

Federal Bar Association  
By-Laws of the Indian Law Section

ARTICLE I. Name and Establishment

The Name of this organization is the Indian 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 By-laws of the Association and these By-laws.

ARTICLE II. Purpose

The purpose of this Section shall be to further the purposes of the Association as stated in its Constitution and to develop and advance the field of federal Indian law. The Section shall promote the interests of those practicing federal Indian law and within the tribal and state legal systems that interact with federal Indian law; and shall plan, participate in, conduct and/or publish, as appropriate, services, programs or publications to this end. The Section shall develop public positions with respect to matters of federal Indian law and make recommendations to the Association on public positions that it should consider taking.

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 application and payment of annual Section dues.

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. 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 membership of the Section and shall be enrolled as an associate upon payment of Section dues.

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

Section 5. Termination of Membership Any active member or associate of the Section

whose annual dues are more than six months past due shall cease to be a member or associate of the Section. Lapsed members shall be reinstated immediately upon payment of dues. Any member, honorary member or associate may have their membership terminated for good cause shown under the By-laws of the Association.

#### ARTICLE IV. Officers

Section 1. Officers The Elected Officers of the Section shall be the Chair, the Deputy Chair, the Secretary and the Treasurer. The Elected Officers, along with the Immediate Past Chair shall constitute the Executive Committee of the Section.

Section 2. Terms of Office All officers of the Section shall serve a one year term in office that coincides with that of the President of the Association. No officer may serve more than three terms in the same office.

#### Section 3. Duties of Officers

(a) Chair The Chair shall be the chief executive officer of the Section and shall preside at all meetings of the Section or the Board. The Chair shall cause the Association and the Membership to be informed of the Section's activities and shall perform such other functions as necessary to run the Section or as may be designated by the Board. The Chair shall represent the Section at meetings of the Association and the National Council.

(b) Deputy Chair The Deputy Chair shall assist the Chair in such manner and to such extent as the Chair may request. The Deputy Chair shall preside at meetings in the absence of the Chair. In case of the resignation or disability of the Chair, the Deputy Chair shall perform the duties of the Chair for the remainder of the Chair's term or period of disability. The Deputy Chair shall Chair the Committee on Programs and Continuing Legal Education.

(c) Secretary The Secretary shall issue notices of all meetings of the Section's membership and of the Board and shall accurately record minutes of such meetings. The Secretary shall perform record keeping, correspondence and other administrative functions as are requested by the Chair, the Deputy Chair or the Board. The Secretary will also be the Section's primary contact with the Association's Chapters assuring that each Chapter President is regularly apprized of the activities of the Section.

(d) Treasurer The treasurer, in conjunction with the Association's professional staff, shall keep accurate records of all income and expenditures of the Section and periodically report to the Board, and with the Chair, report annually to the Association. The Treasurer shall also Chair the Membership Committee.

(e) Immediate-Past Section Chair The Immediate-Past Section Chair shall perform such services and functions as are designated by the Governing Board or requested by the

Chair. The Immediate-Past Chair shall continue to monitor the Coordinating Team for the Annual Indian Law Conferences that are appointed under his/her term as Chair. In the event that the Section Chair is reelected he/she may appoint any former Chair of the Section to fill the position of Immediate-Past Section Chair.

(f) Honorary Chair Emeritus The Honorary position of Chair Emeritus shall be given to Lawrence R. Baca as long as he is a member in good standing of the Indian Law Section in recognition of his having founded the Section and for 20 years of service as Chair of the Indian Law Committee and Section. Chair Emeritus is an advisory non-voting position on the Board with Section travel privileges.

Section 4. Progression Progression of Officers of the Section shall be by annual election and vote of the Section's membership. No person shall be elected to any office more than three terms in a row. The Chairperson, in consultation with the Board, shall appoint a Nominating Committee which shall nominate one or more candidates for each office sufficiently in advance of the expiration of officer's terms to allow for nomination by the Committee, self nomination by member petition consisting of signatures of at least 20 members of the Section, notice of the nominations to the full membership and voting. The Board shall jointly share responsibility for conduct of the elections. Ballots shall be mailed to all Section members and votes shall be cast by return mail (prepaid postcard ballot).

#### ARTICLE V. Governing Board

Section 1. Composition There shall be a Governing Board composed of the Elected Officers of the Section.

Section 2. Powers and Function 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 By-laws of the Association. Among its functions are:

- (a) Recommending the setting of Section dues to the National Council.
- (b) Recommending changes in the Sections governance or committee structure to the National Council.
- (c) Approving the annual budget.
- (d) Changing the time and place of the Annual meeting.
- (e) Providing advice and consent to the Chair on the selection of Co-Chairs for the Section's Annual National Indian Law Conference and co-sponsored Indian Law Conference in Washington, D.C.. The Board may also suggest topics of interest for the Conferences.

## ARTICLE VI. Committees

Section 1. The Section shall have the following Committees:

(a) The Committee on the Development of Federal Indian Law shall be responsible for researching the reported cases involving issues of federal Indian law and recommending and drafting positions which may be taken as Amicus in the federal appellate courts, including the United States Supreme Court, in the name of the Section or to be proposed to be taken in the name of the Association.

(b) The Committee on Public Education shall be responsible for drafting and recommending statements to be made in the name of the Section or to be proposed to be made in the name of the Association which will address public misperceptions of federal Indian law and other issues involving American Indians and Alaska Natives. This committee shall also work with the editorial board of The Federal Lawyer to assure regular submissions of articles on federal Indian law to The Federal Lawyer.

(c) The Committee on Legislation shall be responsible for monitoring federal legislation concerning American Indians and shall draft and recommend positions that may be taken in the name of the Section, or proposed to be taken in the name of the Association, as testimony in either written or oral form.

(d) The Committee on Tribal Justice shall be responsible for coordinating with other legal associations, including, but not limited to, the National Council of Juvenile and Family Court Judges, the National American Indian Court Judges Association, and the National Native American Bar Association, to develop programs that will aid in the improvement of tribal justice systems and/or tribal-state-federal relations.

(e) The Newsletter Committee shall publish, in the name of the Section, the newsletter Federal Indian law. The Newsletter shall be published quarterly in either paper or electronic form.

(f) The Committee on Programming and Continuing Legal Education shall plan and operate Indian law programs as the market may bear. The Co-Chairs and Planning Committee for conferences shall be named by the Section Chair with the advice and consent of the Governing Board.

(g) The Committee on Membership shall be responsible for activities that will maintain membership and conduct outreach to new members.

Section 2. Selection of Committee Leadership Each Committee shall have a Chair, and such other officers as the Section Chair believes necessary to carry out the duties of the Committee, appointed by the Section Chair with the advice and consent of the Board.

The Committee Chair will recruit members to that Committee as are necessary to carry out the duties of each Committee.

Section 3. Committee Meetings Each Committee shall meet at least four times each year, either in person, by telephone conference call, or by other electronic means.

Section 4. Public Positions A Committee may not issue a public report or take a public position on an issue in its own name or on behalf of the Section. All proposals for public reports or positions shall be submitted to the Section's Governing Board for consideration and issuance.

Section 5. Terms Committee Chairs shall serve for a one-year appointment and may not serve more than three consecutive terms.

#### ARTICLE VII. Meetings

Section 1. Section Meetings Meetings of the Section, along with the Annual Meeting, may be set by the Chair or by majority vote of the Board. There shall be at least one annual meeting of the Membership of the Indian Law Section, which shall be in April in conjunction with the Section's annual national Indian Law Conference in the hotel where that conference is convened.

Section 2. Board Meetings The Board shall meet at the call of the Chair, or by majority vote of the Board, as needed to carry out their administrative duties, but no less than quarterly. Meetings of the Board may be in person, by telephone or by computer electronic mail.

Section 3. Notice The Secretary shall cause notice of the Annual Meeting to be sent to all members at least 60 days prior to the Annual Meeting and notice of Board Meetings to be sent to all Board members no less than 30 days prior to Board Meetings.

Section 4. Rules of Order The rules of conduct for such meetings shall be:

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

#### ARTICLE VIII. Public Positions

The Section shall - in the name of the Association - issue reports, make public announcements, and advocate public positions on issues of concern to the Section only

with prior approval of the National Council. Without such prior approval, the Section may take a public position only where the position statement indicates that the position is that of the Section alone and not meant to represent the Association as a whole. The Section shall report any such action to the Executive Council of the Association. Any position taken by the Section shall be made in accordance with paragraph 10 of the National bylaws of the Federal Bar Association.

#### ARTICLE IX. Expenditures and Reimbursements

The Section Chair shall have final approval, with the advice and consent of the Executive Committee, of all section expenditures and reimbursements. Reimbursements for travel will be for actual costs for 21-day advance coach airfare, hotel expenses, meals and ground transportation. Travelers will be held to a duty of reasonableness and fiscal responsibility standard in selecting hotels and restaurants. All travel on behalf of the Section must be approved in advance by the Section Chair.

#### ARTICLE X By-laws

##### Section 1. Effective Date

The effective date of these By-laws shall be effective immediately upon approval of the National Council.

##### Section 2. Amendment

These By-laws may be amended at any regular meeting of the Membership by vote of two-thirds of those present and voting provided that the membership will have been given 60 days notice of such meeting and such proposed amendments. Amendments will not become effective until approved by the National Council.