the Chief Electoral Officer in the performance of his or her duties;
- b) act as deputy returning officers and poll clerks when required for that purpose by the Chief Electoral Officer; and
- c) be eligible to vote in Elections, By-Elections, Referenda and Recall, but otherwise maintain complete impartiality.

Article XVII

NOMINATION PROCEDURE

1. Nomination forms shall be provided by the Chief Electoral Officer at least seven days prior to the closing of Nominations.
2. Nominations shall close not less than five days prior to the first day of polling.
3. Nominees may only be candidates for one office in any one election.
4. If no Nominations are received for any office, new dates for the closing of the Nomination period, Election, or both shall be approved by the Executive.
5. Nominations shall be kept confidential until after the Nomination deadline has passed.
6. The candidate shall consent in writing to his or her Nomination.
7. Nomination forms shall be affirmed by signature by not less than ten Regular Members of the Society excluding the signature of the candidate.

Article XVIII

ELECTION PROCEDURE

1. Elections for Members of the Executive and Members of Student Caucus, with the exception of the First Year Representatives, shall be held once each year during the month of March.
2. All Voting Members of the Executive, with the exception of the First Year Representatives, shall hold office from March 31 of one year until not later than March 30 of the following year.
3. Elections for First Year Representatives of the Executive and Student Caucus shall be held within thirty-five days after the first day of the fall semester.
4. Each First Year Representative shall hold office from the first Regular Meeting following his or her election until not later than the following March 30.
5. Failure of any Member of the Executive to continue to meet the qualifications of office required by Article VI shall result in the forfeiture of his or her office and the position shall become vacant.
6. Voting positions vacant prior to Christmas recess shall be filled by By-Election within ten School Days.
7. Voting positions with the exception of that of President, which become vacant after the first day of the Christmas recess shall remain vacant until the next election of the Executive; the Presidency shall be filled by the Vice-President Internal.
8. The President shall assign the duties of any position remaining vacant under section 7 of this Article to the remaining Voting Members of the Executive.
9. Polling for an Election shall be conducted on School Days in March set by Motion of the outgoing Executive.
10. Polling shall be conducted by E-Vote in accordance with York University student organization election rules.
11. Voting by proxy shall not be permitted.
12. In the event that the Law School is closed for any reason for part or all of any designated polling day, the Chief Electoral Officer shall designate an additional polling day as soon as is practical.
13. Appeal may be made to the Executive to nullify the results of an Election, By-Election, Referendum or Recall if:

- a) any candidate so requests in the situation of an Election or By-Election; or
 - b) a Regular Member so requests in the case of a Referendum or Recall.
14. The Executive may nullify the results of an Election, By-Election, Referendum or Recall with a two-thirds majority vote of the entire Executive only if it appears that serious irregularities in voting procedure may have affected the outcome.

Article XIX

REFERENDUM

1. Within twenty-four hours of receipt of a petition signed by ten percent of the Regular Members of the Society or Motion approved by the Executive, the President shall designate a Referendum date within ten School Days.
2. To be successful, the Referendum must:
 - a) be voted on by thirty percent of the Regular Members of the Society; and
 - b) be approved by a simple majority of the votes cast.
3. The Referendum process must be supervised by the Chief Electoral Officer or in her or her absence, someone appointed by him or her.
4. The decisions of the Referendum shall be binding on the Society.

Article XX

RECALL

1. In order to initiate a Recall of a Voting Member of the Executive who is a First, Second, or Third Year Representative a petition signed by ten percent of the member's constituents must be presented to the Executive.
2. In order to initiate a Recall of any member other than those mentioned in section 1, a petition signed by ten percent of the Regular Members of the Society must be presented to the Executive.
3. A Referendum on the petition must be called at the next Regular Meeting of the Executive and put to a vote of the member constituents within ten School Days of its receipt.
4. The Referendum on the petition for Recall shall be successful if it is for Recall of First, Second, or Third year representatives only where it is voted on by thirty percent of the member's constituents and approved by a two-thirds majority of those voters.
5. The Referendum on the petition for Recall of Members of the Executive other than those mentioned in section 4 of this Article shall be successful only where it is voted on by thirty percent of the Regular Members of the Society and approved by a two-thirds majority of the votes cast.
6. If the Referendum on the petition for Recall is successful, the Members of the Executive named in the petition shall forfeit his or her position and the vacancy on the Executive may be filled in a By-Election in accordance with Article XVIII.
7. The Recall process must be supervised by the Chief Electoral Officer or in his or her absence, someone appointed by him or her.

Article XXI

AMENDMENTS TO THE CONSTITUTION

1. Amendments to this Constitution may be proposed by a motion approved by two-thirds of all Voting Members of the Executive, or by a petition of not less than ten percent of the Regular Members of the Society.
2. A proposal which satisfies the conditions established in section 1 of this Article will be put to a Referendum in accordance with Article XIX except that the Referendum must be approved by a two-thirds 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 an additional reasonable means of communication.
4. A proposed amendment, once approved by Referendum, will come into effect immediately unless otherwise indicated in the text of the Referendum question.

Article XXII

FINANCIAL ACCOUNTABILITY

1. Once a year, accounts which the Treasurer of the Society administers shall be audited by an accredited chartered accountant appointed by the Executive.
2. All expenditures of the Society shall require the approval of a simple majority of the Executive and go through the office of the Treasurer.
3. For all cheques written by the Legal and Literary Society, there must be two authorizing signatures.
4. Any student who expends Society funds without proper authorization of a committee chairperson or of the Society 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.
5. At the conclusion of the budgeted undertaking, all monies in committee accounts shall be audited by the Treasurer of the Society and the balance on hand in such accounts shall be transferred to and deposited with the Society.

Article XXIII

OATH OF AFFIRMATION

1. New members of the Executive or the Electoral Commission shall take the following oath of affirmation at its first Regular 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 XXIV

GENERAL

1. This Constitution comes into effect immediately upon approval by Referendum.
2. Any previous constitution of the Society is hereby repealed and all statutes, 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 majority of the Executive gathered in a Regular Meeting.
5. The Articles of this Constitution shall prevail in the event of any inconsistency with any By-Law or Motion of the Executive.

**BY-LAWS of the EXECUTIVE
of the
LEGAL AND LITERARY SOCIETY**

By-Law I

(ratified March 21, 1989)

(amended March 10, 1993)

(amended February 15, 2007)

ADDITIONAL POWERS AND DUTIES OF THE EXECUTIVE MEMBERS

1. In addition to the duties of the President identified in Article VI, the President shall:
 - a) be one of the three signing officers of the Society;
 - b) be the Society representative on the Student Representative Round Table of York University (S.R.R.);
 - c) be a representative of the Society at meetings of the Canadian Association of Law Students; and
 - d) 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, the Vice-President Internal shall:
 - a) assist the President in the area of official communications between the Society and the Law School Faculty, the Office of the Dean and the Administrative Offices;
 - b) act as a public relations officer to aid in publication within the Law School of Society activities; and
 - c) where directed by the Executive, investigate complaints made by any Regular Member against the Executive or boards, commissions or committees of the Society or any clubs recognized by the Executive.

3. In addition to the duties of the Vice-President External identified in Article VI, the Vice-President External shall:
 - a) maintain records of club membership, and keep current copies of club constitutions;

- b) be a representative of the Society at meetings of the Canadian Association of Law Students;
 - c) conduct all correspondence between the Society and the Canadian Association of Law Students; and
 - d) maintain a mailing list of the senior executive member of the other student law societies in Canada.
4. In addition to the duties of the Social Convener identified in Article VI, the Social Convener shall:
- a) sit on the Orientation Committee and act as a liaison between the Orientation Committee and the Executive;
 - b) act as coordinator of regular Osgoode pub nights, including liaising with any hired pub staff as required;
 - c) create a calendar of Osgoode Hall social events and ensure that the calendar is posted on the website of the Society;
 - d) sit on the Dean's Formal committee; and
 - e) assist the Third Year Representative and the First Year Representatives plan end of term parties as required;
5. In addition to the duties of the Secretary identified in Article VI, the Secretary shall:
- a) be one of the three signing officers of the Society;
 - b) ensure that the results of any Election, By-Election, Referendum or Recall of the Society are published in a prompt manner;
 - c) conduct correspondence in the name of the Society, as the Executive or the President shall authorize;
 - d) in consultation with the President, prepare the agenda for the Executive and General Meetings and make the necessary arrangements for such meetings;
 - e) be responsible for enforcement of any policy of the Executive with respect to postering in the Law Society;
 - f) post notices received by the Society of events of interest to students of the Law School; and

- g) ensure that the standard operating procedure manuals are updated and complete.
6. In addition to the duties of the Treasurer identified in Article VI, the Treasurer shall:
- a) phone and if necessary meet with the Society's accountant near the beginning of the Executive's term of office to ensure conformity of the Society's financial record keeping with that of the accountant;
 - b) submit monthly financial reports to the Executive;
 - c) prepare a budget for the term of office of the Executive, to be approved by the Executive and published in the *Obiter Dicta* not later than the end of September;
 - d) ensure the keeping of a permanent and accurate record of all financial transactions of the Society, such records shall be available for perusal by any member of the Society on forty-eight hours notice to the Treasurer; and
 - e) inspect the books of the *Obiter Dicta*, Osgoode Pub and Old Bailee within the thirty day period prior to the commencement of the fall and winter exams, written notice to be given to the senior business manager of the *Obiter Dicta*, Osgoode Pub and Old Bailee at least seven days prior to this inspection.
7. In addition to the duties of the Third Year Representative identified in Article VI, the Third Year Representative shall:
- a) co-ordinate the annual spring formal celebration;
 - b) arrange for graduate photographs;
 - 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;
 - d) arrange a champagne toast for the graduating class; and
 - e) co-ordinate the end of the year social function primarily of the third year students.
8. In addition to the duties of the Second Year Representative identified in Article VI, the Second Year Representative shall:
- a) co-ordinate the sale of Osgoode sportswear and other apparel on behalf of the Executive; and
 - b) be responsible for maintaining inventory of the any annual trophies at the Law School and ensure that necessary engraving is completed; and

- c) monitor closely the progress of the Yearbook and sit as Chair of the Yearbook Committee.
9. In addition to the duties of the First Year Representatives identified in Article VI, the First Year Representative shall:
- a) co-ordinate at least one social function primarily for the first year students; and
 - b) serve in the capacity of Deputy and Assistant to two other Executive members, upon assignments to be made by the Executive at the first regular meeting following election of the First Year Representatives, taking into consideration foreseen events and society programmes, and subject to reassignment by the Executive at any regular meeting.

By-Law II

(ratified October 22, 1987)

(revised September 27, 1988)

CLUB GUIDELINES

ETHICS

- 1.1 Any club practicing or advocating activities including violence, racism, hatred or sexism shall be subject to review by the Executive of the Legal and Literary Society (herein referred to as “Executive”) for possible revocation of recognition and funding.
- 1.2 Should any club be found to have breached any regulations referred to in these policies that club shall be informed of that violation in writing by the Executive. Violations may be referred to the Executive and may lead to suspension of recognition status by the Executive.
- 1.3 Should a club be found to misrepresent and/or slander the Executive and/or Osgoode Hall Law School and/or York University within or outside of the local community, the club’s status as a recognized club of the Legal and Literary Society may be suspended or revoked.
- 1.4 Where a three quarters majority of the voting members of the Executive are of the opinion that a club is acting in a way that is embarrassing to the good name of the Executive and/or Osgoode Hall Law School and/or York University or where three quarters of the voting members of the Executive are of the opinion that an officer of a club is acting on behalf of that club in a manner that is embarrassing to the Executive and/or Osgoode Hall Law School and/or York University, the Executive may decertify or discipline that club.
- 1.5 The Executive will consider action where it has been determined that a club member or members has/have appropriated monies for personal use.

AFFILIATION

- 2.1 All affiliations of a club to other organizations must be stated clearly and concisely in the constitution of the club (see 5.2). The nature of the relationship between the club and outside organizations must be carefully stated in the constitution and substantially verified in writing by the parent organization giving appropriate contacts within the parent organizations.
- 2.2 A club name, when listed, shall precede any reference to the Legal and Literary Society of Osgoode Hall Law School and/or to York University.

RECOGNITION

- 3.1 The following guidelines shall govern the recognition of clubs:
- (a) The level of utility which the proposed club will provide to the student body;
 - (b) The purpose of the proposed club;
 - (c) The number of student participants as recognized under 5.4;
 - (d) The methods by which the proposed club will assist in the educational growth and development of its members;
 - (e) The social and cultural orientation of the proposed club;
 - (f) The extent to which the proposed club promoted both an awareness of current legal issues and a commitment to legal ethics.
- within the guidelines as established by the Executive.
- 3.2 A proposed club will NOT be recognized if an existing club is performing the same and/or similar function and shares the same principles, the sameness and/or similarity to be determined by the Executive
- 3.3 A proposed club which bears all outward signs of sameness and/or similarity but insists on a difference for purposes of recognition as a club may address the Executive as to why the proposed club should be recognized by the Executive as a club.
- 3.4 Recognition is necessary in order for proposed clubs to be considered for Legal and Literary Society funding. Hence, only recognized clubs may request Society funding.
- 3.5 Applications for recognition must be directed to the Executive and presented to the Executive by representatives of the proposed club.
- 3.6 Recognition will enable a club to:
- (a) use the Pub facilities under the supervision and instruction of the Pub Manager (who is directly accountable to the Executive);
 - (b) access rooms within Osgoode for club purposes;
 - (c) post notices;

(d) make use of the mixing space;

within the guidelines as established by the Executive.

FUNDING

- 4.1 All club Budget Submissions must be in writing and must be received by the Executive in such manner and at such time as determined by the Executive Club representatives shall present the written submission at such time and in such place as set by the Executive.
- 4.2 A request for funding by a club during the academic year and in addition to the Budget Submission allocation of funds must be in writing and directed to the Executive. Club representatives shall present the written submission at such time and in such place as set by the Executive..
- 4.3 When a club fails to submit a budget proposal for any given year, recognition of that club may cease by majority approval. Subsequent recognition of the club (a prerequisite of future funding) will be contingent on satisfaction of the recognition requirements as set out in this document.
- 4.4 When granting funds to a recognized club, the Executive shall determine what portion of these funds will be released immediately and what portion of the funds will be held back until the club has submitted to the Executive an itemized statement of the expenditure made, together with receipts or invoices supporting the statement.
- 4.5 Only under special circumstances will the following expenses be funded:
 - (a) travel expenses;
 - (b) accommodation expenses;
 - (c) purchase or maintenance of equipment
 - (d) honouraria or other remuneration of club members.
- 4.6 Only on very rare occasions will the Executive fund a project after it has taken place. Clubs and organizations are encouraged to approach the Executive for funds in accordance with the procedures outline in 4.1 and 4.2. Such an occasion will be decided by the Executive
- 4.7 Other organizations besides recognized clubs are eligible to approach the Executive for funding on a project basis. Such applications should be made to the Executive and shall be in writing.

- 4.8 Every club that has a bank account must submit a copy of its bank statement to the Executive *both* prior to the deadline as set by the Executive for Budget Submissions (see 4.1 above) *and* in the third week of March.

DUTIES

- 5.1 All recognized clubs must ensure that equal rights are extended to every registered member of the Osgoode Hall Law School 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.
- 5.1.1 Subsection 5.1 does not preclude any recognized 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.
- 5.2 Every club must have on file with the Legal & Literary Society an approved copy of its current constitution.

Among the elements that should be incorporated into every club constitution are the following:

Name/Title of Club
Any affiliation to other organizations
Statement of purpose/objective
Membership (Rules/Guidelines)
Executive – including:
1. Composition
2. Method of Election
3. Method of Appointment
4. Duties/Responsibilities of the Executive
Funding Sources/Fiscal Responsibility
Meetings (when/where/who calls them)
Amendments to Constitution

- 5.3 A club must file with the Society a list of the club officers' names, addresses and telephone numbers. Only the club members so listed may approach the Executive for funding, use of photocopying equipment in Osgoode, making long distance phone calls, etc.
- 5.4 Every club must file with the Society a list of its members with student numbers indicated beside each name.
- 5.5 The Executive will only accept as members of a club those individuals who are directly registered as members of a club in conformance with 5.4

- 5.6 Every club funded by the Society shall keep the Executive informed of its ongoing social and financial activities

EFFECT OF THIS DOCUMENT

- 6.1 A club which fails to comply with any of the above will be asked to appear before the Executive to explain itself through the individuals whose names have been filed with the Society in conformance with 5.3.

By-Law III

(Ratified March 20, 1989)

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

(Ratified March 21, 1989)

(Amended April 7, 1992)

(Amended February 15, 2007)

ORIENTATION COMMITTEE

1. The Orientation Committee shall:
 - a) have two-co-chairs and co-ordinator appointed by the Executive who shall be composed of Regular Members of the Society and the Social Convener and Treasurer of the Executive;
 - b) be responsible to the Executive for the organization of a programme of orientation for first year students; and
 - c) be responsible for all expenditures and receipts in connection with the orientation programmes.

By-Law V

(Ratified March 21, 1989)

(Repealed January 20, 2007)

By-Law VI

(Ratified March 21, 1989)

(Repealed January 20, 2007)

By-Law VII

(Ratified March 21, 1989)

(Amended January 20, 2007)

OSGOODE COLOURS

1. The Executive may authorize or prohibit use of official Osgoode colours and designs, subject to the approval of the copyright holder.

By-Law VIII

(Ratified March 21, 1989)

OBITER DICTA

1. The *Obiter Dicta* shall be the official newspaper of the Society and as such, shall be accountable and accessible to the Society.

By-Law IX

(Ratified March 13, 1989)

(Amended January 30, 2008)

POSTERING POLICY

1. Subject to the policies of the Administration of Osgoode Hall Law School or York University, advertisements, notices, bills and announcements may be posted within the Law School only by recognized individuals or groups, 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 Legal and Literary Society,
2. The Legal and Literary Society recognizes the following individuals or groups:
 - a) all clubs that have constitutions on file with the Legal & Literary Society;
 - b) the Chief Electoral Officer of Osgoode Hall Law School, and all candidates for election whom he/she recognizes, subject to any limitation imposed by the C.E.O.;
 - c) Student Caucus of Faculty Council;
 - d) C.Y.S.F., and all student clubs and organizations recognized by C.Y.S.F., except profit-making enterprises;
 - e) the *Obiter Dicta*, the Old Bailee Book Broker, the Osgoode Pub and any other commercial enterprises established under the authority of the Legal & Literary;
 - f) all Commissions, Committees and Boards created by the Society or Student Caucus;
 - g) Cosmos Catering;
 - h) Theatre York, Recreation York or any other organization established by the University to provide a service to students of the University;
 - i) any commercial enterprise which places paid advertising in a student publication at the law school;

- j) any recognized charity promoting an activity of particular interest to students at the Law School.
3. All advertisements, notices, announcements and bills must include:
 - a) The name of the group, organization, or club; and,
 - b) The date the item was posted.
 4. Postering is permitted only in:
 - a) the Junior Common Room;
 - b) the main locker room including the stairwell;
 - c) the mixing area, up to and including doors on the second floor, down to and including doors in the basement, out to and including pillars on the main floor and the brick wall at the back of the Moot Court;
 - d) the glass doors in the principle entranceway on the main floor; and,
 - e) any bulletin board explicitly designated for use by the individual or group placing the posters in question.
 - 4.1 In the case of an election, the Chief Electoral Officer may further limit the permitted locations for postering related to the elections.
 5. All items which do not conform to section 3 or 4 may be removed by members of the Executive or their appointees.
 6. All posters must be removed within twenty-four hours after the date of the proposed event; failure to do so may result in the loss or suspension of postering privileges.
 - 6.1 In the case of an election, the Chief Electoral Officer may specify that posters be removed within a shorter period of time.

By-Law X

(ratified January 22, 1992)

(repealed January 20, 2007)

By-Law XI

(ratified February 28, 1992)

MEMBERSHIP AGREEMENT WITH GRADUATE STUDENTS ASSOCIATION

1. The Society shall be an Associate Member of the Graduate Students' Association of York University, as required by York University Presidential Regulation 4.
2. The terms of an Associate Membership Agreement negotiated between the Society and the Graduate Students' Association pursuant to subsection 1 shall be approved by ordinary resolution of the Society Executive.
3. Any Association Membership Agreement proposing an increase in student levies shall be approved by a referendum conducted in accordance with the Constitution and the York University. Guidelines and Procedures for the Conduct of Student Referenda at York University, in addition to the approval required pursuant to subsection 2.

By-Law XII

(ratified October 5, 1992)

(repealed January 20, 2007)

By-Law XIII

(ratified Oct. 20, 1992)

ACCESS TO CLUB ACTIVITIES

1. In recognition of the need to provide for ready access to all students, all clubs and individuals shall hereby be required to locate their activities in the area in front of the switchboard, and/or the Moot Courtroom.

By-Law XIV

(ratified Feb. 16, 1994)

GUIDELINES FOR ORGANIZATIONS WHOSE MEMBERS ARE APPOINTED BY THE LEGAL & LITERARY SOCIETY EXECUTIVE

ETHICS

1. This provision shall operate where the members of an organization who are appointed by the Legal & Literary Society Executive are acting in a way that is embarrassing to the good name of Osgoode Hall Law School and/or York University or where an officer of an Organization is acting on behalf of that Organization in a manner that is embarrassing to Osgoode Hall Law School and/or York University.
2. Violations may be referred to the Executive by any Member of the Society and may lead to suspension or removal of Organization members deemed to be responsible for such violation.
3. Should an Organization be found to misrepresent and/or slander the Executive and/or Osgoode Hall Law School and/or York University within or outside of the local community, the Organization's status as a recognized appointed Organization may be suspended.
4. Should any Organization be found to have breached any regulations referred to in these policies that Organization shall be informed of that violation in writing by the Executive.
5. The Executive shall take appropriate action where it has been determined that an Organization member or members has/have appropriated monies for personal use.
6. Any action, decision or recommendation taken shall require approval by a 2/3 majority of the Members of the Executive.

By-Law XV

(ratified March 16, 1994)

(repealed January 20, 2007)

By-Law XVI

(ratified February 15, 2007)

CONFLICT OF INTEREST GUIDELINES

In keeping with the objectives and purposes of the Legal & Literary Society, as stated in Article 1 of this Constitution, the voting members of the Executive of the Society shall be bound by conflict of interest guidelines:

1. Prior to a vote on any issue pertaining to a particular Club, Society, Association, Organization, Board, Commission or Committee of the Society, Executive Members shall disclose any membership held in that club or organization or any other relevant interest. If an elected or appointed position is held within that club or organization, that fact shall also be disclosed and the Executive member shall abstain from voting on any funding issue in relation to that club or organization.
2. No member of the Executive shall hold any managing or directing position that is appointed by or in conjunction with, the Executive of the Society. Should a person be elected to the Executive while already holding such a position, that person shall:
 - a) Be allowed to complete the term of the position; and,
 - b) Be required to abstain from voting on any issues directly or otherwise affecting that position.
3. No member of the Executive may hold a concurrent position as Editor of the *Obiter Dicta*.

By-Law XVII

(ratified March 19, 2001)

MEMBERSHIP AGREEMENT WITH THE ONTARIO LAW STUDENTS' ASSOCIATION

1. The Society shall be a full and equal member of the Ontario Law Students' Association (hereinafter OLSA) as set out in the OLSA constitution.
2. The terms of the membership, and any amendments thereto, negotiated between the Society and OLSA shall be approved by ordinary resolution of the Society Executive until such time as the Executive determines membership should be enshrined as a regular Article in the Constitution.
3. Any addition of or increase in student levies due to OLSA shall be approved by a referendum conducted in accordance with the Constitution and York University.
4. Any conflict between the constitutions of the Society and OLSA or any similar organization will read as if the constitution of OLSA is consistent with and subjugated to the Constitution of the Society. Membership in said organization will not be voided by such conflict.

By-Law XVIII

(ratified March 19, 2001)

HONOURS, AWARDS

1. Student Honour Awards

- a) The Society Honour Awards will be awarded on the recommendation of the Society Executive on the basis of service to the Osgoode Hall Law School student community, without regard to academic performance.
- b) The Student Honour Awards will be awarded to a minimum of 10 and a maximum of 12 graduating undergraduate Osgoode Hall Law School students on an annual basis at the Spring Convocation.
- c) The nomination period will be advertised for a minimum two week period. Any regular member of the Society may make nominations.
- d) The Society Executive shall provide to the Osgoode Hall Law School Administration a list of all recipients in a timely fashion such that the awards may be included on transcripts and in Convocation materials.

2. Excellence in Teaching Award

- a) The Excellence in Teaching Award will be awarded on recommendation of the Society Executive on the basis of service to the Osgoode Hall Law School student community and excellence in teaching.
- b) The Excellence in Teaching Award will be awarded to the recipient at the last Faculty Council of that current academic year.
- c) The nomination period will be advertised for a minimum two week period. Any member of faculty is eligible for nomination by any regular member of the Society.
- d) The Society Executive shall provide to the Dean's Office a list containing the name of the recipient as well as the names of all nominees.

3. The Society Executive may from time to time grant additional awards to faculty, staff and administration in recognition of exceptional service and contribution to the Osgoode Hall Law School student community.

By-Law XIX

(ratified March 21, 2005)

INTENSIVE/EXCHANGE PROGRAM PARTICIPATION RESTRICTIONS

1. A Student may not serve as a member of the Executive if he/she has accepted and will, during any period of his/her term of office, be participating in any exchange program, or in an intensive or clinical program that will require him/her to work off campus, during the Fall or Winter semesters, for four business days a week or longer. Intensive programs covered by this section include, but are not limited to, the Intensive Program in Criminal Law and the Intensive Program in Poverty Law at Parkdale Community Legal Services.
2. This by-law will take affect on March 31, 2006, and will bind the Executive from that date onward subject to the repeal process of Article XV ("By-Laws") of the Legal & Literary Society Constitution.
3. This by-law may be repealed before March 31, 2006 only through the process outlined in Article XV ("By-laws") of the Legal & Literary Society Constitution.

By-Law XX

(ratified February 15, 2007)

LEGAL AND LITERARY SOCIETY AND STUDENT CAUCUS SYNERGY

Synergy Meeting

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

Office Space

4. The Legal and Literary Society office is open to all members of the student government, namely the Executive of the Legal and Literary Society and Student Caucus.

By-Law XXI

(ratified February 15, 2007)

HEALTH PLAN ADMINISTRATOR

1. Under the authority granted to the Executive by Referendum (1994) to collect a student levy to provide a Health Plan to the Society, the Executive shall hire an individual law student to administer the Society's Health Plan (the "Health Plan Administrator").
2. A call for applications for the position of Health Plan Administrator for the following academic year shall take place no later than March 31st each year.
3. This call for applications shall stipulate that the compensation scheme for the Health Plan Administrator for the following academic year is dependent on the approval of the incoming Executive.
4. After reviewing the applications for Health Plan Administrator and interviewing those qualified candidates, the Executive shall hire the Health Plan Administrator for a term ending on April 30th of the following year. The term of employment may overlap in order to facilitate an effective transition from one Health Plan Administrator to the next.
5. Each member of the Society that does not opt out of the Health Plan shall contribute to the cost of the Health Plan Administrator through an annual levy to be fixed by the Executive at the same time as the determination of the amount of the Health Plan Premium.
6. The total contribution of the Society through the above-mentioned levy shall not exceed the total annual compensation of the Health Plan Administrator.
7. The duties and responsibilities of the Health Plan Administrator are to be determined by the Executive and included in a contract with the hired Health Plan Administrator.

By-Law XXII

(ratified February 15, 2007)

HEALTH PLAN CONTINGENCY ACCOUNT

1. There shall be a 'Health Plan Contingency Account' kept separate from the bank account of the Legal and Literary Society
2. The 'Health Plan Contingency Account' shall have no less than the greater of the amount of money required to pay for one month's worth of the health plan, and \$20,000.
3. The money kept in the 'Health Plan Contingency Account' shall only be removed in a health plan emergency.
4. A health plan emergency shall occur should the Legal and Literary Society not have enough funds in the 'Legal and Literary Society' bank account to pay for the health plan, and should the Executive pass a motion with 2/3 majority to use the money in the 'Health Plan Contingency Account'.
5. Should the money in the 'Health Plan Contingency Account' be used in a health plan emergency, the money must be replaced as soon as possible, and in any event within 12 months.

By-Law XXIII

(ratified March 20, 2007)

STANDARD OPERATING PROCEDURES MANUAL

1. All Executive members and appointed persons must:
 - a) contribute to the development and maintenance of the Standard Operating Procedures, which shall contain job descriptions for all positions within the authority of the Society;
 - b) update and revise the portion of their job description which corresponds to duties discharged in the fall semester in January of each year;
 - c) update and revise the portion of their job description which corresponds to duties discharged in the winter semester by March 31 of each year;
2. All organizers of “stand-alone” events (or Chairs of such committees), such as Orientation Week, shall be responsible for updating and revising the Standard Operating Procedure for those events within two months after the conclusion of an event.
3. The Standard Operating Procedures shall be stored on the computer in the Legal and Literary office or in the Society’s email account, and a hard copy of the Procedures shall remain in the Secretary’s mailbox in the student government office at all times. It is the duty of the Secretary to ensure that the most current version of the Standard Operating Procedures is in the mailbox.

By-Law XXIV

(ratified September 12, 2007)

ACCESSIBILITY

1. The Executive shall ensure it is accessible to the Society by maintaining a schedule of regular office hours.
2. Each Executive shall establish the schedule of office hours for the year and shall decide which members of the Executive 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. The Executive shall establish a “turn-around time” in which all emails or other correspondence from the Society shall be given a response. The opinion of the Secretary of the Executive responsible for corresponding with the Society shall be considered when determining a reasonable turn-around time.
5. A notice of the guaranteed turn-around time for correspondence shall be posted in a Conspicuous location accessible to all members of the Society.

By-Law XXV

(ratified January 30, 2008)

ELECTORAL REFORM

1. The Legal and Literary Society Executive empowers the Chief Electoral Officer, in consultation with the Electoral Commission, 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 Legal and Literary Society Executive and Student Caucus elections.
3. The electoral policies, rules and guidelines shall be reviewed annually by the Electoral Commission to ensure accuracy.
4. From time to time, a sub-committee of the Legal and Literary Society Executive and/or Student Caucus may be struck to examine the electoral policies, rules and guidelines in detail to ensure continued relevancy. It is recommended but not mandatory 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 Legal and Literary Society Executive and Student Caucus. All substantial changes may be subject to the final approval of the Legal and Literary Society Executive.

By-Law XXVI

(ratified March 13, 2008)

FIRST YEAR SUPPORT – JOINT COMMITTEE OF THE LEGAL AND LITERARY SOCIETY AND STUDENT CAUCUS

Membership

1. The First Year Support Committee shall be composed of
 - a) the two First Year Representatives, the Second Year Representative, and the Vice-President Internal of the Executive; and
 - b) the four First Year Representatives and the Communications Director of Student Caucus; and
 - c) any interested Executive or Regular Members of the Society at large.

Duties

2. The First Year Support Committee shall:
 - a) be responsible for developing and implementing first year supports by both the Executive and Student Caucus as per their respective constitutional jurisdiction; and
 - b) base any support developed for first years on polls or direct feedback from first year students; and
 - c) remain in constant communication with the administration of the Law School with respect to first year issues.

Meetings

3. The First Year Support Committee shall:
 - a) meet at least once a month during the regular academic year, or as often as is reasonable or practicable; and
 - b) keep minutes and records of all initiatives discussed and undertaken; and
 - c) report to the Executive and Student Caucus regularly during the respective scheduled meetings times.

BY-LAW XXVII: DISCRETIONARY APPLICATIONS BY SOCIETY MEMBERS

1. Under Article III section 2(b) and Article V section 2(b) of the Constitution of the Society, the Executive Committee shall be empowered to accept applications from any member of the Society, in good standing, for the purpose of a Society endorsement, assistance (with assistance being defined as non-monetary assistance using the Society's resources, contacts and office space) and/or sponsorship of an initiative that this individual member, or group of members, is involved in provided that:
 - a) the application is submitted to the Executive Committee in writing in a reasonable time **before** the initiative in question takes place, and the member applicant, or group of member applicant, may be asked to present the written submissions at such time and in such place as set by the Executive;
 - b) the application clearly outlines the manner in which the Society is being asked to partake in the initiative in question; and
 - c) the initiative in question must ensure that ensure that equal rights are reasonably extended to every LLB/JD students of the Osgoode Hall Law School or event-participants 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.
 - i. Section 2(b) does not preclude any initiative 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.
2. In evaluating applications the Executive Committee may consider the following factors including:
 - a. Overall utility of the initiative to LLB/JD students of the Osgoode Hall Law School and/or the outside community as a whole;
 - b. Level of involvement the initiative allows for LLB/JD students of the Osgoode Hall Law School;
 - c. Previous patterns of donations for initiatives of similar nature,
 - d. Reasonableness of the request,
 - e. The Society's budgetary constraints, and
 - f. Any other criteria that the Executive Committee may see fit on a case by case basis.