

DISTRICT OF COLUMBIA CHAPTER FEDERAL BAR ASSOCIATION

BY-LAWS

ARTICLE I

Name and Nature of Organization

The name of this organization is the District of Columbia Chapter of the Federal Bar Association (“the Chapter”). The Chapter is chartered by the Federal Bar Association (“the Association”) as approved by the National Council. As such, the Chapter shall at all times comply with the requirements of the Association Constitution and By-Laws. The Chapter’s geographic area is the metropolitan District of Columbia region.

ARTICLE II

Mission Statement and General Objectives

Section 1. Mission Statement. The mission of the chapter shall be to advance the science of jurisprudence and to promote the welfare, interests, education, and the professional growth and development of the members of the Federal legal profession.

Section 2. General Objectives. The general objectives of the Chapter are consistent with those of the Association and include the following:

- A. To service as the representative of the Federal legal profession in the Chapter’s chartered territory.
- B. To promote the sound administration of justice.
- C. To enhance the professional growth and development of members of the Federal legal profession.
- D. To promote high standards of professional competence and ethical conduct in the Federal legal profession.
- E. To promote the welfare of attorneys and judges employed by the Government of the United States.
- F. To provide meaningful services for the welfare and benefit of the members of the Chapter.
- G. To provide quality educational programs to the Federal legal profession and the public.
- H. To keep members informed of the developments in their respective fields of interest.
- I. To keep members informed of the affairs of the Association and Chapter, encourage their involvement in their activities, and provide members opportunities to assume leadership roles.
- J. To promote professional and social interaction among members of the Federal legal profession.

ARTICLE III

Membership and Dues

Section 1. Membership. Any person who is eligible for and maintains active membership in the Association and who is employed, resides in, or practices in the metropolitan District of Columbia region, or who designates membership in this Chapter to the Association shall be a member of the District of Columbia Chapter.

Section 2. Honorary Membership. Any person eligible for honorary membership as provided in the Constitution of the Association who is employed, resides in, or practices in the metropolitan District of Columbia region may be elected to honorary membership in the Association by two-thirds vote of the Chapter members present at any regularly called meeting, and, when applicable under the Association’s Constitution, by vote of the National Council. Honorary members shall be exempt from payment of admission fees and annual Association dues.

Section 3. Application for Membership. Application for membership in this Chapter shall be made on a form approved by the National Council of the Association. Each application must be accompanied by the dues and admission fees required by the Constitution and By-Laws of the Association, and the By-Laws of the Chapter.

Section 4. Association. Any person who is eligible for and maintains active Associate status in the Association and who is employed, resides in, or practices in the metropolitan District of Columbia region, or who designates Associate status in this Chapter to the Association shall be an Associate of this Chapter.

Section 5. Dues. Annual dues owing to the Association will be paid individually to the Association Headquarters by each Chapter member upon receipt of a statement.

ARTICLE IV

Fiscal Year

The Chapter's fiscal year shall commence on October 1 and end on September 30 of the following year.

ARTICLE V

Officers and Directors

Section 1. Elected Officers. The officers shall be elected from the Chapter membership and shall be as follows and in the order named:

1. President
2. President-Elect
3. Vice President
4. Secretary
5. Treasurer
6. National Delegate

Each elected officer shall assume duties of the office on October 1 and shall hold office for one year, or until a successor shall be duly elected. Officers may hold one office for no more than two consecutive one-year terms. The outgoing President shall remain a member of the Executive Committee and the Board of Directors as Immediate Past President for a period of one year following the expiration of the term as President and until the next President completes his or her term as President and becomes the Immediate Past President.

The President shall serve a single one-year term, unless the incumbent President is nominated for one additional one-year term by the Nominations and Elections Committee and the Board of Directors and is elected by the Chapter's members. In no event may a President hold office for more than two consecutive one-year terms.

Section 2. Executive Committee. The Executive Committee shall consist of the elective officers, the immediate past President of the Chapter, and the Chair of the Nominations and Elections Committee. The Executive Committee shall meet on the call of the President or any two of its members. A quorum shall consist of any five (5) Executive Committee members. The Executive Committee may perform such Chapter business, not requiring a vote of the membership, as shall be in the best interests of the Association and the Chapter, subject in all respects to the authority and discretion of the Board, and all such acts shall be reported to the Board at its next meeting.

Section 3. Duties of Officers:

A. President: The President shall be the Chapter's Chief Executive Officer and Chairman of the Board. The President shall perform such duties as may be required by the Association's Constitution and By-Laws, and by these Chapter By-Laws, and shall appoint standing or special committees as necessary and appropriate to the Chapter business and the Association committee meetings. The President shall be a member of the National Council of the Association and shall attend its meetings.

B. President-Elect: The President-Elect shall demonstrate an ability to lead the Chapter as evidenced by each of the following:

1. Assumption of the office of Treasurer or its equivalent, which may include B.2 below.
2. Assumption of chair of a variety of Chapter programs and events.
3. Service on the Board for at least three (3) years.
4. Regular attendance in, promotion of, and support for Chapter meetings and programs.
5. Demonstrated ability to interact with Association officers, sections, divisions, national administrative staff.
6. Demonstrated ability to interact with other Association chapters and metropolitan District of Columbia bar associations.

7. Core of legal professional experience or its equivalent.

The President-Elect shall perform such duties as are delegated by the President. In the event the President is absent or unable to discharge the duties pertaining to his or her office, the President-Elect shall perform the duties of the President. The President-Elect shall automatically succeed to the office of the President upon the expiration of the incumbent President's first, or if elected for a second term, second one-year term. If the incumbent President is elected for a second term, the President-Elect shall automatically continue as the President-Elect for a second one-year term and there shall be no election for President-Elect for the year. Provided, however, that if the President-Elect declines to serve a second one-year term, another person will be nominated by the Nominations and Elections Committee and the Board of Directors, and elected by the Chapter's members. The President-Elect shall assume the office of the President automatically and immediately in the event of the death, resignation, or removal of the incumbent President.

C. Vice-President: The Vice President shall perform the duties of the President in the event the President and President-Elect are absent or unable to discharge the duties pertaining to their respective offices, and shall perform such duties as may be required by the President.

D. Secretary: The Secretary shall furnish notice of election results to the Association and to the Circuit officers; conduct the general correspondence of the Chapter and keep Circuit officers informed of chapter business; give notice of all meetings as may be required by Article VI of these By-laws, including notice of Circuit officers; keep a record of the proceedings of the Chapter meetings; keep a roster of the membership to which will be added names of the incumbent Circuit officers; act as parliamentarian; maintain and preserve the archives of the Chapter; and perform such other duties as properly pertain to this office.

E. Treasurer: The Treasurer shall collect and receive all monies due to the Chapter; maintain Chapter deposits in such bank or banks as may be designated by it; make disbursements therefrom only as authorized by two (2) officers of the Chapter or a majority vote of the Chapter Board of Directors ("the Board") present at any Board meeting; keep the Secretary informed of the financial standing in the Association of each member of this Chapter. The Treasurer shall keep an itemized record of all monies received and disbursed by or to whom paid and for what purpose and shall submit to Chapter membership, when requested and at the end of the fiscal year, a report in writing itemizing the receipts and disbursements for the year. The Treasurer shall keep all books, vouchers, and records available for audit and shall perform such other duties as properly pertain to the office.

F. National Delegate: The National Delegate shall represent the Chapter at all National Council meetings and in the absence of the President, President-Elect, and Vice President at other bar association meetings.

Section 4. Board Meetings

A. Board Members. The Board shall consist of the elected officers, the Immediate Past President, twelve (12) members elected by the Chapter membership, and up to twelve (12) members who may be appointed by the President from the Chapter membership. In addition, the President may appoint honorary and/or emeritus directors of the Board.

B. Duties and powers. The Board shall have full power and authority to function as the governing body of the chapter and to undertake and conduct any and all activities which may consider necessary or expedient in accomplishing the objectives of the Chapter as set forth in Article II of these By-Laws. The Board shall have full control of the business and financial management of the Chapter. No Chapter funds shall be obligated or disbursed for any purpose without the approval of the Board. No proposed purchase or expenditure unfavorably reported by the Audit and Budget Committee shall be approved, except by a vote of three-fourths of those present and entitled to vote at a regular meeting of the Board, or at a special meeting called with notice of the proposed subject to be voted upon. The board shall have the authority to appoint special committees and shall perform such other duties as may be required by these By-Laws.

Section 5. Nominations. The Nominations and Elections Committee shall be appointed by the President and shall nominate one (1) candidate for each upcoming vacant office and Board position, and present such slate of candidates in writing to the general membership at least thirty (30) days before the regular meeting at which the election of

officers and directors will occur. The incumbent President and President-Elect may not be members of the Nominations and Elections Committee, if the President is a candidate for a second term. Additionally, nomination of candidates for the elective offices of this Chapter may be made by any member at a special meeting set by the Board of Directors for this purpose. If there is no contest to the slate of officers and directors, then the slated officers and directors will be deemed elected.

Section 6. Elections. The election of officers for all elective offices shall be by secret ballot or by voice vote if there is no objection. The election shall be held during a regular Board meeting in May. The newly elected officers and directors shall be announced by the President at the Chapter's Annual Meeting in June. The officers elected shall commence their term of office on October 1 of each year and shall hold office for one year ending the following September 30.

Section 7. Removal from Office.

A. Removal. An officer or Board director may be removed from office for delinquency in attendance, inefficiency, neglect of duty, or for other causes only upon three-fourths vote of members voting at a meeting called for such purpose by the Executive Committee, provided, such officer or director shall have been given notice and a copy in writing of the reasons for removal, and a reasonable opportunity to be heard prior to such action. Charges may be brought before the Board or any Chapter member. Any officer or director who may have brought the charges or who may be a member charged shall not be eligible to sit on the Board during the consideration of the charges.

B. Right of Appeal. Any officer or director removed from office pursuant to section 1.A. shall be notified by registered mail of his or her removal from office and of his or her right to appeal the Board's decision. Such notice shall be sent to his or her last address of record in the Chapter. Appeal from such action of the Board may be made to the Chapter by filing notice of such appeal with the Chapter Secretary within sixty (60) days from notice of such removal from office. Such appeal will be heard at a special meeting called for that purpose in which case a majority vote of the members present shall be necessary to reverse the action of the Board.

Section 8. Vacancies of Office. In case of death, resignation or removal of the President, the President-Elect shall succeed to that office. In case of death, resignation or removal of any other chapter officer or director, the vacancy shall be filled by the president with the approval of the Board.

ARTICLE VI

Meetings

Section 1. Meetings. The Board shall meet monthly or on call of the president at such day, hour, and place as the president may designate within the District of Columbia. Special meetings shall be held as called by the President or a number of members equal to a quorum at a time and place designated by the calling party.

Section 2. Notice of Meetings. Notice of the time, date, and place of all business meetings shall be mailed or otherwise given by the Secretary to each member in good standing at least five (5) days prior to such meeting, unless the nature of the meeting is such that shorter notice cannot be avoided. If a special meeting, the notice shall specify the nature of the business to be presented and no other business shall be conducted.

Section 3. Expulsion. Any member or Associate who is expelled from the Association shall be expelled from the Association shall be expelled from the Chapter, even if his or her dues are paid for the current fiscal year and otherwise is in good standing with the Chapter.

Section 4. Quorum. One percent of the members in good standing or nine (9) members of the Board shall constitute a quorum for the transaction of Chapter business.

Section 5. Rules of Order. The rules of order shall consist of the following:

- A. The Constitution and By-Laws of the Association and the Chapter.
- B. Standing Resolutions passed by Chapter's membership; and
- C. The most current available edition of Robert's Rules of Order, Revised.

ARTICLE VII

Public Position Taken By The Chapter

Section 1. Chapter Position in Name of the Association. The Chapter, in the name of the Association, may issue reports, make public announcements, and publicly advocate positions on issues of concern to the Chapter only with prior approval of the Association's National Council. Without such prior approval, the Chapter may make such a public position by the position statement must include a disclaimer that indicates that the position is that of the Chapter only. In any event, when the chapter takes such action in its own name and not in that of the Association, the Chapter shall report that action immediately to the executive Committee of the National Council.

Section 2. Recommendations of Judicial Nominations.

A. Board Recommendation. The Board may consider recommendations from the Chapter's Judicial Nominations Committee and, when appropriate, formally recommend candidates nominated for Federal and local judicial positions in the District of Columbia, subject to compliance with the provisions of Section 1 of this Article.

B. Judicial Positions. The term "judicial positions" include quasi-judicial positions such as, but not limited to, magistrates, commissioners, and other such positions within the Federal or District of Columbia court systems, the primary duties of which are the making of decisions of a legal nature.

C. Requests for Recommendation. Requests for Board recommendation may arise upon:

1. Upon request from an official approving entity (e.g., the Office of the United States President) or from an official approving entity (e.g., the United States Senate).
2. Upon timely request from a candidate for a judicial position.
3. Upon timely request from any Chapter members.

The Judicial Nominations Committee, appointed by the President, shall review all requests for recommendation, considering among other things, the candidate's education, training, experience, legal knowledge, service to the legal profession, integrity, fairness, judicial temperament and demeanor, and likelihood that the candidate, as a judge, would treat all individuals with respect and courtesy. The committee shall advise the Board of its findings and conclusions. The President and/or the Committee shall advise all candidates who are aware that the Board is considering them, pursuant to this Section, of the Board's final decision concerning the request for recommendation.

Section 3. Chapter Endorsement of Contested Offices.

A. Board Endorsement. The Board may consider and, when appropriate, endorse candidates for contested offices of metropolitan District of Columbia bar associations, subject to compliance with the provisions of Section 1 of this Article. Candidates for contested offices shall obtain written authorization from the Board prior to that candidate's use of the Board's endorsement. This Section does not apply to contested Association offices.

B. Right of Chapter Members to Endorse Candidates. Any member of the Chapter may endorse any candidate in his or her own Name. If, in any written communication, an endorsing member identifies himself or herself by a Chapter office, the endorser shall include a disclaimer that clearly and unambiguously recites that the endorsement is an individual endorsement only and that it does not represent the endorsement of the Board.

C. Limitations on Candidate's Use of Endorsements. No candidate may publicly proclaim that he or she had the endorsement of the Board until the time for any person to obtain a nomination by petition for the contested office has expired. Thereafter, the candidate may publicly proclaim that he or she has the Board's endorsement after obtaining the Board's written acknowledgment that (1) the Board endorses that candidate and (2) the Board consents to the candidate's use of the Board's name as an endorser.

The candidate may identify the Board's endorsement only in written material that the candidate is permitted to send to all members of the bar association with the ballot (e.g., a "voter's guide" or, in the absence of such a guide, in the candidate's presentation as prescribed by the bar association's policy, if any).

D. Access to Chapter Membership List. All candidates for a contested office may have access to the Chapter's membership mailing list. All candidates, including candidates endorsed by the Board, must bear the expense of all mailing and other costs associated with the use of the Chapter membership list.

E. Enforcement; Sanctions. The Board may investigate all claims of election irregularities and conduct such proceedings that, in its discretion, it deems necessary to discharge this responsibility and shall issue written findings and conclusions. Any candidate adversely affected shall have the right of appeal to the Executive Committee, with no further right of review permitted within the Chapter or any other forum, including a court of law. Violation of this Section shall result in the following sanctions:

1. If the candidate is found to have participated, directly or indirectly, in any violation of this Section, the candidate shall publish a written correction at his or her own expense, intended to reach the same audience that received (or reasonable may have received) the nonconforming communication, expressly and unambiguously stating that the endorsement was not in conformity with the Chapter's By-Laws, Article VII, section 3. If the candidate does not comply with this remedial directive, the Board shall withdraw its endorsement of the candidate and shall publish a written communication intended to reach the same audience that received (or reasonably may have received) the nonconforming communication, stating that the Board withdraws its endorsement of the candidate or, if applicable, correct an inaccurate or misleading information concerning the Board's endorsement of the candidate.

2. If any Chapter officer or director issues a written endorsement in which reference is made to his or her current position without the appropriate disclaimer, such officer or director, upon pain of disqualification from continuing to hold his or her office, shall publish a written correction at his or her expense, intended to reach the same audience received (or reasonably may have received) the nonconforming communication. The correction shall expressly and unambiguously state that the Board does not endorse the candidate. If the officer or director does not comply with this remedial directive, then he or she may be disqualified from holding the office or director position that he or she then holds.

ARTICLE VIII

Amendment of By-Laws

These By-Laws may be altered, amended, or repealed and new By-Laws adopted by two-thirds of the members of this Chapter at a special or regular Board meeting, if a quorum is present, with at least ten (10) days' prior written notice to all Chapter members.

CERTIFIED as duly adopted on June 7, 1995 by the District of Columbia Chapter

Signed: Silvio Krvaric, Secretary

ATTESTED

The Honorable Ronnie A. Yoder, Chapter President

Miles F. Ryan, III, Committee Chairman

John Connolly

Chapter By-Laws Committee

Amended June 15, 2005