

[Insert begins] **AMENDED** [Insert ends] **BYLAWS OF THE LAW PRACTICE
MANAGEMENT**

AND TECHNOLOGY SECTION

[Insert begins] **(Amended by the Board of Trustees February 10, 2012)** [Insert ends]

§1. *Name*

This organization shall be known as the "Law Practice Management and Technology Section of the State Bar of California," hereinafter referred to as the section.

(Source: Board of Governors' Resolutions, October 1980, May 1986, September 1996.)

§2. *Purposes and Duties*

The purposes of the Law Practice Management and Technology Section are to (a) further the knowledge of the members of the legal profession in matters relating to (1) the economical delivery of legal services to the public[Delete begins] and [Delete end][Insert begins],[Insert ends] (2) the management of law offices[Insert begins], and (3) technology that enables, supports and automates law practice[Insert ends]; (b) to assist, when called upon by the Board of [Delete begins]Governors[Delete end][Insert begins]Trustees[Insert ends] of the State Bar of California, in the formation, administration, and implementation of programs, forums, and other activities for the education of the members of the legal profession in matters relating to the economical delivery of legal services to the public[Delete begins] and [Delete end][Insert begins] , [Insert ends] the management of law offices[Insert begins], and technology that enables, supports and automates law practice[Insert ends]; (c) to act upon all matters germane to its purposes as so described or referred to it by the Board of [Delete begins] Governors [Delete end][Insert begins]Trustees[Insert ends]; and (d) to make recommendations to the Board of [Delete begins]Governors[Delete end] [Insert begins]Trustees[Insert ends].

(Source: Board of Governors' Resolution, October 1980[Insert begins]; Board of Trustees' Resolution, February 2012 [Insert ends].)

§3. *Membership*

The term of membership in the section shall be for a period of one (1) year commencing on the last day of the Annual Meeting of the State Bar. Upon request and upon payment of the prescribed fee, if any, for such yearly period, a member of the State Bar or judge of a court of record shall be enrolled as a member of the section. Such fees may be prescribed by the Board of [Delete begins] Governors [Delete end] [Insert begins] Trustees [Insert ends] and shall be paid into the treasury of the State Bar to be used for the purposes of defraying costs and expenses for the section. Within the meaning of these bylaws, the time intervening between successive annual meetings is deemed to be one (1) year. The executive committee may enroll [Delete begins] as a special category of law student member, any law student enrolled in a California law school, the prescribed reduced fee not to exceed one-half (1/2) of the regularly prescribed annual membership

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fee for the section. The executive committee may enroll ~~[Delete end]~~, as associate members of the section, other persons who have shown the dual capacity of interest in and contribution to the section's activities, in accordance with the *Rules* ~~[Delete begins]~~ *and Regulations*~~[Delete end]~~ of the State Bar of California.

(Source: Board of Governors' Resolutions, October 1980, May 1986 ~~[Insert begins]~~; Board of Trustees' Resolution, February 2012 ~~[Insert ends]~~.)

§4. Executive Committee

- a. Duties: The section shall be governed by an executive committee. The executive committee shall assist the Board of ~~[Delete begins]~~ *Governors* ~~[Delete end]~~ ~~[Insert begins]~~ *Trustees* ~~[Insert ends]~~ in matters relating to the section and all other matters referred to the executive committee by the Board of ~~[Delete begins]~~ *Governors* ~~[Delete end]~~ ~~[Insert begins]~~ *Trustees* ~~[Insert ends]~~. The executive committee shall supervise and direct the affairs and policies of the section, subject to and in accordance with these bylaws and policies of the Board of ~~[Delete begins]~~ *Governors* ~~[Delete end]~~ ~~[Insert begins]~~ *Trustees* ~~[Insert ends]~~], the *Rules* ~~[Delete begins]~~ *and Regulations* ~~[Delete end]~~ of the State Bar and the State Bar Act.
- b. Members: The executive committee shall consist of ~~[Insert begins]~~ a maximum of ~~[Insert ends]~~ seventeen (17 ~~[Insert begins]~~) and a minimum of fifteen (15~~[Insert ends]~~) members appointed by the Board of ~~[Delete begins]~~ *Governors* ~~[Delete end]~~ ~~[Insert begins]~~ *Trustees* ~~[Insert ends]~~. The Board of ~~[Delete begins]~~ *Governors* ~~[Delete end]~~ ~~[Insert begins]~~ *Trustees* ~~[Insert ends]~~ may in its discretion appoint to the executive committee persons nominated by the section. Nominations for such appointments may be made by the executive committee acting as a nominating committee or by a petition signed by at least fifteen (15) members of the section. Petitions for such nominations shall be submitted to the executive committee on or before June 1 of each year and the executive committee shall transmit such nominations together with those nominations recommended by the nominating committee to the Board of ~~[Delete begins]~~ *Governors* ~~[Delete end]~~ ~~[Insert begins]~~ *Trustees* ~~[Insert ends]~~] on or before July 1 of each year. In nominating executive committee members, priority shall be given to section members who have experience in the goals and objectives of the section and who have expressed a sincere desire and dedication to serve on the executive committee. Each member of the executive committee shall take an oath of office and shall receive no compensation for services. The Board of ~~[Delete begins]~~ *Governors* ~~[Delete end]~~ ~~[Insert begins]~~ *Trustees* ~~[Insert ends]~~ may, on recommendation of the executive committee, remove and replace any executive committee member who shall without good cause, fail to attend three (3) executive committee meetings in any fiscal year. Any such member shall be deemed to have submitted a resignation as executive committee member subject to acceptance by the executive committee.

- c. Term of Office: Five (5) members of the executive committee shall be appointed each year for terms of three (3) years. Any vacancy in membership occurring prior to the normal expiration of the term shall be filled by the Board of ~~Governors~~ Trustees for the unexpired term. The term of office of each new member of the executive committee shall commence at the conclusion of the Annual Meeting of the State Bar.
- d. Meetings and Action Without a Meeting: Meetings of the executive committee may be called by the chair or by a majority of the members of the executive committee. Written notice of such meetings shall be mailed to members of the executive committee at least five (5) days prior to such meeting or shall be given by telephone ~~or telegraph~~ , e-mail, or other electronic transmission method at least two (2) days prior to such meeting. At meetings of the executive committee, the majority of its members shall constitute a quorum for the transaction of any business of the committee. The executive committee may act without a meeting by a poll of its members. In such event, no less than eight (8) members must agree on any action taken. A poll of the members of the executive committee may be conducted by the chair by telephone, ~~telegraph or~~ e- mail , or other electronic transmission method. Notwithstanding the provisions of this section, amendments of these bylaws shall be governed solely by the provisions of section 7, below.
- e. Officers: The Board of ~~Governors~~ Trustees shall appoint the chair and vice-chair. The executive committee shall recommend to the Board of ~~Governors~~ Trustees a chair and vice- chair ~~–elect~~ from among the committee members, who shall at the time of assuming such office, have served at least one year as a member of the committee.

The duly appointed chair and vice- chair~~–elect~~ shall assume the duties of their respective offices at the conclusion of the Annual Meeting of the State Bar following their appointment, and shall continue in office until their successors are appointed and assume office. ~~The chair-elect shall assume the office of the chair on the last day of the Annual Meeting of the State Bar in the year following his/her appointment as chair-elect. In every year subsequent to the initial appointment, only a chair-elect shall be appointed.~~ In the event of a vacancy among the officers, the executive committee shall recommend to the Board of ~~Governors~~ Trustees a successor to fill the unexpired term.

The chair shall preside at all meetings of the section and the executive committee and shall administer the affairs of the section and committee subject to and in accordance with the State Bar Act, the *Rules* ~~[Delete begins] and Regulations [Delete end]~~ of the State Bar, the policies of the Board of ~~[Delete begins] Governors [Delete end]~~ [Insert begins] Trustees [Insert ends], and the bylaws.

The [Insert begins] vice- [Insert ends] chair ~~[Delete begins] –elect [Delete end]~~ shall perform all the duties of the chair during the latter's absence or inability to act and when so acting shall have all the powers of the chair and be subject to all restrictions upon the chair.

- f. Advisors: The executive committee may from time to time appoint nonvoting advisors to the executive committee for such terms and purposes as determined by the executive committee. Advisors shall serve at the pleasure of the executive committee.

(Source: Board of Governors' Resolution, October 1980; *Rules and Regulations of the State Bar*, art. XIII, §4E; Board of Governor's Resolution, May, 2002 and July 2009; *Rules of the State Bar* Title 3, Rules 3.54 and 3.55, adopted effective May 16, 2008 [Insert begins]; Board of Trustees' Resolution, February 2012[Insert ends].)

§5. Committees

- a. Standing: The executive committee shall create standing committees from time to time to serve at the pleasure of the executive committee.
- b. Officers: Each committee shall have a chair and vice-chair, and such other officers as may be required who shall be selected by, and serve at the pleasure of, the executive committee. Such officers shall have such powers and duties as the executive committee may from time to time determine.
- c. Ad Hoc Committees: The chair of the executive committee shall have the power, without the need for executive committee approval, to appoint such ad hoc committees as are necessary for the purpose of furthering the objectives of the section.
- d. Members of the Committees: The members of all the committees shall be selected from members of the section.

(Source: Board of Governors' Resolution, October 1980; *Rules of the State Bar* Title 3, Rule 3.56 adopted effective May 16, 2008.)

§6. Section Meetings

- a. Meetings and Notices: There shall be a section meeting at the time and place of the Annual Meeting ~~[Delete begins] of the State Bar [Delete end]~~

[Insert begins] . [Insert ends] The section may also hold such other meetings as may be called by the executive committee upon notice given to the members of the section at least twenty (20) days prior to the meeting. Notice of meetings shall be given by mail [Insert begins], telephone, e-mail, or other electronic transmission method,[Insert ends] or in an official publication of the State Bar.

- b. Quorum: The members of the section present at any meeting shall constitute a quorum for the transaction of business.
- c. Rules of Order: All meetings of the section shall be conducted in accordance with *Robert's Rules of Order, Revised*.

(Source: Board of Governors' Resolution, October 1980 [Insert begins]; Board of Trustees' Resolution, February 2012 [Insert ends].)

§7. Amendments to Bylaws

These bylaws may be amended by the Board of [Delete begins] Governors [Delete end] [Insert begins] Trustees [Insert ends] or by the executive committee by a two-thirds (2/3) vote of its entire membership at a meeting duly called for the purpose of considering such amendment provided that no amendment shall take effect until approved by the Board of [Delete begins] Governors [Delete end] [Insert begins] Trustees [Insert ends]. The bylaws and any amendments thereto shall be filed with the Secretary of the State Bar at its San Francisco office.

(Source: Board of Governors' Resolution, October 1980; *Rules of the State Bar* Title 3, Rule 3.57, adopted effective May 16, 2008 [Insert begins]; Board of Trustees' Resolution, February 2012[Insert ends].)