

**Constitution of the
National Indigenous Law Students' Association**

ARTICLE I: Preamble

Whereas the National Indigenous Law Students' Association acts upon traditional, ancestral, territory of many different Indigenous peoples across Turtle Island;

And Whereas the National Indigenous Law Students' Association welcomes participation from all students, faculty members, and staff of Canadian Law Schools, be they Indigenous or non-Indigenous, in a positive spirit of interconnectivity and inclusion;

And Whereas the National Indigenous Law Students' Association has been created to connect, support, and help foster the relationships of Indigenous law students across so-called "Canada" in all levels of study;

And Whereas the National Indigenous Law Students' Association will be maintained to raise awareness and respect for Indigenous peoples across so-called "Canada", and to advocate for Indigenous peoples, nations, and laws;

And Whereas the National Indigenous Law Students' Association aims to foster the growth of Indigenous law students, to maintain the unique Indigenous identity of each student, and to foster respect for the efforts of each Member of the National Indigenous Law Students' Association, both past and present;

We Hereby enact this, our Constitution, to enshrine our Procedure, Purpose, and Structure, for the benefit of the Association and its Members, now and for the future.

ARTICLE II: Designation

A. Name

The name of the group shall be the "National Indigenous Law Students' Association," or «l'Association nationale des étudiant(e)s autochtones en droit» and may be referred to as "NILSA", or «ANEAD», respectively.

B. Language

NILSA will conduct meetings in English and in French, or any Indigenous language where practicable and where the majority of members will understand. Documentation will be provided in any of the above languages, as long as the Executive has the capacity to do so.

C. Compliance

NILSA does not operate at any particular university, however it is subject to Canadian university policies and procedures, as it includes representatives from a multitude of universities across the country. NILSA will also comply with all local, provincial, and federal laws and procedures in Canada where applicable.

D. Applicability

NILSA will comply with local laws and Rules of Professional and Ethical Conduct of the jurisdictions in which representatives of NILSA reside.

E. Status

NILSA is an independent and autonomous volunteer organization.

F. Agency

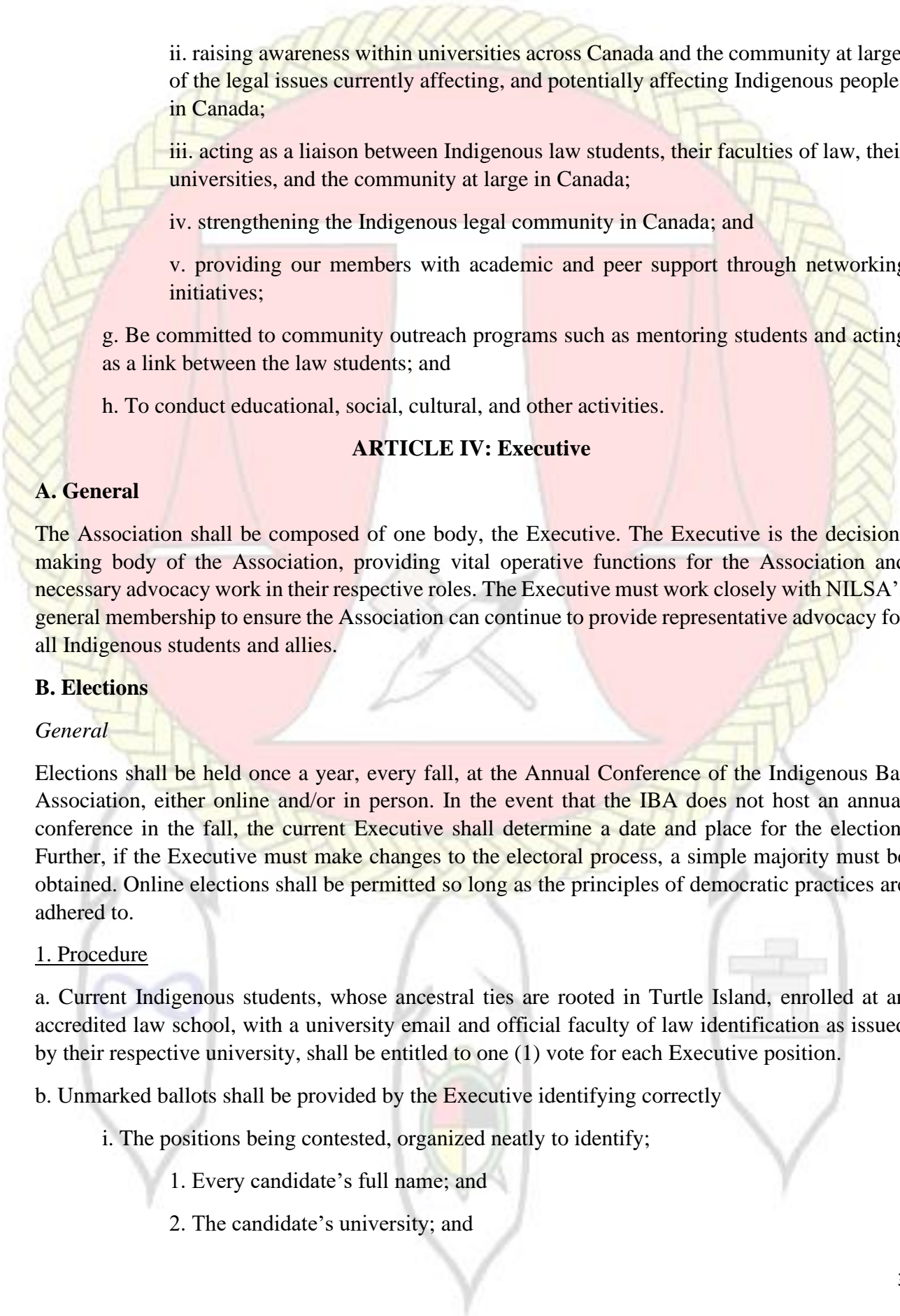
NILSA is not an agent of any Indigenous Law Student Association (ILSA) nor Law Student Association (LSA) in any University, and its views and actions do not necessarily represent those of any ILSA or LSA at any University in Canada.

ARTICLE III: Objectives & Purposes

A. Objectives and Purposes

1. The objectives and purposes of the organization are:

- a. To foster a community of academic, professional, and social support among Indigenous law students across Canada;
- b. To represent and support the academic and professional interests of Indigenous law students;
- c. To promote accessible legal education for Indigenous peoples in a culturally sensitive learning environment;
- d. To assist Indigenous law students fulfill their obligations, both to the school, community and to their Indigenous culture;
- e. Assist Indigenous and non-Indigenous students by offering peer support and information relating to issues dealing with Indigenous culture and Indigenous law;
- f. Sensitize law schools across Canada to issues and concerns facing Indigenous law students, such as
 - i. promoting cultural sensitivity and awareness within the faculties of law and law student bodies;

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- ii. raising awareness within universities across Canada and the community at large, of the legal issues currently affecting, and potentially affecting Indigenous peoples in Canada;
 - iii. acting as a liaison between Indigenous law students, their faculties of law, their universities, and the community at large in Canada;
 - iv. strengthening the Indigenous legal community in Canada; and
 - v. providing our members with academic and peer support through networking initiatives;
- g. Be committed to community outreach programs such as mentoring students and acting as a link between the law students; and
- h. To conduct educational, social, cultural, and other activities.

ARTICLE IV: Executive

A. General

The Association shall be composed of one body, the Executive. The Executive is the decision-making body of the Association, providing vital operative functions for the Association and necessary advocacy work in their respective roles. The Executive must work closely with NILSA's general membership to ensure the Association can continue to provide representative advocacy for all Indigenous students and allies.

B. Elections

General

Elections shall be held once a year, every fall, at the Annual Conference of the Indigenous Bar Association, either online and/or in person. In the event that the IBA does not host an annual conference in the fall, the current Executive shall determine a date and place for the election. Further, if the Executive must make changes to the electoral process, a simple majority must be obtained. Online elections shall be permitted so long as the principles of democratic practices are adhered to.

1. Procedure

- a. Current Indigenous students, whose ancestral ties are rooted in Turtle Island, enrolled at an accredited law school, with a university email and official faculty of law identification as issued by their respective university, shall be entitled to one (1) vote for each Executive position.
- b. Unmarked ballots shall be provided by the Executive identifying correctly
 - i. The positions being contested, organized neatly to identify;
 - 1. Every candidate's full name; and
 - 2. The candidate's university; and

3. The candidate's ties to their Indigenous nation/community.

c. The Executive shall procure an independent third party to act as Electoral Officer, who;

- i. Will endeavor to keep the electoral process unbiased and fair;
- ii. Will count every ballot cast; and
- iii. Will provide the results to the preceding Executive immediately as they are available.

2. Voting

a. Voting will take place;

- i. In person at the IBA Annual Conference' Student Day; and/or
- ii. Online, with valid identification sent in with ballot.

b. Voting instructions will be emailed in advance of the election. Voters should be prepared to present proper identification, whether by e-mail or in person (see Art. 6(A)).

C. Terms

Each Executive member will hold their position for one (1) full year, beginning after their successful election, until the election the following year.

D. Executive

General

The Executive shall be composed of up to fifteen (15) members, all of whom must be undertaking studies at an accredited law school in so-called "Canada", who will guide the association in its daily activities. They will be elected at each Indigenous Bar Association annual conference, and in the event that the conference does not occur, an election can be called with the specifics to be determined by the Executive. Each member of the Executive shall have an equally weighted vote. In the event of a tie, the President shall act as the tie-breaking vote.

1. President

a. Qualifications:

- i. Must be elected;
- ii. Must be of verifiable First Nation, Inuit, or Métis ancestry; and
- iii. Must be in their second or third year of law at an accredited Canadian law school.

b. Duties:

- i. Shall chair meetings of the organization and the Executive;
- ii. Shall produce and circulate a meeting agenda prior to each Executive meeting;
- iii. Shall serve as primary representative for the association;

- iv. Shall serve as primary facilitator for the association;
- v. Shall be a signing authority; and
- vi. Shall make binding and deciding vote in the case of tie vote.

2. Vice-President First Nation

a. Qualifications:

- i. Must be elected;
- ii. Must be of verifiable First Nation ancestry; and
- iii. Must be a student at an accredited Canadian law school

1. Preference shall be given to candidates in their second or third year of study.

b. Duties

- i. Shall actively promote the interests of First Nations culturally, socially, and politically;
- ii. Shall ensure their vote on the Executive represents First Nation students interests; and
- iii. Shall assume the role of President working concurrently with the Vice-Presidents Inuit and Métis if;

- 1. President becomes incapacitated; or
- 2. Emergency situations, requiring immediate action, arise.

3. Vice-President Inuit

a. Qualifications:

- i. Must be elected;
- ii. Must be of verifiable Inuit ancestry; and
- iii. Must be a student at an accredited Canadian law school

1. Preference shall be given to candidates in their second or third year of study.

b. Duties

- i. Shall actively promote the interests of Inuit culturally, socially, and politically;
- ii. Shall ensure their vote on the Executive represents Inuit students interests; and
- iii. Shall assume the role of President working concurrently with the Vice-Presidents First Nation and Métis if;

- 1. President becomes incapacitated, or
- 2. Emergency situations, requiring immediate action, arise.

4. Vice-President Métis

a. Qualifications:

- i. Must be elected;
- ii. Must be of verifiable Métis ancestry; and
- iii. Must be a student at an accredited Canadian law school
 1. Preference shall be given to candidates in their second or third year of study.

b. Duties:

- i. Actively promote the interests of the Métis culturally, socially, and politically;
- ii. Ensure their vote on the Executive represents Métis students interests; and
- iii. Assume the role of President working concurrently with the Vice-Presidents First Nation and Inuit if;
 1. President becomes incapacitated, or
 2. Emergency situations, requiring immediate action, arise.

5. Vice-President Finance

a. Qualifications:

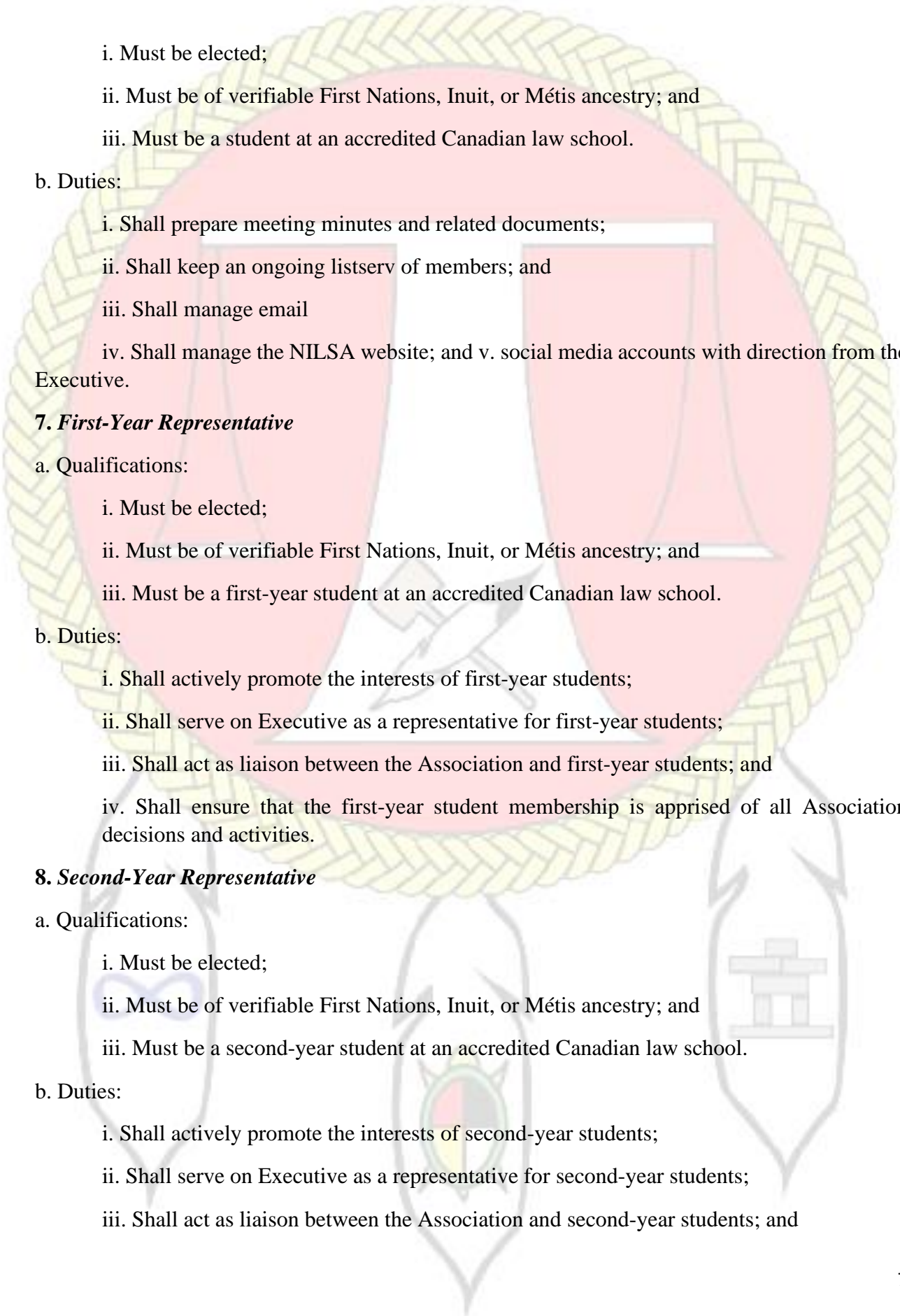
- i. Must be elected,;
- ii. Must be of verifiable First Nations, Inuit, or Métis ancestry; and
- iv. Must be a student at an accredited Canadian law school
 1. Preference shall be given to candidates in their second or third year of study.

b. Duties:

- i. Shall prepare financial information for the year;
- ii. Shall manage fundraising activities for the year;
- iii. Shall keep accurate account of the Association's assets;
- iv. Shall manage day-to-day finances of the organization
 - a. Including maintenance of bank account(s);
- v. Shall submit financial reports to the Executive upon request; and
- vi. Shall be a signing authority.

6. Communications and Administration Councillor (Two [2] Positions)

a. Qualifications:

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- i. Must be elected;
 - ii. Must be of verifiable First Nations, Inuit, or Métis ancestry; and
 - iii. Must be a student at an accredited Canadian law school.

b. Duties:

- i. Shall prepare meeting minutes and related documents;
- ii. Shall keep an ongoing listserv of members; and
- iii. Shall manage email
- iv. Shall manage the NILSA website; and v. social media accounts with direction from the Executive.

7. *First-Year Representative*

a. Qualifications:

- i. Must be elected;
- ii. Must be of verifiable First Nations, Inuit, or Métis ancestry; and
- iii. Must be a first-year student at an accredited Canadian law school.

b. Duties:

- i. Shall actively promote the interests of first-year students;
- ii. Shall serve on Executive as a representative for first-year students;
- iii. Shall act as liaison between the Association and first-year students; and
- iv. Shall ensure that the first-year student membership is apprised of all Association decisions and activities.

8. *Second-Year Representative*

a. Qualifications:

- i. Must be elected;
- ii. Must be of verifiable First Nations, Inuit, or Métis ancestry; and
- iii. Must be a second-year student at an accredited Canadian law school.

b. Duties:

- i. Shall actively promote the interests of second-year students;
- ii. Shall serve on Executive as a representative for second-year students;
- iii. Shall act as liaison between the Association and second-year students; and

- iv. Shall ensure that the second-year student membership is apprised of all Association decisions and activities.

9. Third-Year Representative

a. Qualifications:

- i. Must be elected;
- ii. Must be of verifiable First Nations, Inuit, or Métis ancestry; and
- iii. Must be a third-year student at an accredited Canadian law school.

b. Duties:

- i. Shall actively promote the interests of third-year students;
- ii. Shall serve on Executive as a representative for third-year students;
- iii. Shall act as liaison between the Association and third-year students; and
- iv. Shall ensure that the third-year student membership is apprised of all Association decisions and activities.

10. Articling Representative

a. Qualifications:

- i. Must be elected;
- ii. Must be of verifiable First Nations, Inuit, or Métis ancestry; and
- iii. Must be in an articling or clerkship position, LPP program or equivalent, as recognized by the law society of their province or territory

1. Preference shall be given to candidates that have served on past NILSA Executives

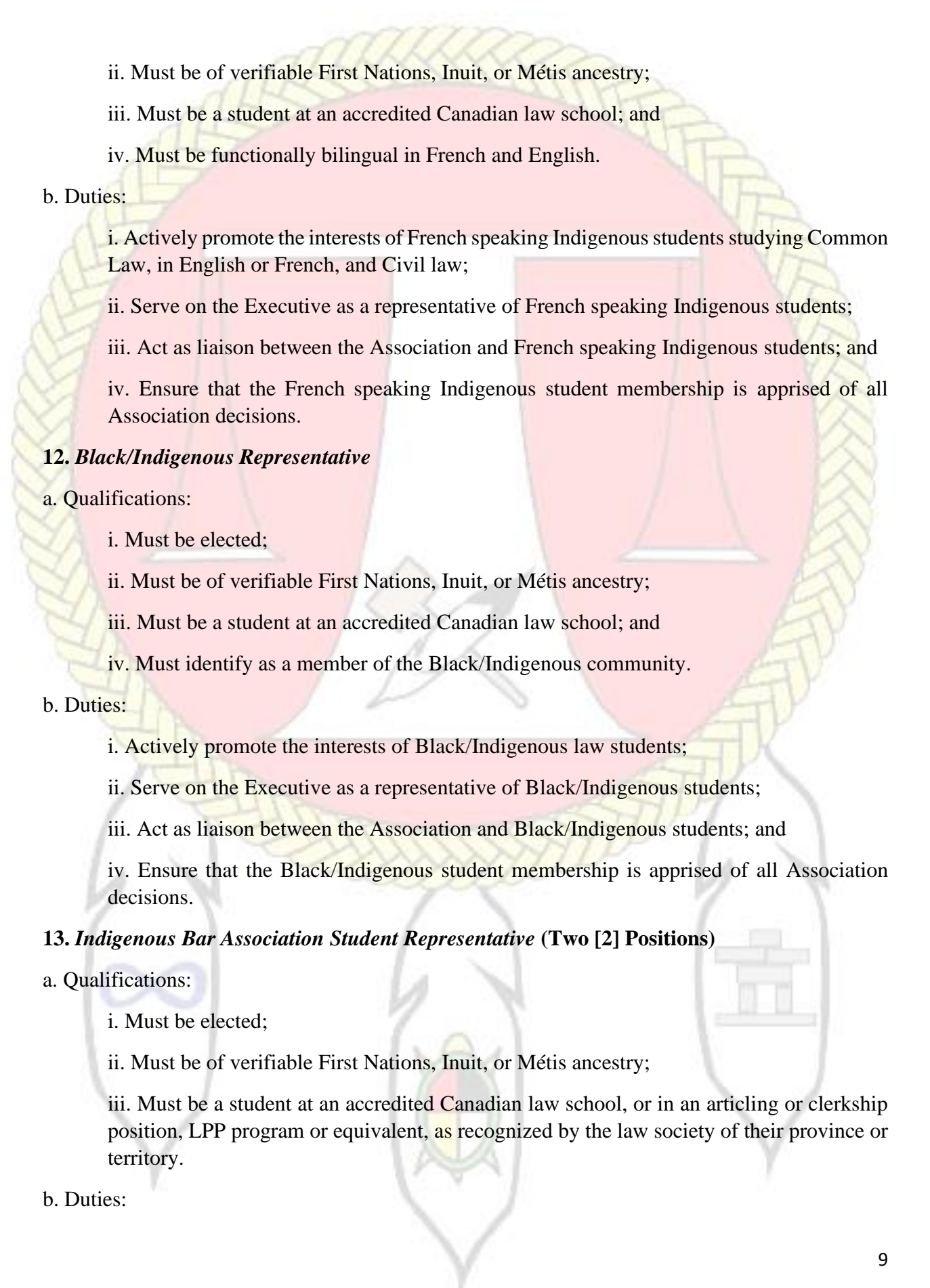
b. Duties:

- i. Actively promote the interests of articling and clerkship students;
- ii. Serve on Executive as a representative for articling and clerkship students;
- iii. Act as liaison between the Association and articling and clerkship students; and
- iv. Ensure that the articling and clerkship student membership is apprised of all Association decisions.

11. Civil Law/French Representative

a. Qualifications:

- i. Must be elected;

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- ii. Must be of verifiable First Nations, Inuit, or Métis ancestry;
 - iii. Must be a student at an accredited Canadian law school; and
 - iv. Must be functionally bilingual in French and English.

b. Duties:

- i. Actively promote the interests of French speaking Indigenous students studying Common Law, in English or French, and Civil law;
- ii. Serve on the Executive as a representative of French speaking Indigenous students;
- iii. Act as liaison between the Association and French speaking Indigenous students; and
- iv. Ensure that the French speaking Indigenous student membership is apprised of all Association decisions.

12. *Black/Indigenous Representative*

a. Qualifications:

- i. Must be elected;
- ii. Must be of verifiable First Nations, Inuit, or Métis ancestry;
- iii. Must be a student at an accredited Canadian law school; and
- iv. Must identify as a member of the Black/Indigenous community.

b. Duties:

- i. Actively promote the interests of Black/Indigenous law students;
- ii. Serve on the Executive as a representative of Black/Indigenous students;
- iii. Act as liaison between the Association and Black/Indigenous students; and
- iv. Ensure that the Black/Indigenous student membership is apprised of all Association decisions.

13. *Indigenous Bar Association Student Representative (Two [2] Positions)*

a. Qualifications:

- i. Must be elected;
- ii. Must be of verifiable First Nations, Inuit, or Métis ancestry;
- iii. Must be a student at an accredited Canadian law school, or in an articling or clerkship position, LPP program or equivalent, as recognized by the law society of their province or territory.

b. Duties:

- i. Serve as a representative of NILSA on the IBA's Board of Directors;
- ii. Provide updates to both the IBA and to the Executive; and
- iii. Keep the Executive apprised of the work of the IBA.

F. Miscellaneous

1. Removal

a. If any Executive member is found

- i. to be misrepresenting their identity or to have fraudulently run for an Executive position without meeting the criteria of the position;
- ii. to be contravening the principles of being fair, reasonable, and considerate for all; or
- iii. to be in breach of any rules of professional responsibility, or ethics from that member's province or territory;

Any Executive member may bring the conduct to the attention of the Executive.

b. The Executive must reach a unanimous consensus about removal.

c. In the event that unanimity is not reached, the Executive shall endeavour to adhere to Indigenous methods of Alternative Dispute Resolution, including, but not limited to, seeking the counsel of an elder.

ARTICLE V: Administrative Procedures

A. General meetings

1. The President, or the Communications Councillors on advisement by the Executive, may call general meetings.
2. The executive shall endeavour to hold general meetings monthly, with the exceptions of December and April.
3. In extraneous circumstances, meetings may be called by any Vice-President with the consent of another Vice-President.

B. Notice

1. General meetings will require a minimum of seven days notice.
2. Meeting times should be established on a consensus basis.
3. Notice must be reasonably given, that is, the notice must be in a form or forms that are reasonably accessible for all members. Meeting notices will be sent via email and announced at the prior meeting; with the consent of the executive, meeting notices may be communicated on another platform. Prior to each general meeting, an agenda will be sent by email.

C. Quorum

1. A quorum will require a minimum attendance of 2/3 of the Executive. Motions will require a simple majority of the members in attendance in order to be passed unless otherwise stated, so long as quorum is achieved.
2. All Executives must strive to be in attendance for every meeting. No executive may miss more than two (2) consecutive meetings without communicating a valid excuse at least 24 hours prior to the meeting. If a Vice-President is scheduled to provide an update at an Executive meeting and must be absent, they shall communicate a valid excuse at least 24 hours prior to the meeting.
3. For the purposes of this constitution, the term ‘simple majority’ is defined to be fifty percent of total votes cast plus one.

D. Conduct of meetings

1. As a general principle, meetings shall be conducted in a reasonable manner that seeks a consensus prior to a vote being called.
2. Meetings shall be conducted with respect, mindfulness, and acceptance of different views.

E. General annual election procedure

1. For the purposes of this section, “member of good standing” is identified in Art. 6(B).
2. All members in good standing will be eligible to vote.
3. All members in good standing will be eligible for nomination.
4. The Annual General election is to be held during the Student Day of the IBA annual conference to determine Executive positions for the following academic year. Terms of office will commence following the Election and end one year thereafter.
5. Elections shall be held electronically, and/or in person by paper ballot.
6. Notice of elections will be a minimum of thirty (30) days.
7. Proxy votes are forbidden in all voting.

F. By-election procedure

1. In the event of an Executive position becoming vacant, the Association may either
 - a. appoint a NILSA member to assume the duties of the vacant position for the remainder of the term. This acting appointment will be subject to confirmation by simple majority at the next general meeting; or
 - b. call a by-election to fill the vacant position for the remainder of the term.
2. By-elections will require only two (2) weeks notice.
3. Nominations must be submitted three (3) days prior to the by-election.

G. Amending the Constitution

1. Any amendments to the constitution must receive full consensus by the Executive. In the event that a member of the Executive is not present for the vote on a proposed amendment, the President shall solicit a response from the member via email. The member shall have 14 days to respond with their vote.

ARTICLE VI: Membership

General

To better suit the goals of reconciliation, membership is not limited to Indigenous students, rather it is open to allies of non-Indigenous ancestry to ensure that inter-connectivity and inclusion remains as a core tenet of the Association.

A. General Membership

1. A member shall be
 - i. any university student enrolled at an accredited Canadian law school; or
 - ii. An articling or clerkship student, or relevant equivalent in their province or territory.
2. Upon request, a Member shall provide evidence that they are a law student or student-at-law by
 - a. Sending a copy of a current school I.D. demonstrating enrolment; or
 - b. Providing a copy of current identification for articling, or equivalent in their province or territory.

B. Membership Rolls

1. The Communications and Administration Councillors shall prepare, with the assistance of the Executive, a membership list,
 - a. Following the inaugural election;
 - b. When it is most practicable; and
 - c. That will collect information to better identify and serve student members.
2. The membership list will assist in elections and general meetings to
 - a. Ensure participation by all student members;
 - b. Limit fraudulent participation by non-members; and
 - c. Provide assurance that only students enrolled in law school are members.
3. Membership list will need to be updated annually.
4. Student members must update membership information annually to be in good standing, and must meet the General Membership criteria outlined in Art. 6(A).

C. Membership Revocation

1. The Executive, upon quorum, is emboldened to revoke a student membership in the event of any of the following:

a. If a member is found to be fraudulently participating in elections or general meetings as a full voting member, and

i. Is found not to be in law school currently; or

ii. Is found to be harassing, coercing, or committing any other questionable conduct against members of the Executive or general membership, or is found to be in any circumstance that the Executive deems reprehensible; or

b. If a member is found to be,

i. Contravening the principles of being fair, reasonable, and considerate for all; or

ii. In breach of any rules of professional responsibility, ethics, or laws from that member's province or territory.

2. Upon revocation, the Executive shall communicate the reasons for revocation, in which the student may appeal to the Executive.

a. Any appeal shall be made in writing.

3. Should the appeal again be denied, the student member cannot resume good standing with NILSA.

ARTICLE VII: Coming into Force

A. Coming into Force

This Constitution, and all articles herein, shall come into force on September 10, 2023.