

Immigration Law and Policy Association of the University of Maryland School of Law

Constitution

Adopted: January 29, 2008

Article I: Name

The name of this student organization shall be the Immigration Law and Policy Association of the University of Maryland School of Law (hereinafter “ILPA” or “the organization”).

Article II: Affiliations

ILPA is a student organization formally recognized and funded in part by the University of Maryland School of Law (hereinafter “UML”), pursuant to the UML Student Organization Manual and the UML Student Handbook, and by the Student Bar Association of the University of Maryland School of Law (hereinafter “SBA”), pursuant to Article X of the SBA Constitution. The organization is otherwise independent and unaffiliated with any particular student group, non-profit organization, law firm, company, academic institution, or professional association, unless otherwise stated in the Bylaws (see Article IV of this Constitution and Articles II and IV of the Bylaws).

Article III: Objectives

The objectives of the organization are to:

- A. Establish immigration law and policy at UML as an area of law worthy of particularized extracurricular academic focus due to its technical complexities and many distinct sub-specialties including business immigration (e.g., industrial, corporate, and small business sponsorship; permanent labor certifications; temporary and seasonal workers; foreign national treaty traders; and self-petitioning entrepreneurs), family immigration (e.g., spousal and extended family sponsorship, family unity, removal of conditions, evolving notions of family and their impact on immigration policy, immigration consequences of divorce, domestic abuse and immigration protections, dual citizenship, and the status of children), educational and training matters (e.g., foreign national students, optional practical training, and exchange programs), human rights (e.g., asylum, refugee, temporary protected status, human smuggling, and human trafficking), undocumented migration, overstays, and criminal overlap (e.g., removal proceedings, forms of relief, bars to readmission, indefinite detention and *habeas corpus*, and immigration consequences of criminal activities), and immigration litigation at the administrative and federal appellate levels;
- B. Provide a forum and outlet through which students at various levels of interest and commitment to the practice of immigration law can learn from each other as well as from faculty, scholars, private practitioners, and representatives of relevant federal agencies and administrative tribunals about the intricacies, professional ideals of, and policy problems surrounding the theories and realities of immigration law practice;
- C. Initiate and administer educational and motivational activities and programs centered on immigration law and its intersect with a diversity of legal and cross-disciplinary concerns including counter-terrorism, national and transnational crime, domestic and international labor, human rights, family unity, domestic violence, international trade, foreign aid, and global economics;
- D. Participate, independently and/or in cooperation with other student groups, non-profit organizations, law firms, companies, academic institutions, and professional associations, in assisting local migrant communities through active involvement in attorney-supervised outreach and *pro bono* programs;
- E. Encourage active and responsible immigration policy debate and advocacy in the public arena;
- F. Bring students in closer contact with the organized immigration bar at the local, state, and national levels;

- G. Promote the organization and its objectives to the UML student body, administrators, faculty, and staff;
- H. Sustain and grow the organization through appropriate and creative fundraising activities;
- I. Assist the UML administration and faculty in the promotion and development of immigration-related academic programs designed to aid the UML student body; and
- J. Any and all additional objectives as set forth in the Bylaws (see Article III of the Bylaws).

Article IV: Constitution and Bylaws

- A. **Structure and Purpose:** ILPA shall divide its established rules and developing procedures between this Constitution and the Bylaws. The Bylaws are a running and evolving record of the detailed procedures by which the organization's Officers (see Article VI of this Constitution and Article VI of the Bylaws) will accomplish their work within the organization's structure. The Bylaws provide for continuing development, revision, and perfection by the Executive Committee (see Article VII of this Constitution and Article VII of the Bylaws) of these procedures, thereby permitting organizational structures to appropriately develop in a timely manner as the organization grows and evolves. The Bylaws may also set forth in greater specificity the relationships, rights, responsibilities, tasks, duties, and descriptions of the Officers, Executive Committee, Subcommittee Chairpersons and Volunteers (see Article VIII of this Constitution and Article VIII of the Bylaws), Faculty Advisors (see Article IX of this Constitution and Article IX of the Bylaws), Student Members (see Article V, § A, of this Constitution and Article V, § A, of the Bylaws), and Associate Members (see Article V, § B, of this Constitution and Article V, § B, of the Bylaws) established in or alluded to by this Constitution.
- B. **Amendments Procedure:** The Bylaws may be amended by the Executive Committee, in its discretion, on an *ad hoc* basis from time to time, so that the Bylaws are most effectively structured to accomplish the organization's objectives. Any Student Member may request in writing, accomplished through a one-time e-mail to the Executive Committee or to the ILPA Listserv e-mail address (ilpa@law.umaryland.edu), from the Executive Committee a copy of this Constitution and/or the Bylaws and upon such request the Executive Committee shall forward to the requesting Student Member a computerized copy of this Constitution and/or the Bylaws. (See Article IV, § B of the Bylaws.)
- C. **Incorporation Into Constitution:** When any Bylaw becomes a fairly firmly established practice, as determined by the Executive Committee, in its discretion, the Bylaw may be incorporated into this Constitution by amendment (see Article XIII of this Constitution and Article XIII of the Bylaws).

Article V: Membership

- A. **Student Members:** Student Members are UML students in good standing, under the definition of good standing pursuant to the UML Student Handbook, who express or exhibit an interest in being members of the organization and who meet the membership qualifications and requirements set forth in this Article and in the Bylaws (see Article V of the Bylaws). Student Members have voting rights and, if the candidacy qualifications and requirements are met (see Article X, § B, of this Constitution and Article X, § B, of the Bylaws), the ability to hold office. To be considered a Student Member by the Executive Committee, a UML student must:
 - 1. Demonstrate to the satisfaction of the Executive Committee a reasonable level of *bona fide* interest in the organization's objectives. Examples of such interest may include, but are not necessarily limited to, regular attendance at the organization's general meetings (see, generally, Article III, §§ B and C, and Article XI, § A, of this Constitution and Article III, §§ B and C, and Article XI, § A, of the Bylaws) and special events (see, generally, Article III, §§ D, E, and F, and Article XI, § B, of this Constitution and Article III, §§ D, E, and F, and Article XI, § B, of the Bylaws), participation in the organization's fundraising efforts (see, generally, Article III, § H, of this Constitution and Article III, § H, of the Bylaws) participation as Subcommittee Chairpersons or Subcommittee Volunteers in Subcommittees (see Article VIII of this Constitution and Article VIII

of the Bylaws) as may be established by the Executive Committee, in its discretion, on an *ad hoc* basis from time to time, and original, creative, or individualized contributions to the organization's objectives both on and off campus.

2. Pay membership dues (when applicable) (see Article XII, § B, of this Constitution and Article XII, § B, of the Bylaws), in a timely manner, to the Treasurer (see Article VI, § J, of this Constitution and Article VI, § J, of the Bylaws).
- B. Associate Members: Associate Members may include, but are not necessarily limited to, UML administrators, faculty, and staff, and the non-student spouses, domestic partners, and significant others of Student Members. Associate Members do not have voting rights or the ability to hold office, nor do they pay membership dues (when applicable to Student Members).
- C. Statement of Non-Discrimination: ILPA does not and shall not discriminate against any individual on the basis of academic standing, age, citizenship, class rank, color, creed, disability, grade point average, national origin, race, religion, sex, and/or sexual orientation.

Article VI: Officers and Responsibilities

- A. Titles: The organization's Officers shall include a President (see § G of this Article and Article VI, § G, of the Bylaws) and a Treasurer, pursuant to Article X, § E(1) of the SBA Constitution. The Officers may also include one or more Vice Presidents (see § H of this Article and Article VI, § H, of the Bylaws) and one or more Secretaries (see § I of this Article and Article VI, § I, of the Bylaws).
- B. Terms: The terms of each office shall be one calendar year, beginning immediately after the last organizational event of each academic year and ending immediately after the last organizational event of the subsequent academic year. These stated terms shall not preclude the Executive Committee, in its discretion, from dismissing any Officer for malfeasance (see § D of this Article and Article VI, § D, of the Bylaws), nor shall it preclude the right of any Officer to resign his or her position (see § E of this Article and Article VI, § E, of the Bylaws).
- C. Line of Succession: The line of succession of the Officers is as follows, in descending order, or as otherwise stated in the Bylaws (see Article VI, § C, of the Bylaws): President, Vice President(s) (when applicable), Secretary(ies) (when applicable), Treasurer.
- D. Dismissals: The Executive Committee may remove any Officer for malfeasance in office, which may include, but is not necessarily limited to, misuse of organizational funds, conviction of any violation of the UML Student Honor Code, substantial and/or willful failure to perform his or her duties (see Article VI, §§ G, H, I, and J, of the Bylaws), other substantial and/or willful violations of the Bylaws and/or this Constitution, and/or absenteeism from Executive Committee meetings, Subcommittee meetings (when applicable), and/or ILPA events. (See Article VI, § D, of the Bylaws.)
- E. Resignations: Any Officer may resign his or her position by providing written notice, accomplished through a one-time e-mail, to the President within a reasonable time prior to his or her stated resignation date, and only after such resignation is accepted by the President and all other Officers. In the event that an Officer's resignation is not accepted by all Officers, the resigning Officer shall continue to serve the organization in good faith for the remainder of his or her term.
- F. Vacancies: In the event of a positional vacancy, brought about by the accepted resignation, dismissal, death, or long-term and incapacitating disability of an Officer, the duties, powers, and responsibilities of the vacant position shall be immediately assumed by the next highest Officer in the line of succession until a volunteer Student Member is appointed by the President, in consultation with the Executive Committee, to fill the vacant office.
- G. President: The President shall be at least a second-year law student and shall possess a level of pre-established immigration law and policy knowledge reasonably necessary to lead the organization in the

accomplishment of its objectives. The President's duties are set forth in the Bylaws (see Article VI, § G, of the Bylaws).

- H. Vice President(s): The Vice President(s) (when applicable) shall possess a level of interest in immigration law and policy reasonably necessary to perform his or her duties. Each Vice President shall perform the general responsibilities designated to and the specific tasks assigned or delegated to him or her as set forth in the Bylaws (see Article VI, § H, of the Bylaws) as well as any additional duties assigned or delegated to him or her by the President.
- I. Secretary(ies): The Secretary(ies) (when applicable) shall possess a level of interest in immigration law and policy reasonably necessary to perform his or her duties. Each Secretary shall perform the general responsibilities designated to and the specific tasks assigned or delegated to him or her as set forth in the Bylaws (see Article VI, § I, of the Bylaws) as well as any additional duties assigned or delegated to him or her by the President.
- J. Treasurer: The Treasurer shall possess a reasonable level of interest in immigration law and policy necessary to perform his or her duties. The Treasurer shall perform the general responsibilities designated to and the specific tasks assigned or delegated to him or her as set forth in the Bylaws (see Article VI, § J, of the Bylaws) as well as any additional duties assigned or delegated to him or her by the President.

Article VII: Executive Committee

The Executive Committee is comprised of the President, Vice President(s) (when applicable), Secretary(ies) (when applicable), and Treasurer. The Executive Committee is the supreme administrative, executive, and managing body of ILPA and shall have the sole and exclusive authority to speak or act on behalf of the organization. The Executive Committee shall ensure that the objectives of the organization, through its policies and programs, are carried out by all individual Officers.

Article VIII: Subcommittees

The Executive Committee may create Subcommittees, on an *ad hoc* basis from time to time, as needed to perform tasks or fulfill functions required to meet the organization's objectives. The Officer(s) designated by the Bylaws (see Article VI, §§ G, H, I, and J, of the Bylaws) or otherwise selected by the Executive Committee to lead a particular Subcommittee, in consultation with the Executive Committee, shall appoint to that Subcommittee from among volunteer Student Members a Subcommittee Chair and Subcommittee Volunteers. Subcommittee Chairs and Subcommittee Volunteers are not Officers, do not serve as *ex-officio* to or as voting members of the Executive Committee, and have limited authority to speak or act on behalf of the organization as specifically delegated to them by the leading Officer(s) and the President. The terms of each Subcommittee shall expire on a date specified by the Executive Committee, in its discretion, with reasonable written notice, accomplished through a one-time e-mail, provided to the Subcommittee Chair and Subcommittee Volunteers, or, if no expiration date is specified in writing by the Executive Committee, then immediately after the last organizational event of the academic year in which the Subcommittee was created or carried over from the prior academic year.

Article IX: Faculty Advisors

- A. Title: Any faculty member who agrees to serve the organization in a formal advisory capacity (see § B of this Article) shall be known for the duration of his or her service as the organization's Faculty Advisor.
- B. Function and Procedure: A UML faculty member specializing in or with substantial knowledge of immigration law and policy may, of his or her own initiative and with the approval of the Executive Committee, or by direct request of the Executive Committee, in its discretion, volunteer to serve the organization by providing advice concerning and facilitation of programming and fundraising plans and methodologies aimed at accomplishing the organization's objectives. Faculty Advisors shall serve at the pleasure of the UML administration and the Executive Committee, and may assist the Executive Committee in its operations and at its meetings and fundraisers. The Faculty Advisor procedures, themselves, are informal, unless otherwise stated in the Bylaws (see Article IX, § B, of the Bylaws).

- C. Terms: While the organization encourages each Faculty Advisor to serve the organization for the duration of his or her tenure, each such advisor serves at-will, in his or her own discretion, and is not bound by any particular durational or similar formal organizational requirements.

Article X: Elections and Voting

- A. Elections Date: Elections shall be held at the last regularly scheduled general meeting of each academic year.
- B. Nominations; Candidate Qualifications and Requirements: Candidates must be Student Members, meet the qualifications for the particular office they seek (see Article VI, §§ G, H, I, and J, of this Constitution and Article VI, §§ G, H, I, and J, of the Bylaws), certify to the Executive Committee that they will attend UML for at least one full additional academic year and that they will uphold the ILPA Constitution and Bylaws, be nominated by an Officer or by a non-candidate Student Member, and notify the Executive Committee and all Student Members of their candidacy. (See Article X, § B, of the Bylaws.)
- C. Voting Procedures: The offices of President and Treasurer, and of Vice President(s) and Secretary(ies) (when applicable), shall be assumed after the last organizational event of the academic year by individuals receiving a simple majority vote, i.e., over 50 percent, as cast by hand-vote by all Officers and Student Members present at the place and time of the vote. Officers and Student Members may vote by proxy by providing written notice, accomplished through a one-time e-mail, to the Executive Committee of their votes no later than seven calendar days prior to the last general meeting of the academic year. In the event of a tie, the President, or, in the President's absence, the next highest Officer in the line of succession present at the place and time of the vote, shall cast an additional tie-breaking vote.
- D. Incumbent Officers: An incumbent Officer, if he or she is not in his or her final year at UML, shall be automatically considered a candidate for his or her position for the following academic year. If there are no other qualified candidates for an incumbent Officer's position, or if the candidacy requirements are not met by any prospective candidate with respect to that position, then the incumbent Officer shall retain his or her position for the following academic year, or, if the incumbent Officer is in his or her final year at UML, the title and duties of his or her position shall automatically transfer to the next highest Officer in the line of succession.
- E. Results: Upon the conclusion of the annual election, the Executive Committee shall record and post within a reasonably short time thereafter the results on the ILPA TWEN website or in a one-time e-mail notice to all Student Members. Immediately following this notice, all successful candidates become ILPA Officers-Elect, and shall take office immediately following the last organizational event of the academic year.

Article XI: Meetings

- A. General Meetings: General meetings (see, generally, Article III, §§ B and C, of this Constitution and Article III, §§ B and C, of the Bylaws) shall be held at least six times each academic year, or at least three times each academic semester. No general meetings shall be held during the summer session without UML consent and without providing reasonable notice of such meetings to all Student Members.
- B. Special Events: Special events (see, generally, Article III, §§ D, E, and F, of this Constitution and Article III, §§ D, E, and F, of the Bylaws) shall be held as often as possible but the organization's initiation of or involvement in such events shall not be numerically mandated or restricted.
- C. Executive Committee Meetings: The Executive Committee, in its discretion, may conduct administrative meetings, including Subcommittee meetings (when applicable), during the academic semesters and summer sessions, under the general consent of UML and without formal numerical or notice requirements.

Article XII: Finance

- A. Financial Structure: ILPA is a non-commercial, non-profit student organization that is funded in part by UML, through SBA, and in remaining part by the organization's own fundraising efforts.
- B. Membership Donations and Dues: The organization accepts unsolicited voluntary donations from its Student Members, Associate Members, and other entities allowable pursuant to the UML Student Organizations Manual, and the Executive Committee may request such donations from Student Members, on an *ad hoc* basis from time to time, as needed in order to meet the organization's objectives. The Executive Committee, in its discretion, may also establish and collect from all Student Members membership dues, calculated by necessity on an *ad hoc* basis from time to time, in order to meet the organization's objectives.
- C. Financial Procedures: See Article XII, § C, of the Bylaws.

Article XIII: Constitutional Amendments

- A. Amendment Proposal Procedures: An amendment to this Constitution may be drafted, either independently or from language taken from the Bylaws, and proposed in writing, accomplished through a one-time e-mail, by any Officer or Student Member to the Executive Committee no later than 14 calendar days prior to a regularly scheduled general meeting. The proposed amendment must be distributed by the Executive Committee to all Student Members no later than seven calendar days prior to the regularly scheduled general meeting where the amendment will be considered. The notice requirement may be provided at the regularly scheduled general meeting directly preceding the regularly scheduled general meeting where the amendment will be considered if such meeting meets the seven calendar days notice requirement or through a one-time e-mail notice by the Executive Committee to all Officers and Student Members.
- B. Voting Procedures: This Constitution may be amended at a regularly scheduled general meeting by a simple majority vote, i.e., over 50 percent, as cast by hand-vote by all Officers and Student Members present at the place and time of the vote. Officers and Student Members may vote by proxy by providing written notice, accomplished through a one-time e-mail, to the Executive Committee of their votes no later than five calendar days prior to the regularly scheduled general meeting where the amendment will be considered. In the event of a tie, the President, or, in the President's absence, the next highest Officer in the line of succession present at the place and time of the vote, shall cast an additional tie-breaking vote.