

CONSTITUTION OF THE PACIFIC-ASIAN LEGAL STUDIES ORGANIZATION WILLIAM S. RICHARDSON SCHOOL OF LAW, UNIVERSITY OF HAWAI'I

Article I

This organization shall be known as the Pacific-Asian Legal Studies Organization ("Organization").

Article II

The purpose of this organization shall be to:

- Promote understanding of the Pacific-Asian cultures and legal systems among its members, fellow students, and the community;
- Serve as a student support organization for the University of Hawai'i, William S. Richardson School of Law ("Law School") Pacific Asian Legal Studies ("PALS") Program;
- Promote educational and work opportunities in the Pacific and Asian areas;
- Promote communications and interchange of ideas among the law school, the legal professional community, the Pacific and Asian communities, and other groups interested in the Pacific and Asian areas.

Article III

Active membership in this organization shall be open to all students currently enrolled at the Law School upon payment of annual dues. Other categories of membership may be provided for in the Organization's Bylaws. Dues shall be set by the Executive Officers Committee and shall become effective upon approval by a majority of the attending active members of this organization.

Article IV

All monies received on account of dues, contributions, and fees, and all other funds of this organization, shall be applied and used in carrying out the purposes of this organization and in paying the expenses of its business and operation.

Article V

The officers of this organization shall be a President, two Vice Presidents, a Secretary, and a Treasurer, who shall be elected annually by the active members.

Article VI

This organization shall have committees to be determined by the active members at each annual meeting, or special meeting called for that purpose. Chairpersons shall be appointed by the officers.

Article VII

This organization shall have a committee consisting of the President and faculty advisors. It shall

be named the PALS Committee and it shall exercise all of the Organization's powers and authorities except as otherwise provided by the Constitution and the Bylaws.

Article VIII

This organization stipulates that no officer or committee member of this organization may receive financial remuneration for services rendered to or on behalf of this organization.

Article IX

This organization may make and adopt Bylaws regulating the conduct of its business, the selection and election of officers, and the powers of the officers.

Article X

Any person who shall become a member of the Organization shall become bound by the Constitution and Bylaws of the Organization including all amendments thereto. This Constitution may be amended by a two-thirds vote of the active membership at any annual meeting or at any special meeting duly called for the purpose.

BYLAWS OF THE PACIFIC-ASIAN LEGAL STUDIES ORGANIZATION WILLIAM S. RICHARDSON SCHOOL OF LAW, UNIVERSITY OF HAWAI'I

Section I: Membership

A. The Organization grants two types of membership:

1. Active Membership
2. Associate Membership

B. Membership qualifications for each are:

1. Active Members
 - a. All students currently enrolled at the Law School or any persons interested in Pacific-Asian legal studies.
 - b. Current payment of membership dues.
2. Associate Members
 - a. Former active members who have entered other fields of endeavor, friends, or family members.
 - b. Honorary members
 - c. Non-payment of dues by any student not enrolled in the Law School will place such member in the associate category until such dues are paid. Any student enrolled in the Law School must pay dues -- such a student is not allowed to be an associate member.

C. Responsibilities and Privileges of these two memberships:

1. Active Members
 - a. All active members are required to attend meetings, or

to be aware of results if attendance is not possible.

b. Entitled to one vote in the Pacific-Asian Legal Studies Organization.

c. The privilege of being able to run for any office, provided other qualifications are met (see Section V.A.2).

d. The privilege of participating in all Organizational activities and access to all Organizational services.

e. The responsibilities of offering needed services and assistance when possible to other members of this organization.

2. Associate Members

a. The privilege of attending and participating in meetings and committees; however, may not hold office or vote.

b. The privilege of participating in all Organizational activities and access to all Organizational services in the event that they apply to a non-University of Hawai'i member.

Section II: Dues

A. Active members

1. Each active member shall pay an annual membership dues in the amount of \$10.00 to the treasurer.

2. Dues shall be paid within the first two meetings of the Organization.

B. Purposes for Dues Collection

1. To demonstrate a commitment to the purposes of the Organization.

2. To help finance Organizational activities and operating expenses.

Section III: Meetings

A. NOTICE. After having reserved a room on the date set by the Executive Officers Committee ("EOC"), the Secretary shall post notice of all Organizational meetings, general or special (i.e., speakers). The Secretary shall post notice in the three (3) largest classrooms (not in the seminar rooms) before the second period of classes and at least two (2) regular school days prior to each. Also, the Secretary shall notify the general membership of General Meetings via e-mail at least two (2) regular school days prior to each and shall notify the entire law student body of Special Meetings via e-mail at least two (2) regular school days prior to each. So, if a meeting is held on Monday, notice must be posted on the chalkboards by Thursday morning and e-mails sent by the afternoon.

B. FREQUENCY. There shall be at least one (1) General Meeting per month during the school year and shall not be more than two (2) unless absolutely necessary. The EOC shall meet at least once per month and more frequently as necessary.

First meeting of the year. The sitting President shall call the first meeting if he/she returns for the next school year. If the sitting President is not returning, any EOC may call the Fall term's first meeting which shall take place by the end of the first week of regular classes. The Organization shall nominate and elect officers for positions yet to be filled.

Fall term. The President elect for the academic year concerned shall organize at least 3 General Meetings besides the Election Meeting. There shall be one per month (September, October and November). The first shall include an overview of the Organization (i.e., what it stands for and what it provide the membership), an announcement of work available on the Asian Pacific Law & Policy Journal, elections of open EOC positions. The second shall include an explanation of the PALS requirements. The third shall present an overseas summer program panel discussion consisting of students who participated in as large a variety of programs as possible, a brief description by the academic Dean about what the school requires to transfer credits back, and either a handout or presentation by a faculty member of the PALS Committee about which program's courses the PALS Committee can approve to satisfy the PALS Certificate Requirements.

Spring Term. Besides one General Meeting per month, the Organization shall sponsor the Spring Term (Brown Bag) Speaker Series. There shall be at least four speakers (professors, visiting scholars, vacationing lawyers and the like) who will present topics of interest to the Organization.

Formalities. At the Executive Officers' discretion, the Organization may follow formal orders of business and rules for parliamentary procedure.

1. Order of Business

- Call to order.
- Reading of minutes.
- Treasureris report.
- Committee reports.
- Unfinished business.
- New business.
- Announcements.
- Adjournment.

2.The Organization shall apply the rules contained in Robert's Rules of Order (Revised) to parliamentary procedure at its discretion.

Section IV: Duties of Officers

A. GENERAL.

- 1.The officers shall lead the membership, organize activities and ensure the integrity and continuance of the Organization's by fulfilling the purposes outlined in the Constitution and Bylaws.
- 2.For any Executive Officer of this Organization, the duties, responsibilities and activities of this Organization shall take priority over the duties, responsibilities and activities the Executive Offer may owe any other organizations where they conflict.
- 3.When necessary, the officers may appoint assistants to perform the responsibilities of their respective offices.

B. SPECIFIC DUTIES

1. President

- Be a member of the PALS Committee (meaning the faculty supervisory body of PALSO comprised of instructors who teach Pacific-Asian Law courses).
- Attend representing the interests and goals of the Organization to such committee.
- Call a meeting, should the PALS Committee not have notified the President of a meeting by the sixth week of each term.
- Be a member of the Asian-Pacific Law & Policy Journal (APLPJ).
- The President need not be an editor nor staff member, but,
 - Assure APLPJ retains a PALS focus and;
 - Ensuring timely publication no later than January.
- Meet with Deans as necessary to garner approval for projects or to represent members concerns and needs.
- Head the EOC and General and Special Meetings of the Organization. The President shall confer with the Executive Officers to set one day per full month of each term to have an EOC Meeting. The President may alone determine the one day per full month of each term to have a General Meeting.
- Create an agenda for all meetings in consultation with the Executive Officers.
- Attend all Organization functions, whether it be business, social or special.
- Call special or emergency meetings as necessary.
- Be responsible for all duties carried out by all other Executive Officers, i.e. should another not be able to carry out our his/her duty, the President must complete the undone duty.
- Appoint special and subcommittee chairpersons.
- Check the mail and redistribute it to the Officers it concerns.
- Supervise elections and balloting as outgoing President.
- Vote in case of a tie.
- Introduce the incoming officers to the PALS Committee, the Deans and Deans' secretaries.
- Perform any other duties necessary to preserve the integrity and continuance of the Organization.

2. Vice-President

- Act as liaison to other law student organizations to explore possibly sponsoring academic events jointly.
- Act as liaison with East-West Center and other PALS related Faculties on the University of Hawai'i's main campus to explore possibly sponsoring events or participating in any other activities, jointly.
- Organize the Spring Term (Brown Bag) Speaker Series.

- Assure that at least four speakers (professors, visiting scholars, vacationing lawyers and the like) will present topics of interest to the Organization by the end of the first week of the Spring Term.
- Work with the Executive Activity Coordinator in purchasing lei(s) and provide refreshments and/or food for each Spring Term Speaker Series presentation.
- Supervise the Executive Activity Coordinator and Media Committee and assist as necessary to assure projects and goals of the Organization are carried out.
- Directly assist the president at all meetings.
- Assume the functions of the President in case of his/her absence or disability.
- Serve as ex-officio committee member.
- Serve as official parliamentarian for all meetings.
- Perform any other duties necessary to preserve the integrity and continuance of the Organization.

3. Treasurer

- Prepare funding proposals for SBA and any other organization or otherwise that may grant funds to the Organization in pursuit of its interests, goals and purposes.
- Attend the meetings for such proposals to explain and defend the proposal.
- Make all photocopies as required and deliver same.
- Plan and propose fundraising activities to the EOC. The Organization shall carry out at least one fundraising activity per term.
- Supervise the collection of funds during fund raising projects or activities.
- Be sure all students, who have filled out a membership application, enrolled at the Law School have paid their dues. If they have not by the second meeting, the Treasurer will notify such pseudo-member that he/she is not entitled to services or honor activities, such as the Asian-Pacific Law & Policy Journal membership, that the Organization provides.
- Maintain up-to-date record of all dues collected.
- Open a joint bank checking account for the Organization so either the current President or Treasurer may pay for all transactions. The Treasurer shall clear all expenditures with the President and/or majority of EOC.
- Handle payment of all Organizational bills.
- Provide a monthly statement at the general membership meeting as necessary.
- Submit all financial records, revenues and expenditures, to the EOC as necessary or upon request.

4. Secretary

- Be a permanent member of the Media Committee
- Ensure the Organization is registered as an official student organization with the UH Student Center Office every year.
- Announce all meetings at least two (2) days in advance via e-mail and writing a notice on the chalkboards of the three (3) largest classrooms.
- Take minutes of all meetings and have them available for review on the web site within a reasonable time (maximum three weeks after the meeting).

- Keep a record of all Organizational activities.
- Maintain up-to-date files on all members and alumni, containing their addresses and phone numbers and a continuous file of minutes from past meetings.
- Handle all correspondence the President assigns.

5.Executive Activity Coordinator

- Be responsible for organizing all non-academic activities. This includes but is not limited to social activities for the Organization membership and/or the student body in general and community service activities. The Executive Activity Coordinator (EAC) shall organize at least one party for the entire membership per term. In the spring term, EAC shall do his/her best to organize a mixer with attorneys or other PALS-related Faculties on the University of Hawai'i's main campus.
- Act as liaison to other law student organizations to explore the possibility of jointly sponsoring or jointly participating in any community-service activities. Assist Vice President in this--do not assume full responsibility.
- Organize refreshments and/or for all activities, academic as well as social, as required.

6.Media Committee Chair

- Maintain the Organization's web site by updating it with notices and new information and making changes to the format when the EOC decides by majority it should.
- Maintain the four PALS notice boards on the Diamond head side of the courtyard (on the outside back wall of the administration offices on the ground floor). This includes, but is not limited to posting all notices and fliers, which the President passes on, in a neat and orderly fashion and removing notifications of old events as soon as possible after the event has taken place.
- Prepare newsletter at least once per term and distribute it to the general and honorary membership and law and non-law faculty no later than one week after the first General Meeting of the term. The newsletter shall include (not necessarily in the following order) Executive Officers' names and short bio, all dates for PALS-related events (be they legal or otherwise, on campus or elsewhere) known at printing time, notice of other possible events, the Organization's goals that term, progress on projects (e.g., a list of topics to appear in the Journal), and any other information helpful to the general membership in fulfilling his/her own interests in the study of law or Pacific-Asian region.

C. TERM OF OFFICE

1. Officers-elect and other duly elected Officers shall assume office at the first General Meeting of the Fall semester, which shall be held by the end of the first of week of regular classes, and shall hold office for one (1) year only.

2. No member shall hold more than one (1) office at a time.
3. In the event that an officer cannot or does not complete his/her term:
 - a. In the case of the office of President, the Vice Presidents will serve in the capacity of President for not more than one month, during which time a general election shall be held to determine a new president.
 - b. For all other offices, a special election will be held to find a new officer.
 - c. The newly elected officer shall complete the term of the previous officer; however, if the term to be served is for two months before the end of the school year, he/she can be nominated again for that office if so desired.

Section V: Election of Officers

A. Qualifications for Candidacy

1. All candidates shall be active members.
2. All candidates shall be a student at the Law School.
 3. All candidates shall be familiar with the responsibilities and duties of the position sought as outlined in these Bylaws prior to election.
 4. All candidates shall be willing to complete their specific duties competently.
 5. All candidates shall be willing to and shall subjugate the responsibilities and activities of other organizations to those of this Organization when in conflict.

B. Election Procedure

1. The full attending active membership of the Organization and any pre-designated absentee voters shall elect all officers for the new school year. The Organization shall hold elections of the President and Vice-President for the following academic year in April of the term prior unless there are no candidates willing to run at that time. If there is only a candidate for President, but none for Vice-President, the sitting President shall decide whether to hold an election for President alone. However, if there are no candidates for the position of President in April, the membership shall vote for both candidates for those positions with all the other EOC positions at the first General Meeting of that academic year.
2. Before a prospective candidate declares his/her candidacy, the President shall read the specific duties of each position to the attending active membership. Then, the candidate shall explain or debate how she/he is best qualified to fulfill the duties and responsibilities of the position which he/she seeks. Candidates shall leave the room while the membership discusses the candidates. The candidate receiving a majority of votes cast by all active members attending and pre designated absentee voters shall become an Officer elect where the election occurs in April or a new incumbent where the election occurs in August/September. In the event of a tie, a second vote shall be cast. If there still is a tie, then the other newly elected and sitting officers shall choose the officer.

Section VI: Removal of Non-Performing Executive Officers Elect

¥ As the primary purpose of elected the President and Vice-President early is to assure the Organization's smooth transition into the new year, the sitting President and/or sitting Vice-President may propose to remove the President elect and/or Vice-President elect if the sitting

President and/or sitting Vice-President find removal necessary to protect the integrity and continuance of the Organization.

¥ Such proposal shall be made before a special meeting of the EOC comprised of the sitting Executive Officers. Such meeting shall be called before Orientation Week.

¥ After notifying the alleged non-performing Officer elect, the sitting EOC shall follow standard removal procedure under Section VII.C.-G on.

Section VII: Removal of Non-Performing Executive Officers

¥ Only an Executive Officer shall propose another Executive Officer be removed for non-performance of his/her duties and responsibilities to the Organization. Such proposal shall only be made at an EOC Meeting. Though only Executive Officers may make such proposals, the membership, after having gathered signatures from twenty-five (25) percent of the active membership against an Executive Officer, may request the President make such proposal. If the petition is for the removal of the President, the membership shall direct the petition to the Vice-President.

¥ The President, unless his/her removal is sought, shall notify the alleged non-performing officer (ANPO) before the EOC Meeting. In the case of the President, the Vice-President shall notify the President.

¥ If the complaint is supported by clear and convincing evidence, the ANPO shall have the right to respond and rebut the claim against him/her and answer against questions the EOC may pose. However, lack of time is not a valid excuse unless a valid emergency existed at time of the alleged non-performance, such as illness or death in the family.

¥ Where the ANPO does not appear after having been notified, the EOC may vote in absentia.

¥ After rebuttal, the EOC shall vote. The ANPO shall leave the room.

¥ Removal shall require three (3) votes of the remaining five (5) Executive Officers or by a simple majority of the quorum where Executive Officers are unavailable.

¥ If the EOC votes to remove, the ANPO shall have the chance to resign. If the ANPO does not resign, the EOC shall strip him/her of his/her position and demand the return of all Organizational items in the non-performing officer's possession.

¥ Where removal resulted from a petition of the membership, but the ANPO survives an EOC vote, the members may petition again after one (1) month. In that case, removal shall voted on at a General Meeting. If the petitioners have clear and convincing evidence for removal, the President, unless his/her removal is sought, shall notify the ANPO before the General Meeting. In the case of the President, the Vice-President shall notify the President. The removal proceeding shall follow procedures under VII.C-G, except replace "EOC" with "General Membership," and VII.F shall require 2/3 of the quorum.

Section VIII: Resignation of an Executive Officer

A. Any officer may resign for a good cause.

B. Any officer may resign if unable to fulfill any duty prescribed by the Constitution and its Bylaws.

C. Any conduct by any of the officers impairing the integrity or continuation of this organization may be cause for resignation.

D. Conduct bringing dishonor, discredit, or any undesirable reflection on the name of this organization shall be cause for resignation upon review and determination by the EOC.

Section IX: Executive Officer Vacancy

¥ If a vacancy of an Executive Officer's position occurs, the President shall set a Special Election Meeting and notify the membership five (5) regular school days and two (2) regular school days prior.

¥ All interested candidates shall notify the President before such meeting.

¥ The President shall then follow standard election procedure from Section V.B.2 forward.

Section X: Committees

A. Types of committees. The Organization should have various committees which function either continuously or to satisfy a current problem. Such committees shall be created by the President with the approval of a majority vote of the members present at the meeting. The committees shall be created as required to promote the objectives and interests of this organization. The chairperson of each committee shall be appointed by the President with the approval of the general membership and shall serve for a term of one year.

B. Responsibilities

1. Committee chairperson may call committee meetings as necessary.
2. All committee members shall attend unless the chairperson has otherwise specified.

Section XI: PALS Committee

A. Purpose and Membership

- The PALS Committee shall be established to assist the Organization in preparing an agenda, recommending new ideas that may further the Organization's objectives and interests, and supporting and representing important objectives and interests to the administration and faculty at such meetings.
- It shall consist of the Organization's President and faculty who instruct courses that are required for the PALS Certificate.

B. Responsibilities

1. Serve as an advisory to the Organization and liaison group to the administration representing and supporting the Organization's plans and goals.
2. Evaluate study-abroad programs which offer courses that may qualify to satisfy PALS Certificate requirements. If the PALS Committee is satisfied, it may approve the course to fulfill PALS Certificate requirements. Evaluating and approving include whether a course may qualify as the equivalent of a subject offered at the Law School and how many credits such course represents toward completion of a PALS Certificate.

Section XII: Interpretation & Amendment

A. In questions of constitutional interpretation, the majority vote of the active membership at a Special or General meeting shall determine the interpretation to be followed.

B. The Constitution and Bylaws may be amended after discussion and thorough study in any regular meeting by two-thirds (2/3) vote of the active membership. The proposed amendments must be submitted in writing and read to the membership at a previous meeting at least one month prior to voting unless unforeseen circumstances prevent this. Printed copies of the proposed amendment(s) must be made accessible to each member for their review and discussion.

RATIFIED: April 18, 1985
AMENDED: October 1, 1998

The following article and sections were amended by referendum on October 1, 1998:

ARTICLE I

Previous:

This organization shall be known as the Pacific-Asian Legal Studies Student Organization (hereinafter "Organization").

Reasons

First, continuity. To have the Organization parallel the Certificate: Pacific-Asian Legal Studies Certificate. Second, broaden the membership base to professionals and students from other faculties by having a more general title.

Section I.B.2.c

Previous:

Non-payment of dues by any student will place such member in the associate category until such dues are paid.

Reasons

To encourage active participation among the UH law student membership and to require those, who primarily benefit from activities, to help support the activities that the Organization sponsors.

Section II.A.1

Previous:

Each active member will be required to pay the amount of \$2.00 to the treasurer for each school semester.

Reasons

The 1985 Constitution set dues at \$2 per semester. With the increased activities and responsibilities the Organization would like to undertake, the extra funding is absolutely necessary. Moreover, it is time consuming to collect dues twice a year.

Section II.A.2

Previous:

Dues should be paid within the first two meetings of the organization.

Reasons

To make it clear by when dues must be paid.

Section I.A.3

Previous:

Dues for new members must be paid upon joining the organization prior to the next regular monthly meeting. (Deleted in whole)

Reasons

All members should be treated equally. If this section is deleted, the new members like the returning members would have to pay by the second meeting of the organization -- this does not prevent them from paying upon joining.

Purpose. The reasons for having elections in Spring for the President and Vice-President is twofold: 1) to assure the Organization's smooth transition into the following year and 2) to allow the sitting Presidents and Vice-Presidents to work with, advise and supervise the Executive Officers elect.