

FEDERAL BAR ASSOCIATION
BY-LAWS FOR THE FEDERAL CAREER SERVICE DIVISION

ARTICLE 1. Name and Establishment.

Section 1. Name. The name of this organization is the Federal Career Service Division (FCSD) of the Federal Bar Association (FBA).

Section 2. Establishment. The Division is established by Article VII, Section 1, of the 1991 Constitution of the FBA and governed by the Constitution and By-laws of the FBA and these by-laws.

ARTICLE II. Purpose.

The FCSD was established to:

1. Initiate, review, and comment, as appropriate, upon ongoing legislative and regulatory proposals which have a direct and indirect effect upon the federal employee career attorney.
2. Collect and disseminate to the FBA membership information concerning legislation being proposed and enacted which will have a direct and indirect effect upon the federal employee career attorney.
3. Present, organize, and facilitate continuing legal education (CLE) programs for federal employee career attorneys and attorneys who represent Government employees.
4. Monitor and provide information about developments in the Federal and State systems regarding admission to practice and recertification (*e.g.*, mandatory CLE) rules and policies that affect federal employee career attorneys. Where court cases are filed, provide assistance as appropriate.
5. Act, upon request, as spokesperson before agencies, such as the U.S. Office of Personnel Management, and other entities where federal employee career attorney concerns are at issue.
6. Act as an information link with the chapters, providing them with an up-to-date analysis on issues relevant to the federal employee career attorney.
7. Participate as *amicus curiae* in appropriate cases.

ARTICLE III. Membership.

Any person who is or has been an officer or employee of the United States or the District of Columbia is eligible to be a member of the FCSD. No member is required to pay any dues or other fees to be a member of this FCSD. An eligible person may join the FCSD

by making application on the FBA annual dues form or by otherwise signifying such intention in writing addressed to the FBA headquarters.

ARTICLE IV. Officers.

Section 1. Officers. The FCSD has the following officers and shall strive to have officers representing at least three of the Federal circuits:

a. Division Chair. The Chair is the chief executive officer of the FCSD. The Chair presides at meetings of the Division's officers and Council. The Chair represents the FCSD at meetings of the FBA, the National Council, and the Executive Committee. The Chair prepares reports on activities of the FCSD for the President, the Executive Committee, the National Council, and the FBA. The Chair ensures a proposed budget for the Division is presented to the FBA Section Coordinator by March 15 of each year. The Chair advises the National Council of any public reports or public positions taken by the FCSD Council. An individual serving as Chair may not also serve as Treasurer at the same time. The Chair is subject to removal from office for good cause shown, including knowingly engaging in conduct designed to overthrow the constitutional form of government of the United States, or knowingly assisting in such conduct; disbarment by any State, Federal, or Tribal court; knowingly engaging in any conduct in violation of the FBA constitution or by-laws; or for neglect of duty or gross dereliction of the responsibilities of FCSD Chair.

b. Deputy Chair. The Deputy Chair is also the Chair Elect and acts for the Chair in the Chair's absence or inability to discharge the duties of office. The Deputy Chair assumes the position of the Chair if the regularly elected Chair resigns or is unable to complete the term of office. An individual serving as Deputy Chair may not also serve as Treasurer at the same time. The Deputy Chair is also responsible for ensuring that FCSD activities do not conflict with the FBA's Constitution and By-laws and for composing and drafting proposed changes to FCSD's by-laws. The Deputy Chair performs such other duties as designated by the Chair.

c. Treasurer. The Treasurer handles the general recordkeeping of the Division, including a record of all moneys received, expended, or committed; consults with the Vice Chairs of the FCSD Committees regarding their program budgets; prepares and presents to the Division Chair a proposed budget for the Division by February 15 of each year; and keeps the minutes of actions taken by the FCSD Council. The Treasurer performs such other duties as designated by the Chair. An individual serving as Chair or Deputy Chair may not also serve as Treasurer at the same time.

d. Vice Chair for Membership. The Vice Chair for Membership is responsible for increasing FCSD membership and monitors and provides information about developments in the Federal and State systems regarding admission to practice and recertification, particularly as they apply to federal employee career attorneys. The Vice Chair for Membership performs such other duties as designated by the Chair.

e. Vice Chair for Chapter Contact. The Vice Chair for Chapter Contact is responsible for corresponding with the Chapters and Vice Presidents for the Circuits and keeping them informed of the FCSD's activities. The Vice Chair for Chapter Contact performs such other duties as designated by the Chair.

f. Vice Chair for Continuing Legal Education/Programming. The Vice Chair for CLE/Programming develops and implements programs of interest to members of the FCSD and, if possible, to the broader membership of the FBA. This includes, but is not limited to, brown bag lunches, teleconferences, seminars, and accredited CLE. The Vice Chair for CLE/Programming coordinates with FBA Headquarters to ensure that CLE credit is provided, where appropriate. The Vice Chair for CLE/Programming performs such other duties as designated by the Chair.

g. Vice Chair for Communications. The Vice Chair for Communications publishes the FCSD newsletter, recruits authors of articles for publication in the newsletter or *The Federal Lawyer* relating to FCSD activities or of interest to FCSD or FBA members, and edits any article submitted for publication in the newsletter. The Vice Chair for Communications shall perform such other duties as designated by the Chair.

h. Vice Chair for Legislative Issues. The Vice Chair for Legislative Issues monitors the legislative proposals pending before Congress, under consideration within the Administration, within the US Office of Personnel Management (OPM), and in the media that may be of interest to FCSD members. The Vice Chair for Legislative Issues, in coordination with any affected Sections or Divisions, recommends any public positions that should be adopted by the FCSD Council or by the FBA National Council. The Vice Chair for Legislative Issues performs such other duties as designated by the Chair.

i. Vice Chair for the Lawyer in Uniform. The Vice Chair for the Lawyer in Uniform is responsible for monitoring developments concerning uniformed attorneys assigned to the Judge Advocates General of the Armed Forces (to include the U.S. Coast Guard and the Staff Judge Advocate to the Commandant to the Marine Corps) and brings any developments in these areas to the attention of the Chair for consideration by the FCSD council. Vice Chair for the Lawyer in Uniform performs such other duties as designated by the Chair.

Section 2. Term of Office. No individual may serve in any office for more than three successive terms. Officers shall assume their offices at the beginning of the FBA's fiscal year and serve until the end of the fiscal year. Anyone who serves out more than six months of the unexpired term of the officer's predecessor is considered to have completed a term in office. No individual may serve as Chair for a period of more than three consecutive years.

Section 3. Election of Officers.

a. Election of Division Chair and Deputy Chair. The Division Chair and Deputy Chair are elected by a plurality vote of the active members of the Division and present at the annual meeting. The election will take place in conjunction with the annual meeting of the FBA and will be conducted in the most practicable manner, to include electronic balloting or other formats as deemed appropriate by the Nominating Committee.

b. Nomination by the Nominating Committee. The Nominating Committee shall nominate at least one candidate for the offices of Division Chair and Deputy Chair from members of the FCSD who are in good standing with the FBA. The Nominating Committee consists of the Division Chair, the immediate past Division Chair, one member of the Division selected by the FBA President, and one member of the Division selected by the FBA President-Elect. The immediate past Division Chair serves as chair of the Nominating Committee.

c. Nomination by Petition. Any member of the FCSD, who is in good standing with the FBA, may be nominated for the office of Chair by the submission of a petition to the Nominating Committee containing the signatures of at least 10 members of the FCSD who are in good standing with the FBA and who have not signed the petition for another candidate for the same office.

ARTICLE V. Committees.

Section 1. Committees.

The committees of the Division are:

- a. Membership
- b. Chapter Contact
- c. Continuing Legal Education/Programming
- d. Communications
- e. Legislative Issues
- f. Lawyer in Uniform

Section 2. Selection of Committee Chair and Vice Chair. The Vice Chair for each program set forth in Article IV is the Chair for the corresponding committee. That person may select a vice committee chair to be approved and appointed by the FCSD Chair.

Section 3. Committee Meetings.

a. Meetings. Each committee shall meet as needed. The committee chair schedules the meetings and shall give each member at least 10 days notice of any meeting.

b. Quorum. Three members constitute a quorum for a regular committee meeting.

c. Rules of Procedure. Each committee may adopt its own rules of procedure. If rules of procedure are not adopted, the latest version of Robert's Rules of Order controls the proceedings.

d. Public Provisions Procedure. A committee may not issue a public report or take a public position on an issue, either in its own name or on behalf of the FCSD. All proposals must be submitted to the FCSD Council for consideration.

ARTICLE VI. Council.

Section 1. Function of the FCSD Council. The Council is the governing body of the FCSD and acts within the parameters set by Article II. It establishes policies on behalf of the FCSD, which may not be inconsistent with the policies of the FBA. It hears reports on the activities of the FCSD officers and committees. The Council establishes the FCSD budget and approves the expenditure of any funds available to the FCSD. The Council sponsors continuing legal education and other programs and activities. The Council also considers and acts upon resolutions and matters of interest to FCSD membership.

Section 2. Membership of the FCSD Council. The Council shall consist of the FCSD officers and all past FCSD Chairs.

Section 3. Meeting of the FCSD Council.

a. Meetings. The FCSD Council meets at least four times per year at the call of the FCSD Chair. Any form of meeting, including electronic meetings, is acceptable. The FCSD Chair shall give Council members at least 48 hours notice of any meetings.

b. Quorum. One quarter of the Council constitutes a quorum.

c. Rules of Procedure. The Council may adopt its own rules of procedure. If rules of procedure are not adopted, the latest version of Robert's Rules of Order controls the proceedings.

Section 4. Public Positions of the Division. In accordance with Paragraph 10 of the FBA By-laws, any public position should reflect the views of the Division's members. Subject to the provision of Article VII, Section 5, of the FBA's Constitution, the Council on behalf of the FCSD may issue a public report or take a public position on an issue that reflects the views of the members of the FCSD. However, no report or position may be inconsistent with any existing position of the FBA.

ARTICLE VII. Meetings of the Division.

Section 1. Meetings of the Division. The Division Chair shall call a general meeting of the members of the FCSD, in good standing, at least once each year. Any form of meeting, including electronic meetings, is acceptable. The Division Chair shall give members of the FCSD at least 30 days notice of any meetings.

Section 2. Quorum. Ten members of the FCSD constitute a quorum.

Section 3. Rules of Procedure. The FCSD may adopt its own rules of procedure. If rules of procedure are not adopted, the latest version of Robert's Rules of Order controls the proceedings.

Section 4. Public Positions of the Division. Subject to the provision of Article VII, Section 5, of the FBA's Constitution, the FCSD, in its own name or on behalf of the FBA, may issue a public report or take a public position on an issue that reflects the views of the members of the FCSD. However, no report or position may be inconsistent with any existing position of the FBA.

ARTICLE VIII. Amendment of By-Laws.

These by-laws may be amended by a two-thirds vote of the Division Council who are present and voting, subject to a quorum.