

Hispanic National Bar Association (HNBA) Code of Conduct

Purpose

The HNBA is committed to providing a friendly, safe, and supportive environment for all members, and to build a community where everyone is respected no matter their gender, age, sexual orientation, gender identity, gender expression, disability, physical appearance, body size, race, ethnicity, religion, or other group identity. We uphold the highest standards of fairness, act as responsible citizens, respect equality and the rights of others, and treat all individuals with dignity.

These standards extend to our treatment of each other at events and conferences, including those participants that are not themselves members of HNBA. To memorialize our commitment to each other as members of the HNBA, we are establishing an HNBA Code of Conduct (“Code”) to communicate:

- Our shared values as an organization;
- Our expectations for all members and guests at conferences and events; and
- The consequences for violating the Code, and processes related thereto.

Values

HNBA is a nonpartisan, national organization that seeks to be a national voice for the Hispanic community. In particular, together we serve the public interest, promote policy reform, facilitate the administration of justice, foster respect of the law, advance the standing of the legal profession, and encourage the advancement of Hispanic students. In so doing, we seek to preserve high standards of integrity, honor, and professional courtesy within the legal community, promote and advocate for the integration of Hispanics in all aspects of the law, establish a network among Hispanic lawyers, and cooperate with like-minded organizations.

Expectations

To uphold our values, we look to all of our members, staff, and the communities created at conferences and events through the invitation of guests¹ to create a space that is friendly, safe, and supportive. As such, we ask all of our members, staff, and guests to follow these guidelines:

- Act in a professional manner and be respectful, civil, and mindful of the time of our members, staff, volunteers and speakers as well as other program attendees;
- Help ensure that HNBA is inclusive of its members, staff, and guests because of our differences;
- Act as a voice for our community and encourage conversation, and we expect everyone to be tolerant of all opinions and persons participating in the discussion;
- Maintain their membership eligibility² and pay their dues in a timely manner to maintain the rights and privileges of this membership.

We are committed to creating a community of mutual respect among our members, staff, and guests, thus, as an organization:

- We do not tolerate harassment, discrimination, or bullying in any form;

¹ The term “guests” as used throughout this Code includes speakers, vendors, media representatives, commentators, exhibitors, sponsors, and volunteers.

² Members shall notify the Executive Director in accordance with the bylaws if they become ineligible.

- We do not tolerate any abuse of drugs or alcohol,³ including any unlawful activities, which may imperil the health or well-being of yourself or others, or compromise the safety or reputation of our organization;
- We cannot use our spaces, including any physical meeting location, HNBA email, or telephonic communication systems, to solicit for any outside political or personal interests, nor distribute any such materials, without the express permission of HNBA;
- We do not seek to create a conflict of interest (or the appearance of a conflict) between your personal, business, or financial interests and those of HNBA;
- We will not connect HNBA with any partisan politics, religious matters, or a position on any issue that is not in conformity with an official position of HNBA;
- We may not use the name, logo, endorsement, services, or property of HNBA, except in conformance with HNBA policy;
- We will not disclose confidential information HNBA (i.e., nonpublic information known to us through our affiliation with HNBA) to an unauthorized person, nor will we seek to disadvantage HNBA, without the express authorization of HNBA.
- We do not act (in-person, writing, or online) in any manner that is contrary to the best interest of HNBA or that may damage the reputation of HNBA.

Retaliation

HNBA does not tolerate retaliation against anyone who seeks advice from, raises a concern with, or makes a complaint to the organization about fraud, waste, abuse, policy violations, discrimination, illegal conduct, unethical conduct, unsafe conduct, or any other misconduct by HNBA, an individual, or any organization affiliated with HNBA.

Discipline & Rehabilitation

We expect our members and staff, and the communities created at our conferences and events through the invitation of guests, to abide by this Code and to otherwise comply with applicable federal, state, and local laws and regulations, and with all HNBA governing documents and policies.

Anyone with a concern about another member, staff, or guest should alert a member of the HNBA Board of Governors (“Board”) or HNBA managerial-level employee, who shall promptly report the matter to the Executive Committee. Any suspected violations that occur at a conference or event are grounds for expulsion from that meeting without a registration refund, at the discretion of Executive Committee.

Violators may be censured, suspended, or expelled from membership in accordance with this Code and our bylaws.

There are several manners in which membership may terminate in accordance with our bylaws:

- A member may resign at any time effective upon receipt of the member’s written resignation at HNBA headquarters;
- HNBA may terminate a member who is in default in the payment of dues or fails to provide complete and updated member information;
- Membership terminates automatically if a member is disbarred or suspended for a period longer than six (6) months from the practice of law by final order or judgment in a state, commonwealth, territory, possession of the United States, or District of Columbia;

³ If you are struggling with alcohol or drug addiction, abuse, or misuse, we encourage you to seek help. The HNBA can provide confidential resources for you to seek assistance. In addition, “Friends of Bill” AA Meetings that are held at every Corporate Counsel Conference and Annual Convention.

- Membership terminates automatically if a member, because of misconduct, ceases to be a member of the bar of a state, commonwealth, territory, possession of the United States, or District of Columbia;
- After a hearing at which the member is given reasonable opportunity to be present⁴ with counsel and be heard in his or her own defense, a member may be censured, suspended, or terminated from membership by the Executive Committee for good cause. “Good cause” shall mean incapacity to serve, malfeasance, or conduct that brings discredit to HNBA.

Censure, Suspension, or Expulsion by Proceeding

In approving this Code, the Board seeks to create a shared understanding that conduct in contravention of our purpose, values, and expectations may bring discredit to HNBA and therefore establishes good cause for censure, suspension, or termination. In doing so, the Board provides procedural safeguards that define the opportunity for hearing and for rehabilitation.

Hearing

- Notice of intent to censure, suspend, or expel (“Notice”) must be provided in writing to the member by the Executive Committee at least seven (7) calendar days before the next regular or special meeting of the Executive Committee;
- At the meeting, the member shall have an opportunity to be heard and present evidence in support of why censure, suspension, or expulsion is not warranted;
- A member may be censured, suspended, or expelled from membership for good cause by a majority vote of the Executive Committee present at a regular or special meeting of the Executive Committee; and
- A member may appeal the decision of the Executive Committee to censure, suspend, or expel the member to the Board. The Board’s determination is final and shall be made by a two-thirds vote of those present.

Reinstatement

A member who has been censured or suspended will regain full membership privileges at the conclusion of the specified term. A member who has been expelled and wishes to be reinstated shall complete a new membership application, explain their activities since their expulsion, explain why their membership should be reinstated, and ask for a mutually agreeable date for a hearing before the Executive Committee. The Executive Committee may ask the member for further information in support of his or her application. If the Executive Committee determines that the membership application is sufficient for the member to be reinstated, then a hearing may not be required; however, the member is entitled to a hearing before a final determination is made.

Reinstatement of any member by the Executive Committee is permissible only if the Executive Committee concludes that the member has corrected, rectified, resolved, or otherwise eliminated the condition(s) or event(s) leading to the suspension or expulsion. The Executive Committee must find that the expelled member meets all eligibility requirements for membership, and that reinstatement will not reflect adversely upon the integrity or reputation of HNBA or its members. The Board has final decision-making authority over the membership of the HNBA.

⁴ In person or by conference telephone or other means of telecommunication.