

AMENDED BYLAWS OF THE PUBLIC LAW SECTION

(Approved by the Board of Trustees November 15, 2013)

§1. *Name*

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

(Source: Board of Governors' Resolution, April 1976.)

§2. *Purposes and Duties*

The purposes of the section shall be (a) to further the knowledge of the members of the section in those areas of the law which require contact with, or participation of, governmental agencies, departments, boards at all levels, i.e., city, county, state, and federal; (b) to assist, when approved by the Board of Trustees of the State Bar of California, in the formulation, administration and implementation of programs, forums, and other activities for the education of members of the State Bar in the area of public law; (c) to assist, when approved by the Board of Trustees of the State Bar of California, in the formulation, administration and implementation of legislation, contact with governmental agencies, and other activities designed to assist public law attorneys and members of the State Bar generally; (d) to act upon all matters germane to its purposes as so described or referred to it by the Board of Trustees; and (e) to make recommendations to the Board of Trustees.

(Source: Board of Governors' Resolution, April 1976; Board of Trustees Resolution, November 2013.)

§3. *Membership*

- a. Term of 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. Within the meaning of these bylaws, the time intervening between successive annual meetings is deemed to be one (1) year.
- b. Membership Dues: The membership dues for new admittees to the bar shall be free of charge for the first year of membership, with the option to renew membership the following year at the regular rate.
- c. Regular Members: Upon request, and upon payment of the prescribed dues, a member of the State Bar or judge of a court of record in California shall be enrolled as a regular member of the section.
- d. Associate Members:
 - (1) Upon payment of the prescribed dues, persons described in subparagraph d(3), below, shall be enrolled as associate members of

the section; provided that such associate members shall not exceed one-fourth (1/4) of the total membership of the section.

- (2) Associate members shall have all the privileges of section membership, except to hold office as an elected or appointed officer of the section or any committee of the section, to become members of the executive committee or to participate in the selection of officers or the nomination of members of the executive committee.
- (3) Persons, other than those referred to in subparagraph 3c above, may become associate members of the section if such persons have shown a dual capacity to contribute to the section. Persons have shown an interest in and demonstrated capacity to contribute to section activities if such persons:
 - (a) Are employed by a public entity;
 - (b) Either through employment or volunteer activities regularly appear, or have done so in the past, before public entities;
 - (c) Have expertise in one or more fields of interest, or any subfield of interest of the section; or
 - (d) Have demonstrated an interest in the role, purpose and/or effect of public entities and/or public lawyers. Persons referred to above may include: lawyers licensed to practice in other jurisdictions, judges of courts of record of other jurisdictions, law school graduates, law students, and lay persons.

(Source: Board of Governors' Resolutions, April 1976, January 1980, November 1985.)

§4. Executive Committee

- a. Duties: The section shall be governed by an executive committee. The executive committee shall assist the Board of Trustees in matters relating to the section and all other matters referred to the executive committee by the Board of Trustees. The executive committee shall supervise and direct the affairs and policies of the section, subject to and in accordance with these bylaws, policies of the Board of Trustees, the *Rules of the State Bar* and the State Bar Act.
- b. Members: The executive committee shall consist of a minimum of fifteen (15) members and a maximum of seventeen (17) members appointed by the Board of Trustees. The Board of Trustees 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 1st of each year. Each member of the executive committee shall take an oath of office and shall receive no compensation for services.

- c. **Term of Office:** The term of office for all members of the executive committee shall be three (3) years; said terms to be staggered. Members serve no more than three years, except members who serve as an officer in a fourth year, or a chair, vice-chair in a fifth year or as chair in a sixth year. Any vacancy in membership occurring prior to the normal expiration of the term shall be filled by the Board of Trustees for the unexpired term.

The term of office of each member of the executive committee shall commence on the last day 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 chairperson 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 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, a majority of the members must agree on any action taken. A poll of the members of the executive committee may be conducted by the chairperson by telephone, telegraph or mail.

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 Trustees shall appoint the chairperson and vice-chairperson. The executive committee shall recommend to the Board of Trustees a chairperson, a vice-chair and a secretary/treasurer 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 newly appointed chairperson and vice-chairperson shall assume the duties of their respective offices on the last day of the Annual Meeting of the State Bar following their appointment, and shall continue in office until a successor is appointed and assumes office. In the event of a vacancy in the office, the executive committee may recommend to the Board of Trustees a successor to fill the unexpired term.

The chairperson 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 of the State Bar*, the policies of the Board of Trustees, and these bylaws.

If there is vice-chairperson, the third-year members of the executive committee not serving as chairperson shall be appointed and serve as vice-chairpersons of the executive committee. In the chairperson's absence or inability to act, the executive committee shall designate a vice-chairperson to perform all duties of the chairperson and when so acting shall have all the powers of the chairperson and be subject to all the restrictions upon the chairperson.

- f. Attendance: The Board of Trustees may, upon the recommendation of the executive committee, remove and replace any member who shall fail to attend three (3) out of any six (6) consecutive meetings of the executive committee.

(Source: Board of Trustees Resolutions, April 1976, January 1980, March 1981, February 1984, October 1985, November 1988, November 2013; former *Rules and Regulations of the State Bar*, art. XIII, §4E.)

§5. Committees

- a. Standing Committees: The executive committee shall have the power to create standing committees from time to time and such standing committees shall serve at the pleasure of the executive committee.
- b. Officers: Each standing committee shall have a chairperson and vice-chairperson, 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 chairperson 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 the standing and ad hoc committees shall be selected from members of the section.

(Source: Board of Governors' Resolution, April 1976; Board of Trustees Resolution, November 2013.)

§6. Section Meetings

- a. Meetings and Notices: There shall be a section meeting at the time and place of the Annual Meeting of the State Bar. 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 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, April 1976.)

§7. Amendments to Bylaws

These bylaws may be amended 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 Trustees. 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, April 1976; Board of Trustees Resolution, November 2013.)