

Bylaws of the Juvenile Law Section

ARTICLE I **Name and Purpose**

Section 1. This section shall be known as the Juvenile Law Section of the State Bar of Texas.

Section 2. The purpose of this Section shall be to promote the objectives of the State Bar of Texas within the area of gathering, improving and analyzing existing laws as related to Juvenile Law and to keep the members of the State Bar of Texas advised in that respect. All acts of this Section shall be subject to the laws governing the State Bar of Texas and its policies, rules and regulations.

Section 3. This Section may compile and submit suggestions to the Legislative Policy Subcommittee of the State Bar of Texas regarding legislation prior to the beginning of each Regular Session of the Legislature which the Section feels are necessary for the operation of or would benefit Juvenile Law. The Section may also seek the authority to present its position before a public, judicial, executive, or legislative body. The Section's authority to take such a position shall be authorized by the Council only after written notice to all officers and Members of the Council of the proposed position to be adopted and the date at which the position will be considered by the Council. The Section will at all times comply with requirements of the legislative policy as set forth in State Bar Policy Manual Section 8.01 and Policy Supplement Section 8.01. Except as provided in this Section, no positions may be taken by the Section or its members in the name of the Section that advocates or advances a political or social policy position.

Section 4. This Section may correspond and cooperate with similarly oriented committees or sections of the American Bar Association, other State Bar organizations and similar organizations.

ARTICLE II **Membership**

Section 1. Except as provided in Section 3 of Article II, all members of the Section shall be members of the State Bar of Texas, and each shall pay annual dues in an amount set by the Council and approved by the Board of Directors of the State Bar of Texas.

Section 2. Any person eligible to be a member, upon request of the Treasurer and upon payment of dues for the current year, shall be enrolled as a member of the Section. Thereafter, dues shall be paid in advance each year beginning on July 1. Any member whose annual dues shall be more than six (6) months past due shall cease to be a member of the Section.

Section 3. Any person not a member of the State Bar of Texas, who is interested in Juvenile Law, may be eligible to be a public member. A public member of the Section shall be entitled to all the same rights and privileges of membership as members of the state Bar of Texas, but public members shall not be eligible to vote, nor to hold any office requiring election by the Council or the Section.

ARTICLE III **Officers**

Section 1. The Officers of this Section shall be a Chair, a Chair-Elect (Vice Chair), a Secretary, and a Treasurer.

Section 2. There shall be a Council which shall consist of the past Chair, the Chair, the Chair-Elect (Vice Chair), the Secretary and the Treasurer, all of whom shall be members of the Council with full vote and voice, together with nine (9) other members to be elected by the Section.

Section 3. All officers except the Chair shall be nominated and elected in the manner herein provided at each annual meeting of this Section, to hold office for a term beginning at the close of the annual meeting of the Section at which they shall have been elected, and ending at the close of the next succeeding annual meeting of the Section and until their successors shall have been elected and qualify. The Chair-Elect shall, at the end of his/her term of office, become Chair for a term of one year, and no Chair shall be eligible to succeed himself/herself for consecutive terms as Chair.

Section 4. Upon the expiration of the terms of the members of the Council, three (3) members of the Council shall be elected at each annual meeting of the Section, for a term of three (3) years beginning at the close of the annual meeting at which the member shall have been elected and ending at the close of the third succeeding annual meeting of the Section. In order to be nominated for a position as an Officer of the Section, a person must currently be serving as a member of the Council prior to nomination.

Section 5. No person shall be eligible for election as a member of the Council or as an Officer if that person is at the time of the election a partner, associate or an employee of another voting member of the Council or an Officer of the Section or such member's or Officer's law firm.

Section 6. No person shall be eligible for election as a member of the Council or as an Officer if that person is at the time of the election a spouse of or related within one degree of consanguinity or affinity to another voting member of the Council or an Officer.

ARTICLE IV

Nomination and Election of Officers and Council

Section 1. The Chair shall appoint a Nominating Committee consisting of the Immediate Past Chair, and of two (2) members of the Section, which committee shall make and report nominations for the election of Officers and members of the Council at the next Annual Meeting, to succeed those whose terms will expire at the close of that Annual Meeting. Other nominations may be made from the floor at the Annual Meeting.

Section 2. In selecting nominees for Officers and the Council, the Nominating Committee shall adhere, insofar as possible, to the principle that the nominees as a group shall be representative of all constituent groups of the membership.

Section 3. All elections shall be by majority vote of the members of the Section present and voting at the Annual Meeting at which time the election is held.

ARTICLE V

Duties of Officers

Section 1. Chair. The Chair shall preside at all meetings of the Section and of the Council, shall be responsible for formulating and presenting to the State Bar of Texas an annual budget and an annual report which shall include a financial report of the previous year, and shall perform such other duties and acts as usually pertain to this office.

Section 2. Chair-Elect. Upon the death, resignation, or during the disability of the Chair, or upon the Chair's refusal to act, the Chair-Elect shall perform the duties of the Chair for the remainder of the Chair's terms except in case of the Chair's disability and then only during so much of the term as the disability continues. The Chair-Elect shall be responsible for and perform those tasks and functions assigned by the Chair, and, in conjunction with the other Officers as authorized by the Council shall attend generally to the business of the Section. The Chair-Elect shall serve as parliamentarian. The Chair-Elect shall be responsible for and perform those tasks and functions assigned by the Chair, and in conjunction with the other Officers, as authorized by the Council, shall attend generally to the business of the Section.

Section 3. Treasurer. The Treasurer shall be the custodian of all financial books, papers, documents and information of the Section, shall keep an accurate record of all monies appropriated to and expended for the use of the Section, prepare the annual budget for the year to be served as Treasurer and of financial reports for the year served as Treasurer, and, in conjunction with the other Officers, as authorized by the Council, shall attend generally to the business of the Section.

Section 4. Secretary. The Secretary shall be the custodian of all non-financial books, papers, documents, and property of the Section, shall keep a true record of the proceedings of all meetings of the Section and of the Council, and, in conjunction with the other Officers, as authorized by the Council, shall attend generally to the business of the Section.

Section 5. If any elected member of the Council shall fail to attend two consecutive meetings of the Council, the office held by such member shall be vacated, absent a showing of good cause, as determined by the Council, and the vacancy shall be filled for the unexpired term by the Section if at an annual meeting, and by the Council if the vacancy occurs between annual meetings.

Section 6. No member of the Council is eligible to serve more than two consecutive full three-year terms as a non-officer member of the Council, provided, however, that a member of the Council may be elected to an officer position immediately after having served as a member of the Council.

ARTICLE VI

Duties and Powers of the Council

Section 1. The Council shall have general supervision and control of the affairs of the Section subject to the laws governing the State Bar of Texas and its policies, rules and regulations and the By-laws of this Section. It shall supervise the expenditure of any monies received as dues by the Section appropriated for the use or benefit of the Section. It shall not, however, authorize commitments to contracts, except as authorized by the Executive Director of the State Bar under the State Board of Directors Policy Manual, which shall entail the payment of any money during any fiscal year beyond that in the treasury of the Section unless the money shall have been previously appropriated to the Section for that fiscal year by the Board of Directors of the State Bar of Texas.

Section 2. The Council may authorize the Chair to appoint committees from Section members to perform such duties and exercise such powers as the Council may direct, subject to the limitations of these By-laws and the laws governing the State Bar of Texas and its policies, rules and regulations.

Section 3. The Council, during the interim between annual meetings of the Section, may fill vacancies in its own membership or in the office of Chair, Chair-Elect (Vice Chair), Secretary and Treasurer. Members of the Council and officers so elected shall serve until the close of the next annual meeting of the Section.

Section 4. All binding action of the Council shall be by a majority vote of the whole Council.

Section 5. Members of the Council, when personally present at a meeting of the Council, shall vote in person, but when absent may communicate their vote in writing or by electronic means upon any proposition to the Secretary and have it counted with the same effect as if case personally at such meeting.

Section 6. The Chair of the Section may, and upon the request of any member of the Council shall, submit or cause to be submitted in writing or by electronic means to each member of the Council, any proposition upon which the Council may be authorized to act, and the members of the Council may vote upon such propositions so submitted by communicating their vote thereon in writing over their respective signatures or by electronic means to the Secretary, who shall record upon the Minutes each proposition so submitted, when, how, at those request submitted, and the vote of each member of the Council thereon, and keep on file such written and signed votes.

ARTICLE VII

Meetings

Section 1. The annual meeting of the Section shall be held during the Annual Meeting of the State Bar of Texas or at such time and place as may be fixed by the Council, as permitted by applicable State Bar rules, with such program and order of business as may be arranged by the Council of the Section.

Section 2. Special meetings of the Section may be called by the Chair upon approval of the Council and upon seven (7) days written notice at such time and place as the Council may determine.

Section 3. The members of the Section present at any meeting shall constitute a quorum for the transaction of business, and all binding action of the Section shall be by a majority vote of the members present.

Section 4. Special meetings of the Council may be called by the Chair at such place and time as the Chair may designate.

ARTICLE VIII

Standing Committees

Section 1. There shall be two standing committees as described below. The members of the standing committees shall be appointed by the Chair of the Section within 30 days after the term of the Chair of the Section begins. Members of any standing committee shall continue to serve until their successor in office has been appointed and qualified.

Section 2. Annual Conference Committee. There shall be a standing committee called the Annual Conference Committee. The Annual Conference Committee shall be chaired by the Chair-Elect. It shall be the duty of the Annual Conference Committee to plan the annual Juvenile Law Conference under the direction of the Chair-Elect. The Annual Conference Committee shall consist of the Chair-Elect and two (2) members of the Section (non-Council members) and two (2) members of the Council.

Section 3. Publications Committee. There shall be a standing committee called the Publications Committee. The Publications Committee shall consist of the committee Chair and two (2) members of the Section (non-Council members) and two (2) members of the Council. All members of the committee, including the Chair of the committee shall be appointed by the Chair of the section. It shall be the duty of the publications to oversee the development, publication and distribution and/or sale of all publications of the Section, including forms manuals, newsletters, pamphlets, brochures, etc.

ARTICLE IX

Miscellaneous Provisions

Section 1. The fiscal year of the Section shall be the same as that of the State Bar of Texas.

Section 2. Section funds are to be invested consistent with State Bar investment policy as set forth in State Bar Policy Manual Section 3.05 and Policy Supplement Section 3.05. All dues and other money shall be deposited into either a branch of the State Bar banking depository, or an alternative banking depository meeting the requirements of the investment policy as set forth in State Bar Policy Manual Section 3.05 and Policy Supplement Section 3.05. In the event a section selects the alternative depository, it shall instruct the depository to provide directly to the State Bar a duplicate of the bank statements, canceled checks and deposit slips. Any expense incurred in providing such duplicates to the State Bar shall be borne by the section. Funds are subject to the control of the Council and withdrawn on checks or drafts signed by the Treasurer. In the event of disability of the Treasurer, the Chair may exercise the powers delegated to the Treasurer. Part V, Sections 5.02.01, 5.02.02, 5.02.03, 5.02.04 and

5.02.05 of the State Bar of Texas Board of Directors policy manual are hereby incorporated by reference as a part of these bylaws as binding upon the Section.

Section 3. The Council shall submit to the Executive Director of the State Bar of Texas by July 15 of each year a complete financial report for the preceding Fiscal Year ending May 31 and a section budget for the current Fiscal Year.

Section 4. Expenditures out of the dues or other money, whether current or accumulated, shall be made only by the authority of the Chair or the Council.

Section 5. No salary or compensation shall be paid to any Section member, Officers, Council members and Section members may be reimbursed for costs of the Section attributable to the business as authorized by the Chair or the Treasurer.

Section 6. Any action or policy recommendation of the Section shall not be construed to represent the official action or policy of the State Bar of Texas. Such action or policy recommendation of the Section shall reflect State Bar action or policy only if the same is acted on and approved by the Board of Directors, the General Assembly, or by the membership in response to a referendum.

ARTICLE X

Section Status

These By-laws and any amendment thereto shall not become effective until approved by the Board of Directors of the State Bar of Texas, whereupon, they shall become effective immediately.

ARTICLE XI

Amendments

These By-laws may be amended at any meeting of the section by a majority vote of the members of the Section present and voting, provided such proposed amendment shall first have been approved by a majority of the Council and provided, further, that no amendment so adopted shall become effective until approved by the Board of Directors of the State Bar of Texas.

APPROVED by the Board of Directors of the State Bar of Texas on the 8th day of April, 2005