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CONSTITUTION

Of the

International Legal Fraternity

Phi Delta Phi^{1,2} (Revised August 2005)

MISSION STATEMENT

Phi Delta Phi promotes the highest standard of ethics and professionalism in law schools and the legal profession.³

PREAMBLE

We, the undersigned students of the Law Department of the University of Michigan, in order to promote a higher standard of professionalism, ethics, and culture in this and other law schools and in the profession at large, and in the endearing bonds of affection and brotherly love for the purpose of encompassing these ends, do associate ourselves into a Fraternity to be known as the Phi Delta Phi (1869).

ARTICLE I

Name

The name of this Fraternity is the International Legal Fraternity of Phi Delta Phi.

ARTICLE II

Inns

Section 1. This Fraternity shall consist of Student Inns now existing or hereafter chartered in accordance with the provisions of Section 2 of this Article and of the Barrister Inns now or hereafter chartered by the Council.

Student Inns now existing or hereafter chartered in accordance with the provisions of Section 2 of this Article and of the Barrister Inns now or hereafter chartered by the Council.

Section 2. New Student Inns may be chartered in either of two ways:

(a) By a vote of three-fourths of the Inns represented in a General Convention; or

(b) The Council may approve a Petition for a new Student Inn by a majority vote.⁴

Section 3. To be eligible for the charter of a new Student Inn a petitioning group must:

(a) Consist of at least ten undergraduate students of a law school, which, if located in the United States of America, is approved by the American Bar Association, or which if located outside the United States of America, is recognized as a standard institution for legal training in the jurisdiction in which located.⁵

(b) Comply with such requirements and regulations⁶ as the Council may from time to time promulgate.

Section 4. The Council shall assign a name to each new student Inn. A student Inn may change its name upon approval of the Council.⁷

Section 5. Barrister Inns may be chartered by the Council upon petition of not fewer than ten members residing in one locality who are members of the bar in that jurisdiction.

Section 6. The Inns shall be grouped geographically into Provinces by the Council.

ARTICLE III

Members

Section 1. The Fraternity is committed to the principle of equal opportunity for all. The Fraternity does not discriminate on the basis of race, color, sex, sexual orientation, gender identity, religion, disability, age, veteran status, ancestry, or national or ethnic origin, and shall favor scholastic achievement⁹. To be eligible for any membership a person¹⁰ must be of good moral character.¹¹

Section 2. Only students enrolled in a law school in which a Student Inn is located¹² and who have been in attendance at the law school for at least eight weeks, and who are¹³ in good scholastic standing, shall be eligible for Active membership. Any Student Inn may impose a grade point requirement or other scholastic standard for membership over and above the requirement of “in good scholastic standing” if it so desires as a further prerequisite to membership.¹⁴ Active members alone are

eligible to become officers of a Student Inn or to vote¹⁵ as a member of it.

No provision of this Section shall be interpreted to preclude a Student Inn from inviting students who have not completed one quarter or semester of law school from becoming candidates for Active membership, on such terms as the individual Student Inns in their Bylaws may prescribe.¹⁶

Section 4. Except as hereinafter provided in Section 7 of this Article, no person shall be pledged¹⁷ or admitted to Active membership save by vote of all the Active members¹⁸ of a Student Inn present at a meeting to pledge or admit, called by written notice addressed to each Active member of the Inn and postmarked at least 5 days prior to the meeting. Each pledge shall be initiated no later than the first initiation held after one year from the date of his pledging, and if he be not then initiated his pledgship shall terminate.

Section 5. Before any candidate shall be admitted as an Active member, he must:

(a) Be given a narrative of the history and purpose of the Fraternity by the Magister, Faculty Advisor or other individual member designated by the Magister;²⁰

(b) Pay the Exchequer of the Inn the initiation fee as provided in Article XII;

(c) Take the oath as provided in the Ritual.

Section 6. Barrister members are those who were Active members while students in the law school, or initiated members of a petitioning group.

Section 7. All members, past or present, of any group granted a charter shall be eligible for initiation²¹, each as a member of the Fraternity, upon:

(a) A unanimous vote of all the Active members of the petitioning groups, or of the Inns chartered;

(b) Approval by the Province President of the Province to which the new Inn is assigned; and

(c) Payment to the Exchequer of the Inn of the initiation fees as provided in Section 1 of Article XII.

Section 8. Honorary members shall be members of the legal profession^{22, 23}, duly elected and initiated in recognition of merit.

(a) They must be judges of courts of record, members of law faculties or others learned in the law who have become prominent in the profession²⁴ and who are not at the time eligible to become Active members.

(b) They may be elected by a majority of the Inns voting at a General Convention, or by a Student Inn.^{25 26}

(c) An Honorary member shall be initiated by a Student Inn only after notice to its Province President given at least 10 days in advance of such initiation and approval by the Province President.

Section 9. No person who is a member of any similar national or international legal fraternity shall be eligible for membership to this Fraternity. A former member of another legal fraternity may be eligible for membership in Phi Delta Phi. No member of this Fraternity may accept membership in any similar national or international legal organization, and failure to abide by this provision shall make it mandatory on the Council to expel such member from the Fraternity.²⁷

Section 10. Disbarment of a member by the governing Court of body of any jurisdiction to which the member is admitted to practice, or a member's final conviction of a felony involving moral turpitude, shall automatically terminate that person's membership in the Fraternity.²⁸

ARTICLE IV

Affiliation

Section 1. It is discretionary with any Student Inn to affiliate any member regularly initiated by another Student Inn²⁹ and attending the school in which the former is located.

Section 2. As a condition precedent to affiliation, the Student Inn proposing to affiliate must initiate the request for, and be furnished with, a letter from the Student Inn with which such member was last affiliated stating that such proposed affiliate was a member of good moral character, had discharged his financial obligations in full to that Inn, and was in good scholastic standing;

provided, that if such Inn be inactive, certification shall be furnished by the Secretary-Treasurer that such a proposed affiliate was a regularly initiated member in good standing with the Fraternity

ARTICLE V
The General Convention

Section 1. The sovereignty and legislative power of the Fraternity, and the control of its finances, are vested exclusively in the General Convention.

Section 2. The General Convention shall be held biennially at such place as the last General Convention shall fix. The date shall be set by the Council, which shall also fix the place if none has been fixed by the Convention or if for any reason the place fixed is not suitable.

Section 3. The General Convention shall be composed of all general officers of the Fraternity, delegates from Student and Barrister Inns, and Active, Barrister and Honorary members of the Fraternity. All such persons shall have a seat and the right to take part in deliberations.³⁰

Section 4. Only the following may vote in the General Convention:

(a) Each Student Inn which has paid all obligations owing to the Fraternity up to May 1st preceding any biennial Convention,³¹ or has negotiated a loan under Article XV covering said obligation, provided that the Secretary-Treasurer shall have notified any such Inn of any such obligation by registered mail addressed to the Magister and also the appropriate Province President on or before May 1st immediately preceding such Convention, and which has sent at least one delegate who is an Active member³² and who contemplates returning to the school in which the Inn is located. The vote of each Inn shall be determined by a majority of the delegates from that Inn; and if such delegates are equally divided on any question, then on that question the Inn shall cast no vote.

(b) The Council may collectively cast one vote, except on questions appealed from its decisions, the election of officers, the admission of new Inns, and the revocation of charters.

Section 5. The Council shall, at least one hundred eighty (180) days prior to the commencement of the General Convention, communicate, in writing, to the general officers, Past Presidents, each Student Inn and guests invited by the Council, the amount, if any, of reimbursement for expenses incurred by those attending the General Convention, as determined by the Council, and the method by which it is to be determined; provided however, one delegate from each student Inn who attends the Convention shall, subject to compliance with the Americans with Disabilities Act and other applicable law, be reimbursed for round trip transportation expenses in an amount exceeding the lowest available air fare or any lesser amount to be determined by the Council.³³

Section 6. The condensed Minutes of a General Convention, which shall include in full all constitutional amendments, resolutions, and the budget shall be submitted within 90 days after the close of the Convention to each Inn and each Province President.³⁴

ARTICLE VI Province Conventions

The Council may call Province Conventions or Joint Province Conventions. The rules set forth in Article V for the General Conventions as to attendance, voting³⁵ and reimbursement of expenses shall apply to all such Conventions.

ARTICLE VII General Officers

Section 1.³⁶ The General Officers of the Fraternity shall be:

(a) A President, who shall perform the duties usually incident to the chief executive office.

(b) A Vice-President, who in the event of the death, resignation or permanent disability of the President shall succeed to the office of the President, and in the event of temporary disability of the President shall perform his duties temporarily.

(c) Three Council Members³⁷ who together with the President and Vice-President shall constitute the Council. The functions of the Council shall be executive, judicial, fiduciary³⁸ and visitorial. Subject to the Constitution and the directions of the General Convention it

shall manage, control and supervise the Fraternity, and shall promulgate such regulations for the administration of the Fraternity as it may deem necessary. In particular the Council shall have the power to decide all questions arising in the Fraternity³⁹ which are officially brought before it, subject to appeal to the Court of Appeals and to fill vacancies in its own number.

(d) A Secretary-Treasurer who is also designated as the Executive Director⁴⁰ shall be *ex officio* a member of the Council without a vote. He shall give such bond to the Fraternity in such sum as the Council may from time to time direct, the premium thereof to be paid by the Fraternity and the bond to be kept in custody of the President. The Secretary-Treasurer shall conduct the business of the Fraternity under the direction of Council.

(e) A Court of Appeals, composed of a Chief Justice who shall be the former President most recently serving as President, unless the most-recently serving former President is unwilling or unable to serve in which event the Chief Justice shall be the most recently serving former President who is willing and able to serve⁴¹, and not more than two⁴² Associate Justices who shall each have served at least one full term as a member of the Council. The functions of the Court of Appeals shall be judicial,⁴³ advisory⁴⁴ and fiduciary. The Court shall decide appeals taken by any Inn or member from any decision of the Council, shall decide appeals taken by a member expelled or suspended, and shall give opinions upon questions referred to it by the Council. It shall have no original jurisdiction. It may take evidence and make rules governing its procedure. It may take evidence and make rules governing its procedure. Any Inn or member may appeal from any decision of the Court of Appeals to the next General Convention following its decision. In all cases where discretion is vested in the Council or any Inn, an appeal from the exercise of such discretion shall go only to the question of the jurisdiction of the Council or the Inn to act in the premises. The Court of Appeals shall fill vacancies in its own number, and shall cast the deciding vote in the event of a tie vote of the Council on the question of filling any vacancy in the Council.

(f) A National Historian may⁴⁵ be appointed by the Council from the membership of the Fraternity. He shall from time to time, at the discretion of the Council record information of historical significance.⁴⁶

(g) One Province President for each Province who shall supervise the business of his Province under the direction of the Council. With the advise and consent of the Council, the Province President shall have the authority to appoint Student Inn Officers when vacancies exist and to remove Student Inn Officers for cause. Such action shall be subject to appeal to the Court of Appeals.⁴⁷

(h) The General Convention may elect a President Emeritus, who shall have served at least one full term as President, Vice-President or as a Council Member, who shall hold office until his successor shall be elected and shall qualify.⁴⁸

(i) The President, Vice-President and at least two Council Members⁴⁹ shall be Barrister Members of the Fraternity; provided however that any Honorary Member who has served as a Province President for not fewer than four years shall be eligible for any General Office if otherwise qualified.

Section 2. The Secretary-Treasurer, the National Historian⁵⁰ and the Province Presidents shall be appointed by the Council and hold office at its pleasure. All other General Officers except the Chief Justice of the Court of Appeals shall be elected by a majority of the Inns voting at the General Convention and shall hold office until their successors are chosen.

Section 3. The Secretary-Treasurer shall receive such compensation as the Council may, from time to time, fix.

Section 4. Upon certification by any General Officer of expenses necessarily incurred in the performances of his duties he shall be reimbursed by the Secretary-Treasurer in the amount of his claim subject to approval by Council.

ARTICLE VIII⁵¹ Officers of the Inns

Section 1. The Officers of each Student Inn shall be:

(a) A Magister, who shall be the executive head of the Inn and shall supervise and direct the work of the other officers of the Inn. He shall preside at the meetings of the Inn, and govern the same in accordance with the usual parliamentary rules.

He shall also appoint the necessary officers for the performance of the Ritual.

(b) A Vice Magister may be provided for within the Bylaws of each Inn, who, in the event of death, resignation or permanent disability of the Magister, shall succeed to the office of Magister and in the event of temporary disability of the Magister shall perform his duties temporarily.⁵²

(c) An Exchequer, who shall be the finance officer of the Inn and shall have charge of the collection and disbursement of all of its money, and have the custody of and be responsible for all its property. He shall collect the initiation fees and remit them to the Secretary-Treasurer. Where the Inn has no Vice-Magister, he shall preside at meetings of the Inn in the absence of the Magister.⁵³

(d) A Clerk, who shall keep a written account of the proceedings of the Inn and attend to its correspondence.

(e) An Historian, who shall keep a record-file containing the personal history and address of each Barrister, Active, and Honorary member of the Inn and render such aid to the Secretary-Treasurer as the latter may require.

Section 2. An Alumnus Advisor, who shall be elected by the Inn subject to the approval of the Province President.

Section 3. Each Inn officer shall prepare and file such reports as may be requested by the Council or by the Secretary-Treasurer under the direction of the Council.

Section 4. Each Inn shall schedule only one election each academic year to be held on or before the first Tuesday in April and shall immediately report the election results to the Province President and International Headquarters.⁵⁴

ARTICLE IX

Inn Bylaws

Section 1. Each Inn shall establish and maintain a set of bylaws for the administration of the affairs of the Inn and which will supplement but shall not be inconsistent with this Constitution.

Section 2. The Bylaws of each Student Inn shall contain a provision for the time of the election and the terms of all Inn officers.

ARTILCE X

Suspension and Revocation of Charters of Inns

Section 1. Any Inn may be suspended for failure to report any initiate and forward his initiation fee to the Secretary-Treasurer within 30 days of his initiation or neglect of its duties and obligations to the Fraternity, by two-thirds vote of the Council, after 30 days' notice by registered mail, addressed to the Magister or Clerk, or both, according to the names and addressed of such officers as last reported to the Secretary-Treasurer. Such Inn, upon correction of the causes of suspension, may be reinstated by a two-thirds vote of the Council.

Section 2. During suspension, no Inn shall be entitled to any representation at the Conventions, nor to initiate new members, nor to participate in the affairs of the Fraternity. But, if an Inn is charged with violating the Constitution, the Council shall refer the case to the Court of Appeals which shall reports its opinion, with finding of facts, to the next General Convention.

Section 3. Upon recommendation of the Council the General Convention may, by a three-fourths vote of the Inns represented, revoke the Charter of any Inn⁵⁵ that has been delinquent in general Fraternity obligations for the period of one year or for other reasonable cause.

Section 4. When the Council finds that internal dissention threatens the life of an Inn the Council may suspend and reinstate the Inn upon such notice as the Council deems appropriate in the particular case. The Council shall report its action fully to the next General Convention which may confirm or set aside the Council's action, revoke or reinstate the Inn's charter, or take other action as the Convention shall deem meet and proper.

ARTICLE XI
Suspension, Expulsion and Resignation
Of Members

Section 1. An Inn may by a four-fifths vote of the entire membership of the Inn, who are in good standing, exclusive of the members of the trial, suspend or expel an Active, Barrister or Honorary member for failure to discharge his obligations, responsibilities or duties to the Fraternity,⁵⁶ or Inn.⁵⁷

Section 2. A copy of the charges against the member on trial, together with written notice of the time and place for the hearing of such charges shall be served upon such member either personally or by registered mail, addressed to his last known address, and shall be sent to the Province President and to the Secretary-Treasurer at least 20 days before the date of the hearing, exclusive of the date of service. Such hearing may be adjourned from time to time.

Section 3. A member, Active, Barrister, or Honorary, may resign, providing his financial obligations with the Fraternity are current. Such resignation to be effective must be accepted by a majority vote of the initiating Inn and be approved by the Council. The resigning member must, prior to his submission of resignation, return to the Inn all fraternal insignia and any evidence he may have of his affiliation with the Fraternity. Such resignation shall be deemed a resignation from both the Inn and the Fraternity. The resignation shall specify the reasons for such resignation and a report of the Inn's action shall be sent to the Province President and to the Secretary-Treasurer for Council consideration. When an Inn is no longer active, the power to accept such resignation shall vest in the Council.

Section 4. If such member shall be suspended or expelled the Inn shall, by certificate of its Magister and Clerk, report the same, together with the record upon which such charges were tried to the Secretary-Treasurer, such report and record to be mailed to the Secretary-Treasurer within 10 days after action by the Inn.

Section 5. During suspension such member shall not be entitled to participate in the affairs of the Inn or of the Fraternity.

Section 6. Where the Council finds that internal dissention threatens the life of an Inn or that a member, Active, Barrister, or Honorary, is guilty of behavior such as to threaten the welfare of the Fraternity, the Council, may suspend such member or members of the Inn upon such notice as the Council deems appropriate in the particular case.

Section 7. Where an Inn is no longer active the power of expulsion shall vest in the Council.

Section 8. When a member resigns or is suspended or expelled the Secretary-Treasurer shall, within 10 days after receiving official notice thereof, serve notice of such action on such member either personally or by registered mail addressed to him at his last known address.

Section 9. An expelled member shall have the right to appeal to the Court of Appeals by filing notice of such appeal with the Secretary-Treasurer within 30 days after service of notice of expulsion upon him. The Court of Appeals shall make a report on the appeal to the General Convention which may, by a four-fifths vote of the Inns represented, dismiss the charge. Unless such expelled member shall appeal within the time herein provided the Secretary-Treasurer shall strike his name from the rolls.

ARTICLE XII Initiation Fee

Section 1. Each initiate of the Fraternity shall pay an initiation fee of U.S. \$75.00 effective January 1, 2004⁵⁸, with due consideration for international exchange rates, which shall be collected by the Inn from each initiate, prior to admission, and remitted without delay to the Secretary-Treasurer. The Council shall, from time to time, set an exchange rate which will apply for the Inns outside of the United States, based upon the economic condition of each country. Notwithstanding any other constitutional provision, the same exchange rate which may be in effect for initial fee shall apply to any monetary benefits awarded to such Inns or to its members.⁵⁹

Section 2. The initiation fee of an Honorary member shall be 10.00⁶⁰ and may come from such source as the Inn deems most suitable. It shall be remitted to the Secretary-Treasurer promptly after the initiation.

Section 3. Each Inn shall be responsible for the fee of any person initiated by it.

Section 4. The Council may, in its discretion, reduce initiation fees in connection with the chartering of new Inns, the reactivation of dormant Inns, or for initiates at Inns with fewer than ten members.⁶¹

ARTICLE XIII
The Fraternity Publications

The Council shall publish one or more Fraternity Publications, at such time and in such form as it may determine. The Council shall determine the distribution of the respective issues of such publications and shall establish subscription rates therefore, appropriating from the general funds of the Fraternity the necessary expenses for publishing each issue.

ARTICLE XIV⁶²
Fraternity Finances

Section 1. The property of the Fraternity, whether real or personal, tangible or intangible, shall vest in the Court of Appeals as Trustees for the members of the Fraternity. Except as otherwise provided in this Article, the Council shall be responsible for the collections, disbursement, and management of the property and funds of the Fraternity.

Section 2. The Court of Appeals shall have the authority to authorize suit by, on behalf, or in defense of the Fraternity, in the name of the Fraternity.

Section 3. The Council shall have the power to collect, compromise or release present or future debts due the Fraternity from the Inns.

Section 4. The Secretary-Treasurer shall prepare and submit to the Council, Province Presidents and the official delegates to the Convention at least one month in advance of the General Convention, a tentative proposed budget for the operation of the Fraternity during the succeeding biennium. The tentative proposed budget shall include the actual operating expenses and the amount budgeted for such expenses for the prior two fiscal years, and the Executive Director's recommendations for the operations of the Fraternity during the succeeding biennium. The fiscal year is run from January 1 to December 31.⁶³

Section 5. The Council shall review the tentative proposed budget and shall submit to the General Convention a proposed budget for the operation of the Fraternity during the succeeding biennium. The biennial budget shall provide for the maintenance, repairs and improvements of the Headquarters building during each biennium.

Section 6. The General Convention shall review the proposed budget and adopt a final operating budget and appropriate funds for the biennium; provided, however, the Council is authorized from time to time to appropriate funds not otherwise appropriated, or to transfer funds from one budgeted item to another, to meet any extraordinary emergencies which may arise during any biennium.

Section 7. The Fraternity shall function using the fund method of accounting. The fund method of accounting may include a General Operating Fund, an Endowment Fund and a Student Loan Fund.

Section 8. The General Operating Fund shall be primarily a cash fund for the general operations and expenses of the Fraternity. The Council shall be entrusted with the management of the General Operating Fund. The Council may in its discretion invest such part of the General Fund as it deems prudent or to employ investment council for such purpose. A majority of the Council is authorized to execute any instrument or other paper necessary for the assignment, sale, transfer, or conversion of any investment under its jurisdiction, or, in its discretion, to delegate by majority vote said responsibility to the Secretary-Treasurer.

Section 9. The Endowment Fund shall be administered and maintained to further the educational and charitable purposes of the Fraternity. The Court of Appeals shall be entrusted with the management of the Endowment Fund. The Court of Appeals shall have the authority to invest such funds entrusted to its care in such manner as it deems prudent or to employ investment counsel for such purpose.

Transfers out of the Endowment Fund in furtherance of educational and charitable purposes, or,⁶⁴ for the proper operation of the Fraternity, may be requested by the Council, subject to ratification by the Court of Appeals.

Section 10. The principal of the Endowment fund shall consist of all real property owned by the Fraternity⁶⁵, and the proceeds thereof, and all monies and securities now constituting the Endowment Fund together with all the monies and securities as may be transferred to it by the Council or by the General Convention less funds as may be transferred from it by the Convention or pursuant to authority granted by the Constitution. In addition to income from its assets, the Endowment Fund shall have the following sources of income: The Council may⁶⁶ appropriate and direct the Secretary-Treasurer to set aside three dollars out of each initiation fee to be added to and become a part of the Endowment Fund on or before the end of each fiscal year. The Council, at its discretion, may make transfers from the General Operating Fund to the Endowment Fund.

Section 11. The Student Loan Fund shall be administered by the Council in furtherance of the educational purposes of the Fraternity to make loans therefrom to active, needy members who are students at accredited law schools. The Council is authorized to make uniform rules governing such loans and eligibility therefore, and may in its discretion invest unloaned portions of the Loan Fund as it may deem prudent or to employ investment counsel for such purposes.⁶⁷

Section 12. International Headquarters real property shall be managed on day-to-day basis by the Council. Sale, transfer, or encumbrance of the Fraternity real property must be approved by the Council and Court of Appeals.

Section 13. In the event of liquidation or dissolution of the Fraternity, any funds remaining after making provisions for those charitable and educational purposes which the Council and Court of Appeals deem consistent with the charitable and educational purposes of the Fraternity.

ARTICLE XV

Loans to Inns

Section 1. The Council may, in its discretion, make loans to Inns applying heretofore upon such terms and conditions that the Council may deem advisable governing the area, rate of interest and method of repayment of such loans. Such loans shall be made by the Council from the General Funds of the Fraternity.⁶⁸

Section 2. Any loan to an Inn under the provisions of this Article shall be made only for one or more of the following purposes: the establishment or enlargement of a chapter library; the purchase of furniture or equipment; or for any emergency Fraternity purpose which the discretion of the Council shall justify the making of the loan.

ARTICLE XVI

Founders' Day

December 13 of each year is hereby designated as Founders' Day and it shall be the duty of the Student Inns, the Barrister Inns and the Central Office to cooperate in a proper observance thereof.

ARTICLE XVII

Convention Resolutions

The General Convention shall have the power, by majority vote of the Inns voting, to pass resolutions not inconsistent with this Constitution which shall be binding upon the Council for the interim between the enacting Convention and the succeeding General Convention unless the Council with the concurrence of the Court of Appeals shall determine that the continued enforcement of the provisions of the resolutions would operate adversely to the interests of the Fraternity. All such resolutions shall expire automatically when the next succeeding General Convention has convened and organized.

ARTICLE XVIII

Amendments

This Constitution may be amended by a three-fourths vote of the Inns represented at a General Convention, or by a three-fourths vote of the Inns otherwise taken by the Council, the Council in each case having one vote.

FOOTNOTES

1. This Constitution was adopted on the basis of a report submitted to the 28th General Convention by an interim Committee on Constitutional Revisions. It became effective September 6, 1947. It is entirely new but retains most of the fundamental provisions of the old Constitution.

By resolution the 23rd General Convention requested an annotation of the various sections of the Constitution to the decisions of the Court of Appeals. An attempt has been made to eliminate the decisions which are now obsolete because of changes in the Constitution but most of the decisions of the Court are contained in these footnotes appended to the section to which they now seem most likely to appertain. The date of the decision is therefore appended in each case. The clerk of each Inn maintains a complete file of all Court opinions.

2. Whenever required by the context of this Constitution, the plural includes the singular, the singular the plural, and the masculine the feminine.

3. The 49th General Convention, on the recommendation of the Committee on the Future of Phi Delta Phi, adopted this mission statement on August 19, 1989.

4. This Section was rewritten and adopted by the 49th General Convention--August 17, 1989.

5. The Court ruled that the petitioners at Lamar School of Law were not eligible for a charter, because the school did not require two years pre-legal training--September 11, 1923. The 18th General Convention overruled the Court and granted a charter.

6. These requirements and regulations were previously set forth in the Constitution and in interpreting them the Court had held:

Groups seeking to revive a charter must follow the procedure prescribes herein--March 16, 1915 and January 20, 1920.

Nothing herein requires the petitioners to maintain rooms for any length of time--January 5, 1917 and September 22, 1919.

Vote may be taken in any way, not necessarily at a Province Convention--May 16, 1929.

Barristers' Inns are not included in this vote; two-thirds of the Students' Inns only are required--May 16, 1929.

7. Second sentence was added and adopted by the 43rd General Convention--August 20, 1977.

8. Men regularly initiated and later drafted into Army and actually in attendance at school are entitled to active membership on keeping up Inn and national dues—March 26, 1917.

9. Adopted by the 57th General Convention, August 20, 2005.

10. The words “a male” were deleted by the 40th General Convention, August 23, 1971.

11. The requirement that a member must be “of the Aryan race” was eliminated by a vote of Inns made official on December 28, 1948, 51 for, 14 against, 1 tie, 1 not voting, but with an individual vote of 1,197 for, and 616 against.

12. A pledge on leaving school loses all the rights as a pledge and there is no obligation to initiate him thereafter—February 5, 1935.

A Student who dies while a pledge cannot be initiated posthumously—May 10, 1936.

Post-graduate student if pursuing regular course is eligible for active by not honorary membership—March 12, 1926 and September 26, 1921.

Special students taking a regular course held eligible—November 11, 1912.

Candidate must pursue a regular course and not a special subject or subjects—October 20, 1927.

13. Adopted by the 56th General Convention—August 16, 2003.

14. This sentence added and adopted by the 49th General Convention—August 19, 1989.

15. Bylaw of Marshall Inn prohibiting members in arrears from voting on other than the Constitutional matters held valid—July 20, 1922.

16. This sentence added and adopted by the 47th General Convention—August 17, 1985.

17. Bylaws for pledging may be made by the Inn—October 14, 1972.

18. A member who is present and does not vote must be considered as voting “aye”—September 4, 1924.

19. This sentence was added by the 35th General Convention—September 1961.

20. This Section was rewritten and adopted by the 44th General Convention—August 18, 1979.

21. Under provisions now eliminated from the Constitution the Court held that:

“Petitioners” includes alumni of the group as well as active members—January 30, 1926 and October 20, 1927. In 1939 Section 1 of Article III was amended to specify the condition under which the alumni could become members.

A graduate member of a petitioner group who has left school before the charter is secured and has finished a course in another school is eligible for membership in either the new Inn or the one in the school last attended by him if elected to the same—November 6, 1916.

22. A State Governor, not a member of a legal profession, held ineligible—February 23, 1928.

23. A President of the United States, not a member of the legal profession, held ineligible by the Court—1961.

24. A man having two years of law work, registrar of a university and intending to ultimately complete his law course is not eligible—March 27, 1917.

25. In 1957 the Court held that more than two Honorary Members could be initiated in a calendar year provided not more than two of them had been elected during that current year.

26. This Section was rewritten and adopted by the 53rd General Convention—August 14, 1997.

In 1997, the words “but no more than two Honorary Members shall be elected by any one Inn in any calendar year” were eliminated from Article III by the 53rd General Convention. Accordingly, the Court, in response to a request for clarification, unanimously ruled in 2005 that the 1957 interpretation automatically ceased to be effective as of August 14, 1997. Since that date, there is no limit to the number of honorary members that may be elected or initiated in a calendar year.

27. An Honorary member of another legal fraternity is ineligible for honorary membership—February 14, 1933; even though no Inn of Phi Delta Phi at the school where he is studied—November 10, 1923.

Before the 23rd General Convention added language substantially the same as this Section 9 to the Constitution the following decision handed down:

Unwritten law that a member of another legal fraternity is ineligible—December 26, 1912, July 20, 1926 and February 14, 1933.

Member of Delta Chi ineligible even though fraternity has changed status to social group—doubt expressed as to completeness of change—December 20, 1926.

The fact that the candidate has resigned from the other Fraternity makes no difference—December 11, 1913.

The fact that Phi Delta Phi had no Inn at the school of his initiation into the other fraternity makes no difference—November 10, 1923.

The Court found as a matter of fact that Delta Chi was now completely social in character and declared its members eligible for membership in Phi Delta Phi—September 9, 1937.

A Professor of Law is not eligible even though he has resigned his membership in Phi Alpha Delta and the chapter of that Fraternity into which he was initiated has surrendered its charter—April 7, 1937.

The 41st General Convention resolved that a former member of another legal fraternity may join Phi Delta Phi—August 24, 1973.

This Section was rewritten and adopted by the 43rd General Convention—August 20, 1977.

28. This Section added and adopted by the 43rd General Convention—August 20, 1977.

29. It is not only optional with the Inns as to whether a member be affiliated, but it is also optional with the member as to whether or not he affiliates—March 24, 1915.

An affiliated member is an active member of the new Inn with full privileges as such and may be expelled—April 3, 1926.

30. The “right to take part in deliberations” includes right of Fraternity officers and alumni members to move or second constitutional amendments or convention resolutions; the right to place into nomination, or second, candidates for office; the right to participate in floor and committee debate; and the right to serve as chairman of a convention committee—April 2, 1984; 3-2 decision.

31. The Court had held that an inactive Inn contributing nothing to the support of the Fraternity is nevertheless entitled to have a delegate seated but that he is not entitled to reimbursement for his transportation—January 29, 1925.

32. Honorary members are not eligible to represent the Students’ Inns at the General Convention—December 10, 1921.

33. This Section was rewritten and adopted by the 51st General Convention—August 21, 1993.

34. Section 6 added by the 41st General Convention—August 25, 1973.

35. Barristers’ Inns do not have a vote in Province Conventions—May 16, 1929.

36. This Section was rewritten and adopted by the 51st General Convention. Offices of Assistant Secretary-Treasurer, and Editor of Fraternity Publications were eliminated—August 21, 1993.

37. The wording “Three Council Members” added by the 40th General Convention—August 24, 1971.

38. The word “fiduciary” was inserted by the 44th General Convention—August 18, 1979.

39. Formerly the powers of the Council were set out in the Constitution in considerable detail. The necessity for interpretation of these clauses had resulted in opinions by the Court that:

The funds of the Fraternity should be invested in U.S. Government bonds only—October 30, 1931.

Aggregate accounts of more than \$5,000 in several banks, each covered by F.D.I. are permissible as long as no single account exceeds \$5,000—September 6, 1941.

Once a depository is designed by the Council, funds may be deposited therein without specific action in relation to each deposit until the Council takes further action—September 6, 1928.

The Council has not power to pay a Province President’s expenses incurred in connection with the installation of a Barrister Inn—September 13, 1928.

The Council does not have the power to authorize more than one visit a year to the Inns at a Fraternity expense if the circumstances warrant it—September 13, 1928.

40. The wording Executive Director added by the 39th General Convention—September 1969.

41. Reworded and adopted by the 55th General Convention—August 18, 2001.

42. Numbers of Associate Justices reduced from 4 to 2. Subsections (g)-(k) relettered by the 51st General Convention. –August 21, 1993

43. The Court cannot waive a Constitutional provision—July 22, 1919.

44. It is not the function of the Court to answer hypothetical questions—April 5, 1923.

45. The word “may” was substituted for “shall” by the 44th General Convention—August 18, 1979.

46. Sub-section added by the 40th General Convention—August 25, 1971. Sub-sections (h)-(j) relettered.

47. This Section was rewritten and adopted by the 53rd General Convention—August 15, 1997.

48. A President Emeritus retain office until his successor is elected by a General Convention—July 20, 1922.

49. Sub-section was added by a mail vote of the Inns passing February 15, 1950, by a vote of 55 Inns for, 8 against, and 7 not voting.

Reworded by the 41st General Convention eliminating requirement that Secretary-Treasurer be a member of Phi Delta Phi and allowing for a student to be elected to the Council—August 24, 1973.

50. Revised by 40th General Convention to include National Historian—August 25, 1971.

51. Reworded and readopted in this language by the 39th General Convention September 1969.

52. Added and adopted by the 39th General Convention September 1969.

53. Added and adopted by the 39th General Convention September 1969.

54. Added and adopted by the 47th General Convention—August 16, 1985.

55. Council has power to revoke charter of any Inn which has become extinct—January 20, 1920.

56. The four-fifths vote here is of all members on the roll of the Inn—November 1, 1920.

A member may resign from membership in the Inn if the Bylaws permit with the same effect as nonaffiliation—May 13, 1915 and February 22, 1924.

A member cannot resign but to be reinstated must be elected and initiated in the ordinary way—September 10, 1925.

A member cannot resign from the Fraternity but may resign from the Inn if Bylaw permit—March 23, 1931.

If Bylaws are silent resignation from the Inn may be accepted by a majority vote of all active members of the Inn—March 23, 1931.

If Bylaws do not permit resignation, member will still be liable for dues to the Inn and the Inn for his dues to the Fraternity—March 23, 1931.

Expulsion for debts to the Inn and its members held regular—September 27, 1929.

An affiliated member is liable to expulsion by his new Inn—April 3, 1926.

“...if the Bylaws of the Inn permit, a man may resign and on his resignation being duly accepted by the Inn acting under the terms of its Bylaws, the man so resigning ceases to be a member not only of his Inn but also of the Fraternity”—September 8, 1933.

57. The words “or Inn” added by 47th General Convention—August 17, 1985.

58. Initiation fee increased \$5.00. Adopted by 56th General Convention—August 15, 2003.

59. The 28th General Convention omitted from the new Constitution all provisions concerning dues of its members.

This Section amended and adopted by the 49th General Convention—August 18, 1989.

60. The amount required for the initiation fee of an Honorary member was reduced from \$20.00 to \$10.00 by the 36th General Convention—September 1963.

61. Adopted by the 50th General Convention—August 17, 1991.

62. This Article is in fact a rewrite of old Article XIV containing most of the same provisions and passes by the 44th General Convention—August 18, 1979.

63. Fiscal year changed from May 1 to April 30 to January 1 to December 31—Adopted by the 56th General Convention August 18, 1979.

64. “in exceptional circumstances” deleted by the 53rd General Convention—August 15, 1997.

65. Reworded and adopted by the 55th General Convention—August 18, 2001.

66. The word “shall” was changed to “may” by the 53rd General Convention, August 15, 1997.

67. Effective October 1, 1969, the Student Loan Fund was created by the transfer of \$100,000 in assets from the principal of Endowment Fund together with all student loans receivable which on that date constituted assets of the General Fund.

68. This Section was rewritten and adopted by the 41st General Convention—August 23, 1973.