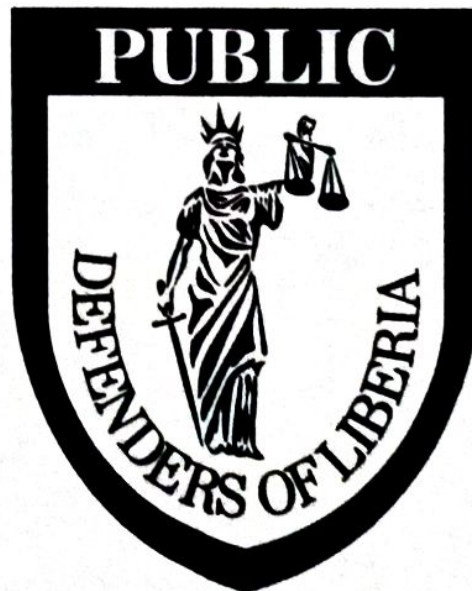


**CONSTITUTION OF  
THE NATIONAL ASSOCIATION OF  
PUBLIC DEFENDERS OF LIBERIA  
(NAPDOL)**



**TEMPLE OF JUSTICE, CAPITOL HILL  
MONROVIA, LIBERIA**

**ADOPTED FEBRUARY 3, 2015  
IN THE COUNTY OF MONTSERRADO,  
CITY OF MONROVIA,  
REPUBLIC OF LIBERIA**

## **PREAMBLE**

WHEREAS, the Constitution of Liberia of 1986 Article 21 (i) provides that wherein a person is accused of a criminal offense, being unable to secure legal representation, the Republic of Liberia shall provide legal counsel for the said person; and,

WHEREAS, Chapter 2 of the Criminal Procedure Law provides that in all criminal prosecution the accused shall enjoy the right to be represented by legal counsel at every stage of the proceedings; and,

AWARE THAT FROM HISTORICAL PERSPECTIVE, it has been observed that the office of the Public Defenders of Liberia has been faced with constraints in meeting the duties thereto prescribed by law; and given that Public Defenders of Liberia are desirous of organizing themselves so as to confront these challenges, in order to enhance productivity and the welfare of Public Defenders; and,

COGNIZANCE OF THE FACT, that the right of freedom of association is guaranteed under the Constitution of Liberia of 1986; and being aware of the need to foster the common good of Public Defenders of Liberia;

NOW THEREFORE, we, Public Defenders of Liberia, do hereby establish and declare this Constitution as an instrument to govern members of the National Association of Public Defenders of Liberia.

## **ARTICLE 1: NAME OF THE ASSOCIATION**

The name of the Association shall be: **"THE NATIONAL ASSOCIATION OF PUBLIC DEFENDERS OF LIBERIA"**.

## **ARTICLE 2: MOTTO OF THE ASSOCIATION**

The motto of the Association shall be: **Defend!  
Defend!! Defend!!!**

## **ARTICLE 3: OBJECTIVES OF THE ASSOCIATION**

The general objectives of the National Association of Public Defenders of Liberia shall be the following:

- a) To enhance professional excellence through vigorous legal representation for indigent criminal defendants.
- b) To seek the welfare and well-being of Association members at all times.
- c) To solicit training opportunities and create local and international exposure and awareness amongst Public Defenders of Liberia which will enhance growth in the legal practice.
- d) To promote unity and team spirit amongst members by endeavoring to advance the professional development of its members.
- e) To engage in advocacy for logistics and financial support to the National Association of Public Defenders of Liberia.

- f) To enter into, make, perform, carry out, terminate or rescind contracts for any lawful purpose pertaining to the business of the Association with any enterprise, person or public authority.
- g) To cause to be performed, merged, reorganized or liquidated, and or promoted, take charge, or in any way permitted by law, the formation, merger, reorganization or liquidation with any Institution in the Republic of Liberia and abroad.
- h) To engage in any lawful act or activity for which an association may hereafter be organized under the Liberian Business Corporation Act.

## **ARTICLE 4: MEMBERSHIP**

### **Section 1 General Membership**

General membership of the Association shall be opened to all Public Defenders of Liberia appointed pursuant to **Chapter 19, subsection 19.1 of the Judiciary Law of Liberia.**

### **Section 2**

Membership identification cards shall be issued to all who are members of the National Association of Public Defenders of Liberia; who are in active practice of law in Liberia.

### **Section 3**

Membership of active members shall terminate upon resignation, dismissal and or retirement from the Public Defenders Program of Liberia; gaining employment, and or rendering contractual services to the Ministry of Justice, attaining appointment as a judge, suspension pursuant to the Rules and By-Laws of the Association, and disbarment from the legal practice of law in Liberia.

### **ARTICLE 5: OTHER MEMBERSHIP**

- a) Associate Membership shall be opened to all lawyers in the Republic of Liberia, provided, however, that an Associate Member of the National Association of Public Defenders of Liberia shall be an active member of the Liberian National Bar Association (LNBA), in active practice of law.
- b) Affiliate Membership shall be opened to all Lawyers in the Republic of Liberia; provided, however, that an Affiliate Member of the National Association of Public Defenders of Liberia shall be an active member of the Liberian National Bar Association (LNBA), who has contributed immensely to the work and growth of the Association and is willing to undertake Public Defense cause.

## **Section 1. Selection of Members**

Pursuant to Article 5 Subsection (a) & (b) the President of the National Association of Public Defenders of Liberia, in collaboration with the Standing Committee on Membership, Rules and Order shall process membership for Associate and Affiliate Members; thereafter, submit same to the general quarterly meeting of the Association for endorsement.

## **Section 2**

Any member may be fined, suspended or removed from membership of the National Association of Public Defenders of Liberia for gross violation or proven misconduct depending on the gravity of the offense as determined by the Committee on Rules, Order and Ethics, of the Association.

### **Section 2.1**

The violator based on the finding of the Committee on Rules, Order, and Ethics, must be notified of this pending action at least two (2) weeks prior to the required meeting for the suspension, fine or removal. Written notification shall be submitted to the member in question informing of the cause of the suspension, fine or removal, hereby giving the said member the opportunity to respond to the said charge prior to the removal process. Voting for fine, suspension or removal shall be met by 2/3 majority vote of the membership of the committee.

### **Section 3**

There shall be no form of discrimination in the membership of the Association, be it due to religion, gender, sexual orientation, age, disability, and education.

### **ARTICLE 6: THE ASSOCIATION RESOURCES**

The Association resources shall be the following:

1. Dues and revolving funds paid by Members of the Association.
2. Loans and contributions from sister or affiliate organization.
3. Other Assets

### **ARTICLE 7: QUORUM**

A quorum for voting purpose shall be had when 2/3 of the active members are present to vote.

### **ARTICLE 8: OFFICERS, QUALIFICATION AND DUTIES**

#### **Section 1**

The Officers of the National Association of Public Defenders of Liberia shall be the President, Vice President, Secretary & Chaplain.

#### **Section 2**

All Officers must be active members of the National Association of Public Defenders of Liberia, engaged in active practice of law.

### **Section 3**

All members of the National Association of Public Defenders of Liberia holding appointed office in the Public Defenders' Program of Liberia are exempt from becoming officers of the Association.

### **Section 4**

All officers of the National Association of Public Defenders of Liberia are required to possess and maintain a high degree of moral and ethical rectitude upon being elected to serve.

### **Section 5**

All members of the National Association of Public Defenders of Liberia are eligible to contest for the office of the President and Vice President of the Association, provided, however, that a member opting for said office must have served the Public Defenders' Program of Liberia for not less than two (2) years; with the understanding that members opting to contest for any other position must have served the Public Defenders' Program of Liberia for not less than one (1) year.

## **ARTICLE 9: DUTIES OF OFFICERS**

### **Section 1: The President**

The President of the National Association of Public Defenders of Liberia shall exercise the following powers:

- a) To establish operation and administrative procedures for the National Association of Public Defenders of Liberia in keeping with the Constitution and By-Laws of the Association.
- b) To call meetings.
- c) Vote in all decision processes affecting the Association.
- d) Shall preside over all meetings of the Association.
- e) Shall serve as the official spokesman of the Association, and liaison between local and international organizations.
- f) Shall serve as Ex-Officio to all standing and ad hoc committees.
- g) Shall approve all communications of the Association.
- h) Shall perform other duties as are required of the President for an Association such as this.

## **Section 2: The Vice President**

The Vice President of the National Association of Public Defenders of Liberia shall exercise the following powers:

- a) Assists the President with all administrative duties.
- b) Assumes those duties in the absence of the President.
- c) Carry out other functions as deemed necessary and assigned to him/her by the President.

### **Section 3: The Secretary**

The Secretary of the National Association of Public Defenders of Liberia shall perform the following:

- a) Keep accurate and detail records of all meetings and affairs.
- b) Make preparation for all meetings and report of meetings.
- c) Receives, transmits and makes record of correspondences for and on behalf of the Association.
- d) Serves as custodian of all flyers, handouts and publications made and distributed by the Association.
- e) Shall head the Secretariat consisting of professionals to include Accountants, Filing Clerks, and others.

### **ARTICLE 10**

The elected officers and heads of Standing Committees of the National Association of Public Defenders of Liberia shall constitute the Executive Committee.

### **ARTICLE 11**

All elected officers of the National Association of Public Defenders of Liberia must be in good standing with the Association and those requirements as contained in the Rules and By-laws of the Association.

## **ARTICLE 12**

The President in consultation with the Executive Committee shall appoint head of Standing Committees and their members. The Standing Committees of the Association shall be: 1. Committee on Rules, Order and Ethics; 2. The Committee on Membership; 3. The Committee on Research, Planning and development.

## **ARTICLE 13**

The function of the Standing Committees shall be explained in the Association's Rules and By-laws.

## **ARTICLE 14**

The head of Standing Committees can be removed for good cause by the President with the advice and consent of the majority members of the Executive Committee.

## **ARTICLE 15: BOARD OF ADVISORS**

### **Section 1**

The Board of Advisors of the National Association of Public Defenders of Liberia shall consist of five (5) persons.

### **Section 2**

To be eligible to serve on the Association's Board of Advisors, said person shall be a lawyer engaged in active practice of law and a member of the Liberian National Bar Association (LNBA) in good standing.

### **Section 3**

Upon being elected as member of the Board of Advisors, the President shall communicate with said elected Board member, informing of his/her preferment, the tenure of service and duties.

### **Section 4**

Members of the Board of Advisor shall serve for a term of three (3) years.

### **Section 5**

Members of the Board of Advisers, upon being elected shall elect the Chairman and other officers of the Board. Other officers of the Board shall be the Vice Chairman and Secretary.

## **ARTICLE 16: DUTIES OF THE BOARD OF ADVISORS**

### **Section 1**

The Board of Advisors shall have the following responsibilities:

- a) Advise the leadership of the Association on policy matters.
- b) Provide consultation to the leadership of the Association reference interpretation of legal instruments.
- c) Provide guidance to contracts and MOUs.

### **Section 2**

Meeting of the Board of Advisors shall be held bi-Annually to consider issues in the interest of the Association; notwithstanding, the Executive Committee shall convene emergency meeting of the board when the need arises.

### **Section 3**

Quorum of the Board of Advisors shall be not less than three (3) members.

## **ARTICLE 17: ELECTIONS AND TENURE**

### **Section 1**

The President, Vice President, Secretary and Chaplain shall be elected by active members of the Association for a term of two (2) years. Said officers are eligible for a second term of two (2) years. No elected officers shall be eligible for a third term.

### **Section 2**

Annual elections shall be held in April of every election year. The Officers shall be elected by means of secret ballots. The term of office for elected officers shall begin in May of the election year.

### **Section 3**

The President of the Association in consultation with the Executive Committee shall establish an Elections Commission to conduct election of officers of the Association. The Commission shall make election guidelines in consonance with the Constitution and By-laws of the National Association of Public Defenders of Liberia, for the conduct of elections. Declaration of the winners for the President, Vice President, Secretary and Chaplain shall be made on the same day upon close of voting. Associate and Affiliate members are ineligible to vote.

## **ARTICLE 18**

The order of succession shall be followed to fill any vacancy created as a result of death, resignation and or incapacitation to serve. No Associate or Affiliate Member is eligible to occupy a vacancy for any purpose.

## **ARTICLE 19**

The order of succession shall be Vice President, Secretary, Chaplain, Chairperson for Rules, Order and Ethics; and Chairperson on Membership and Welfare.

## **ARTICLE 20**

In the event that succession devolves on the head of a committee, election of the President shall be held within a period not more than thirty (30) days after such occurrence.

## **ARTICLE 21**

In the event succession devolves on the Vice President, the said Vice President shall end the unexpired tenure of the President.

## **ARTICLE 22: REMOVAL FROM OFFICE**

### **Section 1**

Any officer may be removed from office by a two-thirds (2/3) majority vote of the active members, for failure to perform the responsibilities so elected, for actions which violates the rules and by-laws and Constitution of the National Association of Public Defenders of Liberia, provided such officer was accorded due process as determined by the

Committee on Rules, Order and Ethics; upon proper and adequate notice stating the cause for removal served the elected officer in question at least 2 weeks prior to removal. The member seeking removal of the officer shall file with the President a Memorandum which shall be forwarded to the Committee on Rules, Order and Ethics, outlining the purpose for the removal which shall be addressed in maximum two (2) weeks to the removal of the officer.

## **ARTICLE 23: MEETINGS**

### **General Meeting**

#### **Section 1**

General membership meeting shall be held every quarter, with the understanding that the first general meeting pursuant to the adoption of this Constitution, shall be held in April 2015; after which subsequent meetings of the membership shall be held quarterly. Notice of additional meetings shall be held upon sufficient notice to the members, but not less than a week.

#### **Section 2**

The Executive Committee shall meet when called by the President

#### **Section 3: Annual General Meeting**

- 1) The Association shall hold an Annual General Meeting once every year. Said Annual Meeting shall be held in the month of December every year; at such, every member shall be given at least two (2) weeks' notice prior to the meeting.

The Executive Committee in collaboration with the Secretariat is to make preparation for said meeting, taking into consideration the attendance, hosting of members and feeding and per diem. All members are required to attend.

- 1) The Annual Meeting shall be convened for the following purposes:
  - a) To receive a comprehensive report of the National Association of Public Defenders of Liberia, for the year ending from the President of the Association. The report shall encompass a statistical reportage of activities of the Association for the year ending.
  - b) To receive reports from the Secretariat. This report shall consider report on funding, due payment, and other collectibles and spending made covering financial transaction of the Association, financial contribution received and made, to include loans expended or managed.
  - c) To develop and adopt new regulations and laws to enhance productivity.
  - d) To consider any other matter germane to the growth of the Association.

#### **Section 4: Emergency Meeting**

Any member of the Executive Committee looking at the urgency of the matter involved may request through the Office of the President for the hosting of Executive Committee Meeting to discuss an urgent matter.

Said request must be done in writing and submitted to the Secretary stating the matter involved and the need to convene said meeting.

### **Section 5**

The Executive Committee through the Office of the President is required to respond to the hosting of said meeting within 72 hours.

## **ARTICLE 24: FUNDING**

### **Section 1.**

Every Member of the Association shall be required to pay due. A monthly due of US\$20.00 (Twenty United States Dollars) is charged and required to be paid by every member. Said amount is subject to change to be agreed upon by the membership.

### **Section 2**

The Association shall, if deemed practical by consensus of the members, undertake and design income generating programs.

## **ARTICLE 25: AMENDMENT**

### **Section 1**

Amendment to the Constitution shall be by two-thirds (2/3) majority vote of the active membership.

### **Section 2**

Proposal for amendment to the Constitution shall be by means of at least Four (4) members, wanting said amendment, through a written communication and signed by all Four (4) members; presented at a general meeting of the Association.

### **Section 3**

When passed upon, an amendment to the Constitution shall take immediate effect, having been signed by the President of the Association and published by the Secretariat. Said Publication must be done within 72 (Seventy-Two) hours upon vote cast. No amendment shall affect tenure of service for an elected office, provided, however, that any amendment affecting an elected office, said amendment shall take effect in the next term succeeding the elapsed of the current term.

## **ARTICLE 26: TRANSITIONAL PROVISIONS**

### **Section 1**

This Constitution is effective and comes into full force upon adoption by the membership of the National Association of Public Defenders of Liberia. All other laws, and regulations, in contravention and contrary to the provisions of this Constitution, are notwithstanding.

### **Section 2**

Any person(s) who headed the administration of the Association, or an interim leadership of the Association immediately before the coming into force of this Constitution or induction of the officers elect consonance with the provisions of the Constitution, or appointed to serve prior to coming into force of this constitution, said duties and

obligations, ascribed thereto, are hereby absolved and relinquished upon the Officers elected taking office; in line with this Constitution.

### **ARTICLE 27: JURISDICTION**

The National Association of Public Defenders of Liberia as a registered Association and existing under the statutory laws of the Republic of Liberia, is subject to the laws of this county.

Adopted this **3<sup>rd</sup>** day **February 2015** in the City of Monrovia, Republic of Liberia.

### **CONSTITUTION COMMITTEE**

- |    |                          |             |
|----|--------------------------|-------------|
| 1. | Cllr. Tobey J. Raynes    | Chairman    |
| 2. | Cllr. Boima E. Paasewe   | Co Chairman |
| 3. | Cllr. Paul Philip Jarvan | Secretary   |
| 4. | Atty. Legbeh Molubah     | Member      |

**BY-LAWS AND RULES  
FOR THE PROPER  
GOVERNANCE OF  
  
THE NATIONAL  
ASSOCIATION OF  
PUBLIC  
DEFENDERS OF  
LIBERIA  
(NAPDOL)**

**ADOPTED THIS  
29<sup>TH</sup> DAY OF OCTOBER 2015  
MONROVIA, LIBERIA**

**IN KEEPING WITH THE ARTICLES OF  
INCORPORATION OF THE NATIONAL ASSOCIATION  
OF PUBLIC DEFENDERS OF LIBERIA (NAPDOL), AND  
CONSISTENT WITH THE CONSTITUTION OF THE SAID  
ASSOCIATION, THE FOLLOWING ARE THE BY-LAWS  
AND RULES FOR THE PROPER GOVERNANCE OF THE  
NATIONAL ASSOCIATION OF PUBLIC DEFENDERS OF  
LIBERIA**

**BY- LAWS AND RULES OF THE NATIONAL  
ASSOCIATION OF PUBLIC DEFENDERS OF LIBERIA  
(NAPDOL)**

**GENERAL PRINCIPLES OF THE ORGANIZATION**

**ARTICLE 1**

The Principles contained in this Articles shall be fundamental in the governance of the Association and shall serve as the aims and objectives. Its provision shall have binding effects on all members.

**ARTICLE 2**

The Association shall provide equal access to educational opportunities for all members to the extent of available resources. The Association shall place emphasis on social, economic and professional development and shall endeavor to make ethical principle a core value for its members.

**ARTICLE 3**

The Association shall manage the available resources in such manner to ensure the maximum possible participation of its members.

## **ARTICLE 4**

The Logo of the Association shall contain the full name of the Association in a circle with the symbol of justice and the acronym of the Association written beneath the justice symbol in the background.

## **ARTICLE 5**

The motto of the Association shall be: **Defend!  
Defend!! Defend!!!**

## **ARTICLE 6**

The slogan of NAPDOL shall be: **Zealous Legal  
Advocacy; Our Calling!!**

## **ARTICLE 7**

The official colors of the Association shall be lemon green, white and gold, to symbolize growth and value of integrity and professionalism.

## **ARTICLE 8**

The headquarters of the Association shall be in the Temple of Justice, Monrovia, Montserrado County, Republic of Liberia; until otherwise determined to be relocated by the Association.

## **ARTICLE 9**

The Membership of the National Association of Public Defenders of Liberia (NAPDOL) shall be limited to:

**9.1:** Full membership shall be opened to all Public Defenders of Liberia.

**9.2.** Associate Member shall be opened to all friends and professional lawyers outside the Public Defense Program, provided, however, that an Associate Member shall be one with proven interest

in professional legal development and social advancement.

**9.3:** Affiliate membership shall be opened to all professional legal colleagues in the Republic of Liberia, provided, however, that an Affiliate Member of NAPDOL, must be a person who is able to immensely contribute to the work and growth of the organization proven by past records.

## **ARTICLE 10**

### **Rights and responsibilities of Members**

#### **10.1: Full Members**

- a) Shall attend all regular and call meetings and programs of the Association.
- b) Pay a regular monthly due of US\$20.00 (Twenty United States Dollars), or its equivalent in Liberian Dollars.
- c) Benefits from social recreation, material and financial assistance when available
- d) Declares membership by filing a membership form which price shall be determined by the Membership and Social Committee and accepted by the entire membership.

#### **10.2: Associate Members**

- a) May attend all regular meetings and call meetings and programs.
- b) May make voluntary contribution when he/she determines to be necessary.

c) May benefit from social recreation, material and financial assistance if the Association so desires.

### **10.3: Affiliate Members**

- a) May attend all regular meetings and call meetings and programs.
- b) May make voluntary contribution when he/she determines to be necessary.
- c) May benefit from social recreation, material and financial assistance if the Association so desires.

### **10.4: Membership**

Membership identification cards shall be issued to all who are members of the National Association of Public Defenders of Liberia (NAPDOL).

**10.5:** Membership shall terminate upon written request to terminate same, a prolonged unexcused absence from activities of the Association for a period of six (6) consecutive months; retirement, dismissal or a proven misconduct which is punishable by expulsion.

### **10.6: Penalties**

Any member may be fined, suspended or removed from membership of the Association for gross violation of the rules, by-laws and purposes of the Association by two-thirds vote of the active members. All members must be notified by this pending action at least two (2) weeks prior to the required meeting by the Rules, Order and Ethics Committee, following an investigation of a complaint to determine if there is probable cause for the removal of the said member(s).

Written notification shall be submitted to the member in question informing the person of the cause of removal. Voting for removal shall be done by secret ballot of the members, one member, one vote.

**10.7:** Every member of the Association shall be required to pay dues. A monthly due of US\$20.00 or its equivalent in Liberian Dollars is charged and required to be paid by full member, while Associate and Affiliate Members may make voluntary contributions on an optional basis. Dues and taxation are subject to change to be determined by the membership. A member who does not pay his/her due shall be held of privileges of the Association, such as voting right, right to an elected office and other benefits, consistent with the provisions of the constitution.

**10.8:** There shall be no discrimination of class, gender and religion in the Association.

## **ARTICLE 11**

### **The Organization Resources**

**11.1:** The Association resources shall be the following:

- a) Dues and taxation paid by members of the Association.
- b) Loans and contributions from sister Organization.
- c) Other income and assets as provided in the Constitution.

**11.2:** The Association shall consider if necessary, practical steps by consent of the members to undertake and do fund raising for its own purpose. All fund raisings shall be through projects recommended by the authorized committee of the Association.

**11.3:** Besides the regular due payments, the Association shall establish a Provident Fund to be managed by the Membership & Welfare Committee, but purely on an optional basis and to be placed in a special account. Guidelines for the Provident Fund, including shares, shall be developed by the Membership and Welfare Committee for approval by the Executive Committee. Such Fund shall operate based on guidelines, criteria to be established by the Executive Committee and endorsed by the contributing members.

**11.4: Signatories to Bank Account**

- a) The Association shall have two (2) signatories to its account divided into categories 'A' and 'B'.
- b) Category 'A' will comprise the President and Secretary, while category 'B' will comprise the Vice President and Secretary, until other officers shall be provided for to be elected, so as to ease financial management of the association.
- c) Signatories to the Provident Fund shall be the President and Chairman, Membership & Welfare Committee.

## **ARTICLE 12**

### ***Structure of Leadership & Power***

All power is inherent in the membership of the Association. The members shall have right at such period, and in such manner as provided for under this constitution and By-laws, to cause their leadership to leave office and to fill vacancy by regular elections.

## **ARTICLE 13**

The policy advisory arm of the Association shall be governed and guided by a Board of Advisors consisting of five (5) members, to include the President of NAPDOL as Secretary.

**13.1:** The Board of Advisors shall be appointed by the President with the advice and consent of National Executive Committee of the Association and they shall serve for a term of three (3) years.

**13.2:** Board of advisors shall serve no more than two (2) consecutive terms.

**13.3:** The Board of Advisors shall be responsible to mediate in disputes among members and advice on constitutional matters and advance ideas and platforms to help promote peace and harmony in the Association at all times.

**13.4;** At least three (3) members of the Board of Advisors shall constitute a quorum; and the meeting of the Board of Advisors as such time as

requested by the Executive Committee and its decision may be binding consistent with the spirit and intent of the constitution and By-laws.

**13.5:** Each Board member shall have one vote and such voting may be done by proxy.

**13.6:** The Board of Advisors shall designate or, elect its Chairperson and Vice Chairperson, provided that the President of NAPDOL shall serve as Secretary to the Board of Advisors.

**13.7:** A Board member may be removed when sufficient cause exists for such removal. The Board of Advisors may entertain conference for fact finding against any official Board member and also on proposal from members as provided for in this constitution, rules and By-laws.

#### **ARTICLE 14: MEETINGS**

**14.1:** General Membership meeting shall be held once every quarter. Notice of additional meetings shall be held upon sufficient notice to the members, but not less than a week.

**14.2:** The Executive Committee shall meet twice every month or at other times when call by the President.

#### **ARTICLE 15: ANNUAL GALA EVENT**

**15.1:** The Association shall hold an Annual Gala Event once every year. Said annual gala event shall be held in December of every year; at such, every member shall be required to attend.

**15.2: Annual Gala Event shall consider the following issues:**

- a) To receive a comprehensive report of the Association for the year ending from the president of the Association. The report shall encompass the statistical outlook of activities of the Association for the year under consideration.
- b) In the year that tenure of elected officers ends, to elect a new corps of officers to steer the affairs of the Association.
- c) To develop and adopt new regulations and programs to enhance productivity and
- d) To consider any other matter germane to the growth and development of the Association.

**ARTICLE 16**

**Emergency Meetings**

**16.1:** Any member, considering the urgency of a matter, may request the Executive Committee through the office of the President for the hosting of a meeting to discuss an urgent matter. Said request must be done in writing and submitted to the Secretary stating the matter involved and the need to convene said meeting.

**16.2:** The Executive Committee through the office of the President is required to respond to the hosting of said meeting within 72 hours.

## **ARTICLE 17**

### **Duties, Responsibilities and qualifications of elected officers:**

17.1: The President of NAPDOL shall have the following powers

- a) Serves as the chief administrator and spokesman of NAPDOL.
- b) Supervises all administrative operations and proceedings of NAPDOL.
- c) Calls and presides at meetings of the Executive Committee, officers and members of NAPDOL.
- d) Serves as the liaison between NAPDOL and local and international organizations.
- e) Appoints heads of standing Committee and Board of Advisors in consultation with the elected officers; and
- f) Prepares and submits reports of activities of the organization when due.

## **ARTICLE 18: THE RESPONSIBILITIES OF THE VICE PRESIDENT**

- a. Assists the President with the daily administrative operations of NAPDOL.
- b. Calls and preside over meetings of the Executive Committee, elected Officers and members in the absence of the President.

- c) Serves as assistant liaison between NAPDOL and local and international organizations in the absence of the President.
- d) Prepares and submits report of activities of the organization at the request of, or in the absence of the President.

**ARTICLE 19: THE SECRETARY SHALL HAVE THE FOLLOWING DUTIES:**

- a. To record proceedings at meetings and prepare minutes of all meeting of the organization.
- b. To prepare and disseminate all letters / correspondences for the organization.
- c. To assist with follow-up on communication between NAPDOL and local and international organizations.

## **ARTICLE 20: EXECUTIVE COMMITTEE**

**20.1:** The Executive Committee shall include all elected officers and heads of Standing Committees and the Chairman of the Board of Advisors of the National Association of Public Defenders of Liberia (NAPDOL). In the absence of the Secretary, any Standing Committee Chair shall sit in his/her stead on the Executive Committee to record the minutes of the meeting or an appointed secretary shall serve the purpose.

### **20.2: Function of the Executive Committee**

- a) The Executive Committee shall serve as the administrative arm of the Association. It shall be in charge of the day-to-day operations of the Association.
- b) Members of the Executive Committee shall serve a two-years term and shall be eligible for reappointment.
- c) The Executive Committee shall report to the general membership of the Association annually.
- d) The Executive Committee shall be responsible to open account for the Association.

## **ARTICLE 21: APPOINTMENT**

- a) The President in consultation with the elected officers shall appoint all heads of Standing Committees and ad hoc Committees.
- b) All appointees, except heads of Standing Committees, Board of Advisors shall serve at the will and pleasure of the president.

## **ARTICLE 22: STANDING COMMITTEES**

Consistent with Article 13 of the Constitution of the National Association of Public Defenders of Liberia, the Standing Committees shall be a regular functional arm of the organization. The Committees are: 1. Rules, Order and Ethics Committee; 2. Membership & Welfare Committee; 3. Research, Planning & Development Committee; 4. Social Affairs and Recreation Committee.

**22.1:** Each Committee of this Association shall consistent with the provisions of the Constitution, Rules and By-laws, shall promulgate working rules by which they can be guided in the discharge of their functions.

## **ARTICLE 23: FUNCTIONS OF COMMITTEES**

**23.1** (a): Membership & Welfare Committee shall be responsible to coordinate recruitment of all new members, maintain update of membership, advice the association on the welfare of members.

(b): Shall propose requirement for membership forms, ID Cards, T-Shirt, Souvenirs, etc. Shall perform other activities as may be requested by the President.

### **23.2: Rules, Order and Ethics Committee**

a) This Committee shall be responsible to receive and probe into all complaints that are brought to its attention and recommend penalties in line with the constitution and By-Laws.

b) Shall be responsible to investigate and submit findings on allegation of ethical misconduct or a breach of the standing rules by members and officials of the Association provided that such allegation must be in writing.

c) Shall perform other activities as may be requested by the President.

### **23.3: Social Affairs and Recreation Committee**

a) Shall be responsible to organize social recreation and social safety mobilization activities for the Association.

b) Shall initiate and coordinate social related projects for the Association.

- c) Shall perform other duties as may be assigned by the President.

### **23.4: Research, Planning and Development**

Shall be responsible to develop the annual work and strategic plans for NAPDOL in close consultation with the President and Executive Officers.

## **ARTICLE 24: ELECTIONS**

**24.1:** The President, Vice President, Secretary, and Chaplain shall be elected by active members for a term of two (2) years. Said Officers are eligible for second term of two (2) years. No officer shall be eligible for third term.

**24.2:** Annual elections shall be in April of every election year. The term of office shall commence upon being inducted into office.

**24.3:** The President of the Association shall establish the Elections Commission to conduct election to Officers. Said Commission shall comprise of five members appointed by the President in consultation with the Executive committee.

**24.4:** The Elections Commission shall make election guidelines in consonance with the Constitution and by-laws of the Association.

**24.5:** All protest of Elections of candidates of the Association shall be made within 24 hours after announcement of results. Confirmation of Election results shall be within 48hrs after investigation of protest and finding made.

## **ARTICLES 25: QUALIFICATION OF OFFICERS**

**25.1:a).** The President of the Association shall serve as the head of the Executive Committee. He/She must be a holder of a minimum of a Bachelor of Law Degree and a member of the LNBA.

**b).** Must be owner of real property, an employee of the Judiciary and member of the public defenders Association in good standing.

**c).** He/She must be in Good Moral Standing in the community and in good standing with the LNBA.

**d).** He/She must be thirty (30) years old or above.

## **ARTICLE 26: INDUCTION OF OFFICERS**

Following the election of officers of the Association, a formal ceremony for the induction into office of Officers-Elect shall be held at a program to be held not later than three weeks after election. At said ceremony, the Officers-Elect shall subscribe to a solemn oath of office.

## **ARTICLE 27: AUTHORIZED FINES**

**27.1:** During all gatherings the presiding Officer shall have the authority to impose fines on members so as to ensure order, and to avoid break down of discussions.

**27.2:** During general and call meetings presided over by the President or Executive Officer, such fines should not exceed US\$10.00 or Liberian Dollars equivalent.

**27.3:** During Executive Committee meetings, such fines should not be less than US\$10.00 nor exceed US\$15.00.

**27.4:** During ad hoc committee meetings Presided over by the Chairman, such fines should not be less than US\$1.00 nor exceed US\$5.00.

**27.5:** All fines shall be paid when collected, and turn over to the Treasurer for proper accounting purpose.

**27.6:** Failure to pay fine when imposed may lead to further disciplinary action, when brought to the attention of the appropriate authorities.

## **ARTICLE 28: QUORUM**

**28.1:** More than half of the membership of the Executive Committee shall constitute a quorum for all meetings of the committee. Such shall apply to all other committees, including ad hoc committees.

**28.2:** Quorum for general meetings shall constitute simple majority of the members of the National Association of Public Defenders of Liberia and decision reached at such meeting shall be binding on the general membership.

## **ARTICLE 29: AMENDMENT**

**29.1:** Amendment to the Constitution, By-Laws and Rules of the Association shall be by Two-thirds majority vote of the members of the National Association of Public Defenders of Liberia.

**29.2:** Proposal for amendment shall be by means of at least five (5) members wanting said amendment through an expressed communication at a general meeting of the Association, and or by means of an oral motion to be voted upon by the General Membership.

Adopted this 29<sup>th</sup> day of October 2015 by By-Laws and Rules Committee and submitted to the members on the 5<sup>th</sup> day of November 2015, for technical review and adoption. Done in the committee room in the city of Monrovia, Montserrado county, Republic of Liberia.

## 2016 Amendment

Consistent with Article 29 sections 1 & 2 of the Constitution of the National Association of Public Defenders of Liberia (NAPDOL) and in keeping with the Resolution of the Convention of NAPDOL convened in the City of Monrovia in 2016, Articles 8.1 & 9 of the Constitution of NAPDOL are hereby amended to create the offices of the Treasurer and Financial Secretary:

### Treasurer

The Treasurer of the National Association of Public Defenders of Liberia (NAPDOL) shall perform the following:

- a) To oversee the financial administration of the National Association of Public Defenders of Liberia.
- b) To review financial procedure reporting and advise on same for the National Association of Public Defenders of Liberia (NAPDOL).
- c) To advise the National Association of Public Defenders of Liberia (NAPDOL) on financial strategy, and fund raising.
- d) To provide financial information of the activity of National Association of Public Defenders of Liberia (NAPDOL) to support Financial decision-making process of NAPDDOL.
- e) To oversee the finances and generate financial reports of the National Association of Public Defenders of Liberia (NAPDOL).
- f) To review and enforce the financial policies of the National Association of Public Defenders of Liberia (NAPDOL).

- g) To create the annual budget of National Association of Public Defenders of Liberia (NAPDOL), for approval of the National Executive Committee of NAPDOL.
- h) To manage the financial assets of National Association of Public Defenders of Liberia (NAPDOL).
- i) To perform those duties, require of the Treasurer of National Association of Public Defenders of Liberia (NAPDOL).

### **Financial Secretary**

The Financial Secretary of the National Association of Public Defenders of Liberia (NAPDOL) shall perform the following:

- a. To receive records and deposit funds belonging to National Association of Public Defenders of Liberia (NAPDOL).
- b. To oversee policy on the flow in and out of National Association of Public Defenders of Liberia (NAPDOL).
- c. To determine policy concerning purchase and sale of resources for National Association of Public Defenders of Liberia (NAPDOL).
- d. To assist the National Association of Public Defenders of Liberia (NAPDOL) on policy formulation and implementation of financial, monetary and economic development of National Association of Public Defenders of Liberia (NAPDOL).
- e. To perform those functions, require of the office of Financial Secretary of National Association of Public Defenders of Liberia (NAPDOL).