

Federal Bar Association
Bylaws 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 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 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. Professional Membership Any professional member of the Association in good standing and any honorary member shall be eligible for professional 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 professional 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 Board of Directors of the Association (hereinafter, Board of Directors).

Section 5. Termination of Membership Any professional member or associate of the Section whose annual dues are more than 90 days 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 Bylaws of the Association.

Section 6. Diversity The Section is particularly committed to supporting Native American attorneys in the legal profession and to fostering their entry into the profession and supports the full and equal access to, and participation by, all individuals in the Federal Bar Association (Association), the Section, the legal profession, and the justice system regardless of race, gender, ethnicity, national origin, religion, age, sexual orientation, gender identity, disability, or any other unique attribute. The Section recognizes that achieving diversity in the legal profession requires the Section's continued effort and commitment. The Section is committed to diversity throughout the Association and the activities and membership of the Section.

ARTICLE IV. Officers

Section 1. Officers. The Elected Officers of the Section shall be the Chair, Deputy Chair, Secretary and Treasurer. The Elected Officers, along with the Immediate Past Chair who has completed his or her term shall constitute the Executive Committee of the Section.

Section 2. Terms of Office. All officers of the Section shall serve a term of three years in office. All terms shall begin at the start of the fiscal year of the Association. No officer may be elected to more than one term in the same office, without obtaining a waiver to Policy 9-3: Terms of Office for Section and Division Officers

Section 3. Vacancies. In the event of resignation or unexpected vacancy, the officer junior in the progression shall move up to the next position and serve the remainder of the previously elected officer's term. The Chair will then appoint an individual to serve as Treasurer with the approval of the Board.

Section 4. 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. The Immediate Past Section Chair's term shall coincide with the term of the elected 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 and the Association 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. The progression of the elected officers shall be Chair, Deputy Chair, Secretary, and Treasurer.

Section 5. Elections. The Chair, 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. The ballots may be distributed to the Section membership by mail or electronic transmission. 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 V. Governing Board

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

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, Bylaws, and Policies of the Association. Among its functions are:

- (a) Recommending the setting of Section dues to the National Board of Directors.
- (b) Recommending changes in the Section's governance or committee structure to the National Board of Directors.
- (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 Conferences. The Board may also suggest topics of interest for the Conferences.

ARTICLE VI. Committees

Section 1. The Section may 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.

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 conjunction with the Section's annual national Indian Law Conference in the location 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 email. Two of the Board meetings shall be in person: one in conjunction with the Section's annual national Indian Law Conference, and the second in conjunction with the D.C. Indian Law Conference.

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, Bylaws, and Policies of the Association;
- (b) These Bylaws;
- (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 Board of Directors. 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 National Board of Directors of the Association. Any position taken by the Section shall be made in accordance with Section 11 of the national Bylaws of the 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. Bylaws

Section 1. Effective Date

The effective date of these Bylaws shall be effective immediately upon approval of the National Board of Directors.

Section 2. Amendment

These Bylaws may be amended at any regular meeting of the Section's Governing Board by vote of two-thirds of those present and voting provided that the Section's Governing Board will have been given 30 days' notice of such meeting and such proposed amendments. Amendments will not become effective until approved by the National Board of Directors.

ARTICLE XI. Indian Law Section Award

Section 1. The Indian Law Section established an Award in 2008 called the Lawrence R. Baca Lifetime Achievement Award for Excellence in Federal Indian Law.

Section 2. The award(s) shall be presented annually and will be governed by the practices set forth in Policy #1.

