

We the Members of the Harvard Federalist Society, to better serve the purposes of our organization, ensure our continued vitality, preserve our record of success, advance our intellectual influence, and meet the present and future challenges before us, with respect for our forebears and hope for our progeny, hereby reorganize and reconstitute the Constitution of our Society.

Article I

Section 1 — Purpose

The Harvard Law School Federalist Society is a student organization organized in accordance with the regulations of Harvard Law School. The purpose of the Society is to foster critical thought and debate about the application of conservative and libertarian ideas to the law. The Society embraces the principles that the state exists to preserve freedom, that the separation of powers is central to the Constitution of the United States of America, and that it is emphatically the province and duty of the judiciary to say what the law is, not what it should be. The activities of the Society shall not be bound by any political, ideological, or religious viewpoints other than these three principles.

Section 2 — Membership

Membership in the Society is open to any student at Harvard Law School and to any interested member of the faculty or administration. The Society shall encourage its Members to join the national Federalist Society.

Section 3 — Active Membership

Active Members are those students who meet the outline distribution and voting eligibility criteria determined by the board.

Section 4 — Voting Eligibility

Only Active Members may vote in election, impeachment, and amendment caucuses. Eligibility in the Annual Election Caucus shall be limited to those Active Members who have attended at least five Society events in the current academic year. But at the Annual Election Caucus at which this Constitution is ratified, voting eligibility shall extend to any Member who was eligible to vote under the prior requirements.

Article II

Section 1 — Elected Officers

The Society shall have the following elected officers: President, Executive Vice President, Vice

President for Speakers, Vice President for Membership, Vice President for Social Activities, Vice President for Communications, Debate Chair, Legal Practice Chair, Development Chair, and Academics Chair. These officers alone shall constitute the Executive Board of the Harvard Federalist Society.

Section 2 — Qualifications and Terms of Office

Any Active Member of the Society who is not in his final year at Harvard Law School may stand for election for any elected office. All officers elected at the Annual Election Caucus shall serve until their successors assume office, unless they resign or are removed.

Section 3 — Duties of Elected Officers

All members of the Executive Board shall have the following duties: to attend all Society events as consistently as they are able; to assist in the recruitment and mentoring of new Members; to assist their successors in assuming their new duties; to faithfully and honorably represent the Society to the Harvard Law School community and the outside world; and to assume responsibility for the general welfare of the Society and the success of its activities. Individual officers shall have the duties described below, as well as any additional duties that the President shall deem expedient for the Society.

A. President — The President shall be elected to be the chief executive officer of the Society; to call and preside over all Society meetings and meetings of the Executive Board; to supervise all other Society officers and oversee all Society events; to serve as the liaison to the law school administration, the national Federalist Society, and any other outside organizations; to render interpretation of the Society's Constitution and By-Laws; and to appoint assistants as he deems necessary to assist him in fulfilling his duties.

B. Executive Vice President — The Executive Vice President shall be elected to assist the President and preside in the case of the President's absence or disability; to serve as Treasurer, supervise the Society's finances and budget, and present the Society's financial report to the law school administration; to gather and organize advice from Executive Board members to be presented to their successors; and to oversee participation in the Federalist Society's National Lawyers Convention and Student Symposium.

C. Vice President for Speakers — The Vice President for Speakers shall be elected to assemble the Society's speakers calendar; to host and organize speakers events; and to plan and supervise moot courts and other special events.

D. Vice President for Membership — The Vice President for Membership shall be elected to direct the recruitment and integration of new Members; to select and organize the activities of the 1L Section Representatives; to manage the Society's recruitment efforts with regard to admitted students; and to maintain, in consultation with the Vice President for Communications, the Society's membership list.

E. Vice President for Social Activities — The Vice President for Social Activities shall be elected to plan and supervise the Society's social events; to organize events designed to encourage retention of second-year and third-year Members; and to direct the Society's community service activities.

F. Vice President for Communications — The Vice President for Communications shall be elected to notify the Society's members, the law school community, and the public of upcoming events and meetings; to maintain the Society's membership list; to organize media coverage of Society events; and to manage the Society's website.

G. Debate Chair — The Debate Chair shall be elected to plan and supervise the Society's colloquium program.

H. Legal Practice Chair — The Legal Practice Chair shall be elected to organize and facilitate the Society's 1L and 2L mentoring programs; to plan and supervise career panels; to identify and publicize pro bono opportunities to interested Members; and to organize the Society's faculty lunch program.

I. Development Chair — The Development Chair shall be elected to update and maintain the alumni database; to organize the Society's alumni mentoring program; to produce and distribute the alumni newsletter; and to direct, in consultation with the President, the planning and fundraising for the Society's Annual Banquet.

J. Academics Chair — The Academics Chair shall be elected to administer the Society's outline bank; to plan and supervise academic panels; and to direct the Society's clerkship advising program.

Section 4 — Other Officers

Elected officers may, with the approval of the President, appoint subordinate officers to assist in the execution of their duties; but elected officers retain ultimate control over and responsibility for their constitutional responsibilities, and they shall have broad discretion to supervise their respective subordinate officers. The President may appoint officers to administer other activities of the Society, and such officers shall serve solely at the discretion of the President.

Article III

Section 1 — Annual Election Caucus

The Annual Election Caucus shall be held in the spring semester of each year. At this meeting, the Active Members shall elect the President, Executive Vice President, Vice President for Speakers, Vice President for Membership, Vice President for Social Activities, Vice President for Communications, Colloquium Chair, Legal Practice Chair, Development Chair, and

Academics Chair. The newly elected officers shall assume their responsibilities by the Society's Annual Banquet.

Section 2 — Standards of Conduct

The President and Executive Vice President shall have the authority to describe the appropriate standards of conduct for candidates and other Society Members in the period preceding the Annual Election Caucus. No Society resources, including but not limited to the Society membership list, shall be used by any person to support or oppose any candidate.

Section 3 — Regular Election Procedures

The Advisory Council shall select a third-year Active Member to serve as Election Chair for the Annual Election Caucus. At no time shall the Election Chair support or oppose any candidate. The Annual Election Caucus will then be administered under the following procedure:

A. Before the election, the Election Chair shall notify Members of the upcoming election and application deadlines. Members who wish to be eligible to vote must meet the requirements to receive outlines in the Spring. The Election Chair shall then compile a list of all eligible voters. Any Active Member interested in elected office shall notify the Election Chair before the election.

B. Before the election, the Election Chair shall notify the Society's Members of the candidates standing for election and the offices they seek, and he may distribute brief statements by the candidates.

C. Members generally must be present at the Election Caucus if they wish to vote. Absentee voting shall be allowed only if Active Members certify in advance to the Election Chair that they have a mandatory and unavoidable conflict. The Election Chair shall have the discretion to define the standards for establishing such a conflict.

D. The Election Chair shall preside at the Election Caucus.

E. If there are fewer than two declared candidates for any office at the time of the Election Caucus, then the Election Chair shall accept nominations from the floor. Each candidate shall have the opportunity to address and answer questions from the Members. The Election Chair shall set and enforce time limits for speeches and question periods, but he shall leave reasonable time for discussion in the case of contested elections.

F. All voting for the office of President shall take place before speeches and voting for the office of Executive Vice President, and so on. The Election Chair shall excuse the candidates before each vote to allow Members to discuss the candidates' merits. Active Members shall vote by secret ballot.

G. The Election Chair and at least one Active Member shall tabulate the ballots. Races shall be decided by a simple majority of those voting. Should no candidate receive a majority in a race with three or more candidates, a second ballot shall be held with only the top two vote recipients listed. The Election Chair shall have no vote unless there is a tie between two or more candidates, in which case he shall cast the deciding vote or votes.

H. The Election Chair may promulgate other rules which shall be necessary and proper for conducting elections.

Section 3 — Vacancies

The President shall, within a reasonable time, fill any vacant elected office by appointment with the advice and consent of the remaining members of the Executive Board. If a vacancy results from the failure of any candidate to stand for office at the Annual Election Caucus, the President at his sole discretion may appoint any Active Member to fill this position as soon as he is able. The Executive Vice President shall succeed to the Presidency if the Presidency becomes vacant.

Section 4 — Emergency Elections

In the event that the offices of President and Executive Vice President become vacant simultaneously, an Emergency Election shall be held according to the following procedure:

A. The remaining members of the Executive Board shall choose an Interim President from among the Society's membership.

B. The Interim President shall then call and preside over an Emergency Election to elect a new President. The Emergency Election shall take place as soon as is practicable, not to exceed two weeks, excluding any weeks in which regular classes are not scheduled. The Interim President may not stand for election at the Emergency Election.

C. Candidates for President shall have the opportunity to address and answer questions from the Members, and Members shall have the opportunity for debate without the candidates present in the case of a contested race. But the Interim President shall otherwise have general discretion to set the procedures governing the Emergency Election. All Active Members are eligible to vote in Emergency Elections.

D. A President elected during an Emergency Election shall assume office immediately and shall hold office until the next Annual Election Caucus.

Section 5 — Resignation

An elected officer may resign his office by submitting a written declaration of resignation to the President, or to the Executive Vice President if the resigning officer is the President. Any holder

of elected office who ceases with permanent effect to be a student at Harvard Law School automatically and immediately resigns his office.

Section 6 — Impeachment

An elected officer may be impeached for failure to execute satisfactorily the duties of his office, for demonstrating behavior unbecoming an officer of the Society, or for violating Harvard Law School regulations. Impeachment may not be based on an officer's adherence to or expression of any particular political, ideological, or religious viewpoint. Any impeachment shall occur through the following procedure:

A. Impeachment proceedings against any officer may be initiated by written petition signed by two-thirds of the other members of the Executive Board; by all members of the Advisory Council, excluding any member against whom the charges are directed; or by twenty of the Society's Active Members. Any such petitions shall identify the specific charges against the accused officer.

B. Impeachment charges shall be submitted to the President. Should the charges be directed at the President, the charges shall be submitted to the Executive Vice President. The President or Executive Vice President shall then deliver a copy of these charges to the accused officer.

C. An Impeachment Caucus shall be held as soon as is practicable, but not later than two weeks from the date of submission, excluding any weeks in which no regular classes are scheduled. The President or Executive Vice President shall give notice to all Members of the date for said Impeachment Caucus and the charges to be brought.

D. The President shall preside over the Impeachment Caucus. If the President is the accused officer, a majority of the Advisory Council shall select a different Member who is not the Executive Vice President to preside. The accused officer shall be given at least half an hour to defend himself against the charges and to present evidence in his defense. The presiding officer, at his discretion, may provide additional time for the accused officer to answer questions from the Members. After that time, the accused officer shall leave the room and present Members may debate until a motion to vote is approved by the majority of Active Members present. A two-thirds vote of Active Members present shall be required to remove the charged officer.

E. No officer removed by impeachment may hold office on the Executive Board until the following Annual Election Caucus. Nor may any such officer subsequently stand for any elected position if that officer's candidacy would be unopposed.

Article IV

Section 1 — Advisory Council

The Advisory Council shall advise the Executive Board and the President on matters related to the long-term success and prosperity of the Harvard Federalist Society and shall meet from time to time to discuss and evaluate the current state of the Society. Either the President or any two other members of the Advisory Council may convene a meeting of the Advisory Council.

Section 2 — Membership

Upon election, every President automatically becomes a member of the Advisory Council. After each Annual Election Caucus, the President-Elect, with the advice and consent of the current Advisory Council, shall select two to five rising third-year Active Members, at least two of whom shall not be members of the new Executive Board, to join the Advisory Council. In the period between the start of the subsequent academic year and the next Annual Election Caucus, the President may, with the advice and consent of the Advisory Council, appoint new third-year Active Members until the total number of members, including the President, reaches six.

Section 3 — Alumni Representatives

The Advisory Council shall, from time to time, designate one or more alumni of the Society to serve as representatives to the Advisory Council. The Advisory Council shall consult with these representatives regarding the present state and long-term success and prosperity of the Society. But alumni representatives shall not be voting members of the Advisory Council, nor shall their appointment otherwise limit the size of the Advisory Council.

Section 4 — Removal

Members of the Advisory Council other than the current President may be removed upon the unanimous agreement of the remaining members. Members of the Advisory Council shall otherwise serve until their graduation or resignation.

Section 5 — Midterm Consultations

The Advisory Council shall hold midterm consultations with members of the Executive Board as soon as is practicable upon the commencement of classes following the conclusion of the fall semester. But neither the President nor any other member of the Executive Board serving on the Advisory Council shall participate in the consultations with other Executive Board members. The Advisory Council shall conduct individual interviews with all members of the Executive Board, but it may otherwise structure the review process at its discretion.

Section 6 — Participation in Candidate Discussions

All members of the Advisory Council, including the President, may be active participants in the discussion of candidates in contested races at all election caucuses, excluding any member selected to serve as Election Chair.

Section 7 — Contested Presidential Interpretations

In the event that the President's interpretation of the Society's Constitution or By-Laws is contested, the Advisory Council shall have the power to render definitive interpretation under the following procedures:

A. If an interpretation by the President is objected to at an election, impeachment, or amendment caucus, then a vote by two-thirds of the Active Members present shall stay the President's interpretation and immediately certify the question to the Advisory Council, provided that at least two other members of the Advisory Council are present. The Advisory Council will then render definitive interpretation by majority vote. If no majority is reached, then the President shall retain interpretive authority.

B. If an interpretation by the President is objected to outside of an election, impeachment, or amendment caucus, then a petition signed by twenty Active Members, presented to the Executive Vice President, shall certify the question to the Advisory Council. Within one week, excluding any week in which regular classes are not scheduled, the Advisory Council will then meet to render definitive interpretation by majority vote. Quorum for such a meeting shall be the President plus two other members of the Advisory Council, at least one of whom shall not be a member of the Executive Board. If no majority is reached, then the President shall retain interpretive authority.

Article V

Section 1 — Amendments and By-Laws

Active Members may propose amendments to the Society's Constitution or By-Laws under the following procedures:

A. A petition for amendment must be signed by at least ten Active Members and submitted in writing to the President.

B. The President shall then, within a reasonable time and with notice to the membership, call for and preside over an amendment caucus. The proponents of the amendment shall have an opportunity to present and defend their proposal and answer questions from the Members, and there shall be an opportunity for general debate among all Members present. Proponents of the amendment shall designate whether the amendments may be modified within their scope, and such modifications shall require the majority vote of the Active Members present. The President shall otherwise have discretion to set the procedural rules for the amendment caucus.

C. An amendment caucus may coincide with the Annual Election Caucus, in which case the President shall have discretion to decide when in the caucus the amendment shall be considered. But an amendment caucus may not coincide with an emergency election or impeachment caucus.

D. Amendments to the Constitution shall require ratification by a two-thirds vote, and amendments to the By-Laws shall require ratification by a majority vote. Active Members must generally be present to vote. Absentee voting shall be allowed only in the case of mandatory and unavoidable conflicts and through procedures specified by the President. But no absentee voting shall be allowed for any amendment that has been modified on the floor to any extent.

E. All amendments are presumed to take immediate effect, but amendments may, by their own terms, specify the times at which particular provisions begin to apply.

Section 2 — Scope of By-Laws

By-Laws may provide for any rule, standard, procedure, or structure not inconsistent with the Society's Constitution. By-Laws may include reasonable interpretations of general constitutional provisions and reasonable regulations concerning the manner in which officers exercise the discretion assigned to them by the Constitution.

Article VI

This Constitution, immediately and automatically upon ratification, shall supersede and replace the previous constitution and by-laws of the Society.

Amendment I (Ratified March 5, 2013)

The Executive Board shall have the power to remove any member of the Board other than the President by a two-thirds vote. The Board member whose removal is under consideration by the Board shall not vote during the proceeding.