

AGENDA ITEM

135 NOVEMBER

DATE: October 25, 2012

TO: Members, Member Oversight Committee
Members, Board of Trustees

FROM: Pam Wilson, Interim Senior Director, Office of Education

SUBJECT: Taxation Section Bylaw Change

EXECUTIVE SUMMARY

The Executive Committee of the Taxation Section would like to update their section bylaws to conform to actual practice and to restate the bylaws as amended in their entirety to avoid any uncertainty as to the authoritative form of the bylaws.

DISCUSSION

Amendments to the bylaws of a section of the State Bar must be approved by the Board. (Board Book, Tab 20 [Sections], Art. 1, Sec. 8.)

This agenda item identifies amendments proposed by the Executive Committee of the Taxation Section to update their Bylaws to conform to actual practice, to name the bylaws as “Amended Bylaws”, conform to the State Bar Open Meeting Rules, and to make other editorial changes such replacing “Board of Governors” with “Board of Trustees.”

Substantive changes made by the amendments to the bylaws include: 1) Clarifying the term of office for members and officers. 2) Outlining duties of executive committee members and officers. 3) Updating the method of giving notice of Executive Committee and Section meetings. 4) Update references to now be to the Board of Trustees and to the Rules of the State Bar. 5) Grammatical corrections.

FISCAL / PERSONNEL IMPACT:

None.

RULE AMENDMENTS:

None.

BOARD BOOK IMPACT:

None.

RECOMMENDATION

The Executive Committee of the Taxation Section would like to amend their section bylaws as indicated above and in the attached redlined version and to restate the bylaws as amended in their entirety to avoid any uncertainty as to the authoritative form of the bylaws.

PROPOSED BOARD COMMITTEE RESOLUTION:

Should the Member Oversight Committee agree with the above recommendation, the following resolution would be appropriate:

RESOLVED, that the Member Oversight Committee recommends that the Board approve the revisions made to the bylaws of the Taxation Section restatement of the full text following approval of such amendments, in the form attached.

PROPOSED BOARD OF TRUSTEES RESOLUTION:

Should the Board concur with the Member Oversight Committee's recommendation, the following resolutions would be in order:

RESOLVED, that upon the recommendation of the Member Oversight Committee, the Board hereby approves the revisions made to the bylaws of the Taxation Section and restatement of the full text following approval of such amendments, in the form attached. .

Attachment: Proposed Amended Bylaws of the Taxation Section