

**FEDERAL BAR ASSOCIATION  
IMMIGRATION LAW SECTION BYLAWS**

**ARTICLE I. NAME AND ESTABLISHMENT.**

The name of this organization is the Immigration Law Section (hereinafter, "Section") of the Federal Bar Association (hereinafter, "Association"). The Section is established under Article VIII of the Constitution of the Association and is governed by the Constitution and Bylaws of the Association and these Bylaws.

**ARTICLE II. PURPOSE.**

The purpose of this Section shall be to further the purposes of the Association as stated in its Constitution and to promote and support the successful practice, constructive discussion, and continued development, of immigration law.

**ARTICLE III. MEMBERSHIP AND DUES.**

Section 1. Active Membership. Any active member of the Association in good standing and any honorary member shall be eligible for active membership in the Section and shall be enrolled as a member upon the payment of annual Section Dues. Any person enrolled in an American Bar Association-accredited law school who and is matriculating toward a law degree shall be eligible for membership in the Section. Where applicable, membership shall terminate upon disbarment or resignation and shall cease during the period of any suspension from the practice of law.

Section 2. Honorary Membership. Any member or associate of the Association may be made an honorary member or honorary associate of the Section upon the approval of the Governing Board (hereinafter, "Board") of the Section (see Article V). Approval shall be indicated by a majority vote of those present and voting at a regular meeting of the Board. Honorary members and honorary associates shall be exempt from the payment of Section dues.

Section 3. Associates. Any associate of the Association in good standing shall be eligible for associate status with the Section and shall be enrolled as an associate upon the payment of Section dues.

Section 4. Dues. Section dues for active members and associates shall be collected annually at the same time Association dues are collected. The amount of dues shall be approved by the National Council of the Association (hereinafter, "National Council").

**ARTICLE IV. OFFICERS.**

Section 1. Officers. The officers of the Section shall be the Chair, Vice-Chair, Programs Chair, Treasurer, and Secretary. To the extent practicable, officers shall represent at least

three of the Federal Judicial Circuits, and shall include both private sector attorneys and employees of the Federal Government.

Section 2. Terms. All officers of the Section will serve a term in office coterminous with that of the President of the Association. No person shall serve as Chair more than two consecutive terms; however, the Board of the Section may, upon majority vote, extend the term of an officer by one year.

Section 3. Duties of Officers.

- (a) Chair. The Chair shall be the chief executive officer of the Section and preside at all meetings of the Section's membership and at meetings of the Board. The Chair may appoint an Officer of the Section to supervise the monitoring of legislation and the development of Section positions thereon. The Chair shall cause the Association and the Section's membership to be informed of the Section's activities, and shall perform such other functions as usually is appropriate to the office or as may be designated by the Board. The Chair shall serve as the Chair of the Annual Conference, and may delegate that authority to another Section member.
- (b) Vice-Chair. The Vice-Chair shall assist the Chair in such manner and to such extent as the Chair may request. The Vice-Chair shall preside at meetings in the absence of the Chair. If the Chair is unable to perform his/her duties, the Vice-Chair shall perform those duties. The Vice-Chair shall serve as chair of the Section/Chapter Liaison Committee.
- (c) Programs Chair. The Programs Chair shall coordinate all CLE activities of the Section, and shall serve as a Deputy Chair for the Annual Conference.
- (d) Treasurer. The Treasurer will account for all payments and income, and shall prepare the budget for the Section. The Treasurer shall authorize expenditures as directed by the Chair in accordance with Association Policy 9-5 and these Bylaws.
- (e) Secretary. The Secretary shall issue notices of all meetings of the Section's membership and of meetings of the Board and shall accurately record the minutes of those meetings. The Secretary shall perform record keeping and correspondence functions as are requested by the Chair or the Board, keep the Advisory Council informed as to the actions of the Board, and perform such other functions as usually pertain to the office. If the Secretary is not available for any of these duties, he or she shall arrange for another member of the Board to do so.

## **ARTICLE V. GOVERNING BOARD.**

Section 1. Composition. There shall be a Governing Board composed of the Officers of the Section, the Immediate Past Chair (if willing), and no more than 18 additional members appointed by the Chair. After the Transition Period, each Board Member shall be appointed for a term of 3 years. A past Chair may be a Board member, but shall not have the ability to vote until 5 years after the end of the term as Immediate Past Chair.

Section 2. Powers and Functions. The Board shall be vested with the powers and duties necessary for the administration of the activities of the Section consistent with the Constitution and Bylaws of the Association. Among its functions are:

- (a) Recommending changes in Section dues to the National Council.
- (b) Recommending changes in the Section's committee structure and Bylaws to the National Council.
- (c) Approving the annual budget, and approving any unbudgeted expenses in accordance with Association policy.
- (d) Setting the time and place of an annual membership meeting (Annual Conference).
- (e) Appointing officers to fill any vacancy (temporary or permanent).

Section 3. Quorum for Meetings. Unless a rule of the Association is to the contrary, at least 50% of the total board members shall constitute a quorum, and decisions of the Board shall be made by a majority of Board members voting.

Section 4. Voting. Voting may be at the meeting (generally telephone conference) or by email or other electronic means. A Board member who is unable to attend a meeting may vote by email or other electronic means; a Board member voting in that manner shall be considered to be present for purposes of quorum. A vote by email or other electronic means shall be sent to the Chair, and to the Association staff person assigned to the Section. A vote by email or other electronic means may be changed or withdrawn if that member should attend the meeting.

Section 5. Failure to participate. In the event a Board member fails to participate in three or more Board meetings in any given year, without prior notice to the Chair, the Chair may remove that Board member and appoint a new Board member to serve the remaining term of the removed Board Member. The Board must ratify the new appointment. The newly appointed Board member shall serve out the remaining term of the removed Board member.

Section 6. Budget. The Section shall use the Association's fiscal year for budgeting.

## **ARTICLE VI. ELECTIONS**

Section 1. Procedure. The annual election procedure shall be commenced early in each calendar year, and not later than the time-frames of the Association's National electoral

calendar. The goal is to complete the electoral process by the time of the annual membership meeting, if feasible. The Secretary shall provide notice to the Section Membership of how to contact the Nominating Committee, and of the election process.

Section 2. The Chair shall appoint a Nominating Committee of an odd number, but not less than 5 members of the Section, by January 15. Members of the Nominating Committee must be approved by a majority vote of the Board. The Immediate Past Chair shall chair the committee, if willing. The Nominating Committee shall nominate one or more candidates for each officer position, by March 1. Nominating petitions must be received by April 1. Members of the Nominating Committee may not be nominated for office for that year, not even by petition. If a deadline above is not met, the action shall be completed as soon as practicable.

Section 3. Progression. Progression of Officers of the Section shall be by election. The expectation is that officers will advance each year along the path from Secretary to Treasurer to Programs Chair to Vice Chair to Chair, if willing and deemed by the Nominating Committee to be suitable. The Nominating Committee shall nominate at least one candidate for each position.

Section 4. Nomination by Petition. A member may also be nominated for office by a petition consisting of signatures of at least 10 active members of the Section.

Section 5. Consecutive Terms. The current Chair may not be nominated for any office by the Nominating Committee, nor by petition. Thus, the current Chair may not serve more than one term.

Section 6. Uncontested Election. If only one member is nominated for an office, and no nominating petition has been submitted by the prescribed deadline, then the nominated member shall be deemed to be elected, and the election deemed to be complete. If there are no contested positions for any office, as of May 1, the election shall be certified to the Association.

Section 7. Elections. The ballots for any contested election may be distributed to the Section membership by mail or electronic transmission. Only those positions that are contested shall be included in the election. There shall be at least 21 days between the date of mailing or electronic transmission of the ballot and the date the ballot is to be returned for consideration. Unless otherwise stated on the ballot, all ballots are to be submitted to the Association staff person assigned to the Section for tabulation.

## **ARTICLE VII. COMMITTEES.**

Section 1. General. The Section may have ad-hoc committees, as needed, appointed by the Chair or by a majority vote of the Board. These committees shall address areas of need, as they arise. Standing committees will include:

- (a) Budget Committee, chaired by the Treasurer

- (b) Programs Committee, chaired by the Programs Chair
- (c) Membership Committee
- (d) Publications Committee
- (e) Nominating Committee, chaired by the Immediate Past Chair, if willing
- (f) Section/Chapter Liaison Committee, chaired by the Vice Chair

Section 2. Selection of Committee Leadership. Each Committee shall have a Committee Chair appointed by the Section Chair, with the approval of the Board, and such other members selected by the Committee Chair, with the agreement of the Section Chair. Committee members are not required to be members of the Board. Notwithstanding the above, the Treasurer will chair the Budget Committee; the Programs Chair will chair the Programs Committee, the Immediate Past Chair will chair the Nominating Committee (if willing), and the Vice Chair will chair the Section/Chapter Liaison Committee.

Section 3. Committee Meetings. Each Committee shall meet at least once a year.

Section 4. Public Positions. 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 Section. All proposals for public reports or positions shall be submitted to the Section's Board for consideration and issuance.

Section 5. Advisory Council. Recognizing that the Section has many members who are active in the Section and its various programs and conferences, The Chair shall establish an Advisory Council, and appoint to it such members, in his or her discretion. The Advisory Council will be kept advised as to Section activities, and will serve as a potential pool of active members for committees, programs, conferences, CLEs, and other activities.

## **ARTICLE VIII. MEETINGS.**

Section 1. Section Meetings. Meetings of the membership shall be at the call of the Chair or the Board. There shall be at least one annual meeting of the membership of the Section, in conjunction with the Annual Conference.

Section 2. Board Meetings. The Board shall meet at the call of the Chair as needed to carry out its administrative powers and functions, but no less frequently than quarterly.

Section 3. Notice. The Secretary shall give at least five days' notice of all meetings of the Section and the Board.

Section 4. Rules of Order.

- (a) The Constitution and Bylaws of the Association;
- (b) These Bylaws;
- (c) Standing Resolutions passed by this Section's Board; and
- (d) Robert's Rules of Order, Revised.

## **ARTICLE IX. PUBLIC POSITIONS.**

The Section – in the name of the Association – may issue reports, make public announcements, and publicly advocate positions on issues of concern to the Section only with the prior approval of the National Council. Without such prior approval, the Section may take a public position only if the position is in the name only of the Section. In any event, if the Section takes such action in its own name and not in that of the Association, the Section shall report that action immediately to the Executive Committee of the National Council.

## **ARTICLE X. BYLAWS.**

Section 1. Effective Date. These Bylaws shall be effective immediately upon approval by the National Council.

Section 2. Amendments. These Bylaws may be amended at any regular meeting of the Board by vote of three-fourths of the current and voting Board members, provided that each Board member shall be given at least 14 days' notice of the meeting and the proposed amendment(s). Voting by email or other electronic means shall follow the same guidelines as regular Board meetings. The amendments shall not become effective until approved by the Association's National Council.

Section 3. Transition Provisions. Immediately following ratification of these Bylaws and National Council approval, the Nominating Committee shall conduct a lottery of the current Board members, appointing 5 (plus the Immediate Past Chair, if willing) to a 3-year term, 6 to a 2-year term, and the rest to a term of one year. If there are fewer than 18 Board members, the Vice Chair may (but is not required to) select additional members to fill vacant positions, up to the total of 18. These appointments will be effective as of October 1 following National Council approval.