

AILA CIVILITY CODE

The freedom to express one's views is a cornerstone of the diverse membership of the American Immigration Lawyers Association ("AILA"). AILA relies upon the diverse views and opinions of its members to inform the issues before our organization. For these discussions to be meaningful and effective we must treat each other with courtesy, respect, dignity, and professional integrity. The Civility Code enables AILA members, through respectful discourse, to further AILA's mission of promoting justice, advocating for fair and reasonable immigration law and policy, advancing the quality of immigration and nationality law and practice, and enhancing the professional development of its members.

Therefore, AILA members agree to abide by the following Civility Code to ensure that all of their AILA-related activities are conducted in a way that fosters respect and credibility for AILA and its members.

The following Civility Code applies to all AILA-related communication between and among AILA members and staff, including in-person meetings, telephone conversations, letters, oral and written public statements, email, listservs, social media, and all other types of electronic communications. **The Civility Code does not apply to private communications unrelated to AILA, nor does it act in any way to limit the substance of ideas, opinions, or points of view expressed – only the manner in which such opinions are expressed.**

External public communications made while communicating on behalf of AILA, or involving AILA association matters, including those made in non-AILA media and social media forums, are governed by the Civility Code except as modified by an AILA Media Policy. Other external public communications are excluded, although all AILA members should seek to express themselves using civil language in any external public communication. Unprofessional and uncivil language in external public communications may reflect negatively on the Association.

The Rules

1. I will conduct myself in a professional and civil manner at all times when engaged in AILA-related activities and communications, including treating AILA members, staff, and the public with civility.
2. I will not use language that is demeaning, abusive, or hostile. Language that threatens unlawful conduct, defames, or uses derogatory language about an individual's age, physical appearance, physical ability, ethnicity, race, gender, gender identity, sexual orientation, or religion is prohibited. Unwelcome sexual advances, requests for sexual favors, or other verbal harassment of a sexual nature is likewise prohibited.

3. I will not knowingly misrepresent, mischaracterize, or misquote information in seeking to advance any point of view.
4. I will not distribute video, audio, GIFs, memes, or other forms of media that violate provisions 1, 2, or 3 above.

Etiquette

I will seek to present information truthfully. I will seek to communicate my ideas and points of view clearly and allow others to do the same. When acting as a volunteer in AILA activities, I will seek to promote and foster a professional and civil environment.

Intervention

The AILA Membership Committee reserves the right to intervene in response to violations of The Rules both sua sponte and following a complaint. Complaints may be filed by any AILA member or staff member and will be handled with low-range or high-range interventions, depending on the location and nature of the violation.

The AILA Membership Committee has the authority to respond, as it deems appropriate, to all violations of The Rules, in all AILA-related settings. Additionally, when breaches occur on a listserv or the Message Center, the listserv manager or Message Center moderator may impose low-range, private interventions without referral to the AILA Membership Committee. These interventions include, but are not limited to, voluntary cessation or deletions. For more egregious violations, the manager or moderator may also impose interim suspension of the accused party from listservs and/or the Message Center while referring the violation to the AILA Membership Committee for formal review.

When a complaint is referred to the AILA Membership Committee, it will go through a formal review process. While the procedure of the formal review process may vary, depending on the nature of the violation, in all cases:

1. A complaint is required unless the AILA Membership Committee is acting sua sponte.
2. Barring exigent circumstances requiring additional time, within five business days, the committee will determine whether there is sufficient merit to the complaint to notify the accused individual and give them an opportunity to respond; and,

3. Barring enlargements of time approved by the Membership Committee, the individual accused of violating The Rules has five business days to respond.

In egregious circumstances, the AILA Membership Committee can impose an immediate interim sanction before completing the formal review process. Such interim sanction can include suspension from any or all AILA committees but not suspension or expulsion from AILA.

It is expected that the person/body intervening will use the least restrictive intervention sufficient to serve the goals of this Civility Code. Low-range interventions can be used before or instead of the formal review process in non-egregious cases, with the consent of the impacted member.

Low-range remedies include, but are not limited to:

1. Private, Corrective Action – the manager, moderator, or AILA Membership Committee can ask the member to voluntarily stop the offending behavior and/or correct the violation;
2. Restricted Access – the manager, moderator, or AILA Membership Committee can restrict the member’s access to listservs and/or the Message Center for up to 15 days for a first offense (this period can be lengthened up to 90 days maximum for repeat offenses occurring within a three-year period); and
3. Education – the AILA Membership Committee can require the member to complete CLE related to the offending behavior if such CLE material is free and available to all AILA members.

High-range remedies include, but are not limited to:

1. Permanent or long-term removal of the member from any or all committees;
2. Permanent or long-term restricted access to listservs and/or Message Center;
3. Suspension or expulsion from AILA.

Where the AILA Membership Committee concludes a membership suspension or expulsion is appropriate, the Membership Committee will refer the matter to the member’s primary Chapter for appropriate action pursuant to Section 2.10(B) of the national Bylaws. If the Chapter concludes that suspension or expulsion is appropriate, the member may seek review by the AILA Board of Governors (BOG) pursuant to Section 2.10(C) of the national Bylaws. If the Chapter desires BOG review in lieu of exercising powers pursuant to Section 2.10(B) of the national Bylaws, the Chapter shall make a “report and recommendation” to the BOG

pursuant to Section 4.1(D) of the national Bylaws. Finally, the Chapter may conclude suspension or expulsion is not warranted.

AILA will maintain a private record regarding the use of remedies, as listed above. Any such record may be used to determine the appropriate response to future violations, if any. Private records will be maintained for three years and then destroyed unless there are additional violations within that period. Private records may be disclosed to the subject of the record, or to any other member upon written request with the written consent of the subject of the record.

An individual who receives a high-range sanction can petition for reinstatement to the committee, listserv, Message Center, or AILA after six months. Reinstatement requires a 50% vote of the Governors present and voting at a meeting.

AILA members may contact the AILA Membership Committee with questions regarding this Civility Code.