

2019-2020 Constitution of the Protective Order Project

Preamble

The name of this organization shall be the Protective Order Project (POP). POP shall be a student-directed project at the Indiana University Maurer School of Law, formed to help victims of domestic violence, sexual assault, and stalking to obtain and enforce civil protective orders. Another function of Protective Order Project is to provide first-, second-, and third- year law students with practical experience under the guidance of local volunteer attorneys. The ultimate goal of POP is to prevent further incidents of abuse, both by restraining abusers and by empowering victims.

Article I: Membership

Section One: Membership shall be open to all registered students at the Indiana University Maurer School of Law. POP allows any interested student to participate in, become a member of, and seek leadership positions in the organization without regard to arbitrary consideration of such characteristics as age, color, disability, ethnicity, gender, marital status, national origin, race, religion, sexual orientation, or veteran status.

Section Two: In order to become a member, each individual is required to participate in the new member training program as designed by the Executive Board. Subsequently, to remain in good standing, each member must obtain five (5) credits each semester, and actively support organization projects. Each member must obtain the five (5) required credits by completing any combination of the following, at minimum: regular office hours, client intakes, attending and/ or conducting hearings, tabling sessions, and other litigation-based tasks. Each of these activities is worth one (1) credit. Members can also earn credits for working on special projects and attending special events as designated by the Executive Board. If, due to extenuating circumstances, a member cannot complete one of the above required activities, the Student Director and Assistant Student Director may grant that member permission to obtain the five (5) minimum credits by completing additional office hours, intakes, or other special projects. Membership may be revoked by $\frac{3}{4}$ vote of the Executive Board and permission of the Faculty Advisor for noncompliance with this Constitution or any policies of Protective Order Project.

Section Three: In order to be considered an official member of POP for graduation purposes, each member who is a JD candidate must complete five (5) credits each semester for at least two (2) semesters, one (1) of which semesters is completed during a school year other than the first year. Each member who is an LLM candidate may be considered an official member of POP for graduation purposes so long as s/he has completed five (5) credits for one semester; this is due to the fact that LLM candidates only take one year of coursework before graduating. The Assistant Student Director will notify all incoming volunteers of these requirements during or after volunteer training.

Article II: University Compliance

Section One – Statement of University Compliance: This organization shall comply with all Indiana University regulations, and local, state, and federal laws.

Section Two – Anti-Hazing Policy: Hazing is strictly prohibited. Hazing shall be defined as any conduct which subjects another person, whether physically, mentally, emotionally, or psychologically, to anything that may endanger, abuse, degrade, or intimidate the person as a condition of association with a group or organization, regardless of the person's consent or lack of consent.

Section Three – Personal Gain Clause: This organization, if raising funds, shall ethically raise and distribute profits from organizational functions to either the organization or to members who provide a service that directly benefits the organization. Individual members may not receive compensation directly from for profit companies if acting as a representative of a student organization

Article III: Executive Officers

Section One: All Officers shall comprise the Executive Board of Protective Order Project. The Faculty Advisor is not considered an Officer of the Executive Board. The Executive Board may appoint committees as are needed to carry out organizational goals.

Section Two: Each spring semester, the Executive Board will call for applications from the general membership for the Summer Director, if position is deemed necessary, and for Officers of the Executive Board for the following academic year. The Summer Director and Officers of the Executive Board for the following academic year will be selected from the applicants by the current Executive Board and approved by the Faculty Advisor. In the event of a vacancy on the Executive Board, the remaining Officers of the Executive Board will call for applications from the general membership for the vacant Officer position and select the Officer from the applicants. The Faculty Advisor shall approve this selection.

Section Three: The term of office for Officers of the Executive Board will be one academic year (the first day of the fall semester to spring commencement). A transition period will exist between the appointment of the incoming Executive Board and the first day of the fall semester. During this transition period, the outgoing Officers and incoming Officers will work together to complete tasks in order to prepare the incoming Officers to take over the leadership of the organization. The term of office for the Summer Director will be one summer (spring commencement to the first day of the fall semester). After the completion of his or her term, each Executive Board member and the Summer Director will serve on the Advisory Board (see Article IV) unless that person is serving in another role on the Executive Board during that academic year.

Section Four: Officers of the Executive Board of this organization must meet the following requirements in the semester immediately prior to selection, the semester of selection, and semesters during the term of office:

- a. Be in good standing and enrolled at the Indiana University Maurer School of Law, and
- b. Complete all membership requirements in Article I, Section Two of this Constitution.

Section Five: Officers and duties shall be as follows:

- a. The Student Director shall have the following duties:
 1. Oversee the work of POP;

2. Call and preside over all meetings of the general membership or the Executive Board;
 3. Plan an Executive Board and Advisory Board retreat at the beginning of the fall semester;
 4. Keep the Faculty Advisor current on all organization activities;
 5. Ensure that the organization is operating in conformity with the standards set forth by Indiana University and the Student Activities Office;
 6. In coordination with the Faculty Advisor, Case Management Supervisor, and Assistant Student Director evaluate cases for possible acceptance or referral out of the organization;
 7. Establish and maintain policies for the effective and ethical operation of client services;
 8. Plan and execute training for new members in the fall semester; and
 9. Oversee transition period activities.
- b. The Assistant Student Director shall have the following duties:
1. Assist the Student Director in the duties described above;
 2. Maintain a list of currently trained organization members;
 3. Monitor the completion of required office hours by members;
 4. Manage and recruit volunteers;
 5. Assign volunteers to cases in consultation with the Case Management Supervisor and the Student Director; and
 6. Verify membership for graduation programs and other purposes.
- c. The Case Management Supervisor shall have the following duties:
1. Ensure that file management policies are followed;
 2. Maintain a database for open files in the office of POP;
 3. Serve as a point of contact for members' case questions;
 4. Review phone and e-mail logs to ensure that inquiries are answered promptly;
 5. Ensure effective conflict check process;
 6. Follow up on potential cases that the organization receives; and
 7. Each semester, compile statistics of the organization's cases for a memorandum illustrating what client services were provided by POP in that semester.
- d. The Directors of Outreach shall be two (2) in number and shall have the following duties:
1. Contact and develop relationships with other university, law school, and community groups that promote the prevention of domestic violence, sexual assault, or stalking;
 2. Use outreach efforts to increase client referrals to POP and volunteer attorneys for POP;
 3. Provide other university, law school, and community groups with information on how to access POP services;
 4. Identify alternate service providers for referral of clients whose cases exceed the scope of POP's services;
 5. Publicize the work of POP throughout Monroe County and surrounding counties;
 6. Develop advertising materials, including posters, brochures, and business cards, to hand out in the community;

7. Attend local meetings and events relevant to POP's mission; and
 8. Plan and organize a CLE on ethics with Volunteer Attorney Coordinator for POP volunteer attorneys.
- e. Volunteer Attorney Coordinators shall be two (2) in number and shall have the following duties:
1. Use outreach efforts to increase volunteer attorneys for POP;
 2. Work with Outreach to identify alternate service providers for referral of clients whose cases exceed the scope of POP's services;
 3. Develop materials to recruit volunteer attorneys;
 4. Attend local meetings and events relevant to recruiting POP volunteer attorneys;
 5. Maintain a list of current volunteer attorneys that includes contact information and any known schedule or geographic limitations;
 6. Update volunteer attorney listserv as necessary;
 7. Maintain a close relationship with the local bar and recruit new volunteer attorneys;
 8. Address any complaints by volunteer attorneys;
 9. Assist POP members with retaining suitable volunteer attorneys as needed;
 10. Plan an annual volunteer attorney social, including certificates for volunteer attorneys that have worked with POP in the past year; and
 11. Plan and organize a CLE on ethics with Outreach for POP volunteer attorneys.
- f. The Treasurer shall have the following duties:
1. Maintain the financial (SOA) account for POP;
 2. Work with other Officers of the Executive Board to prioritize and accommodate proposed expenditures;
 3. Assist executive board members in making purchases; and
 4. Attend all required university meetings for SOA account holders and ensure that the organization's spending complies with SOA guidelines.
- g. The Fundraising Coordinator(s) shall be one (1) to three (3) in number and shall have the following duties:
1. Work to create a meaningful, inclusive, and cohesive organizational experience for our volunteers by means including, but not limited to:
 - a. Organizing additional, external volunteer opportunities;
 - b. Promoting organizational events and announcements through social media;
 - c. Providing opportunities for volunteers to give feedback on the volunteer experience; and
 - d. Supporting the POP volunteer experience through fundraising by:
 - i. Assisting organizations that provide funding for POP by:
 - a. Assisting the leaders of said organizations with any questions about POP, the use of the funds, ways to market the event based on the work done by POP, and any other needs while organizing and planning a fundraiser.
 - b. Encouraging POP volunteers to assist with and attend fundraisers organized on behalf of POP.

- c. Informing the Executive Board of any issues or concerns related to these fundraisers.
 - ii. Conducting in-house fundraising if necessary to maintain POP's funding and achieve institutional goals.
- h. The POP Certified Legal Intern (CLI) shall have the following duties:
 - 1. Conduct client intake and other work on cases when student volunteers are unavailable, particularly in the beginning of the semester and during finals week; and
 - 2. Work with the faculty advisor and volunteer attorneys, both on the Law School faculty and in the community, to prepare cases and represent clients during protective order hearings.
 - 3. The POP CLI must be certified under Indiana's student practice rule, Adm. & Disc. R. 2.1, with the faculty advisor listed as his/her supervising attorney.
 - 4. This position may be performed for credit, contingent on approval from the Faculty Advisor.
- i. The Summer Director shall have the following duties:
 - 1. All duties of the Student Director, the Assistant Student Director, and the Case Management Supervisor; and
 - 2. Any duties of the Directors of Outreach that can reasonably be performed concurrently with the duties in (1).
 - 3. The Summer Director may delegate the duties of an Officer position to any member of POP for the Summer Director's term of office.

Section Six: At meetings of the Executive Board, decisions shall be made by a simple majority vote of the Officers of the Executive Board. If a simple majority cannot be reached, the Faculty Advisor may vote to break a tie. At least $\frac{1}{2}$ of the Executive Board must be present to vote on an issue. In the beginning of the semester, these meetings will occur weekly. After the semester is underway, the board may vote to have bi-weekly meetings instead of weekly meetings.

Section Seven: Officers may be removed from office by a $\frac{3}{4}$ vote of the other Officers and approval by the Faculty Advisor, for noncompliance with this Constitution or any policies of Protective Order Project. The Officer to be removed shall be permitted to speak before the Executive Board and the Faculty Advisor about any charges made concerning his or her conduct. The Officer to be removed shall not be permitted to participate in the deliberation of the Executive Board regarding the charges.

Article IV: Advisory Board

Section One: The Advisory Board shall consist of all former Officers of the Executive Board who:

- a. Are in good standing and enrolled at the Indiana University Maurer School of Law, and
- b. Have not been removed under Article III, Section Six of this Constitution.

Section Two: Members of the Advisory Board will serve from the end of their term of office on the Executive Board until they cease to be enrolled at the Indiana University Maurer School of Law.

Section Three: Members of the Advisory Board shall have the following duties:

- a. Make suggestions to Officers of the Executive Board that may optimize operations or administration of POP; and
- b. Be available to Officers of the Executive Board for questions regarding POP operations or administration.

Section Four: Members of the Advisory Board may be removed by a $\frac{3}{4}$ vote of the Officers of the Executive Board and approval by the Faculty Advisor. The member to be removed shall be permitted to speak before the Executive Board and the Faculty Advisor about any charges concerning his or her conduct. The member to be removed shall not be permitted to participate in the deliberation of the Executive Board regarding the charges.

Article V: Advisor

The Faculty Advisor shall be a member of the faculty of the Indiana University Maurer School of Law who provides supervision, support, and guidance to POP. The Faculty Advisor shall have the following duties:

- a. Answer any legal or ethical questions of organization members;
- b. Approve the organization's financial transactions;
- c. Approve the selected Summer Director and Officers of the Executive Board;
- d. Approve the removal of any member or Officer of the organization; and
- e. Assist POP in operations and administration.
- f. Supervise students' work in delivering services to members of the public.

Article VI: Meetings

Section One: Each semester, the Student Director shall call at least one meeting of the general membership and the Executive Board to discuss the requirements of members listed in Article I, Section Two of this Constitution; the statistics compiled by the Case Management Supervisor under Article III, Section Five of this Constitution; any changes in POP operating procedures; and any other relevant issues. Additional meetings may be called by the Student Director as needed. The Assistant Student Director shall take attendance at each meeting. During the fall semester, volunteer training qualifies as one POP meeting.

Section Two: All meetings of the general membership shall be advertised by an e-mail to all members and a listing in the Indiana Law Annotated. Following each meeting, the Student Director shall e-mail a summary of important points from the meeting to the general membership and to the Faculty Advisor.

Article VII: Finances

All monies belonging to POP shall be deposited and disbursed through an account established for this organization at the Student Organization Accounts office and/or an approved institution or office. The Treasurer shall ensure compliance with Student Organization Accounts office policies and procedures. The Treasurer shall maintain all financial records and shall countersign with the Faculty Advisor for all POP transactions. If POP should dissolve, any reimbursements to students or attorneys shall be made, and any remaining money shall be donated to Middle Way House, Inc.

Article VIII: No Practice of Law; Professional Responsibility

Although POP assists persons with legal matters, neither POP nor any participating student may give legal advice, represent a client, or otherwise engage in the practice of law or assist any person in the unauthorized practice of law. No student may undertake tasks authorized for certified legal interns under Indiana Rule of Admission and Discipline 2.1 except where so certified and under the supervision of the designated attorney. Notwithstanding these restrictions, student volunteers shall make every effort to comply with the Indiana Rules of Professional Conduct where applicable, including without limitation the rules on maintaining client confidences; communicating with clients; acting with diligence; and avoiding conflicts of interest. All students must undergo training legal ethics at the outset of their participation in POP. Students must refer any client question involving legal judgment to the Faculty Advisor or other volunteer attorney admitted to practice in the State of Indiana. Only the Faculty Advisor or other volunteer attorney may render legal advice or representation.

Article IX: Amending this Document

This document shall be evaluated annually by the Student Director to ensure accuracy, relevancy, and compliance with all University policies. The Student Director shall present all non-compulsory amendments to the Executive Board. Such amendments to this document will be made by a $\frac{2}{3}$ vote of the Executive Board. Changes which are compulsory and required to comply with University policy may be made at the discretion of the Student Director. The Student Director must notify the Executive Board by the next business meeting of any such changes made.