

FEDERAL BAR ASSOCIATION
BYLAWS FOR VETERANS AND MILITARY LAW SECTION

ARTICLE I. NAME AND ESTABLISHMENT

The name of this organization is the Veterans and Military 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. PURPOSES.

The purposes of the Section are to further the purposes of the Association as stated in its constitution; to promote the interests of practitioners of veterans and/or military law; to plan, participate in, conduct, and publish, as appropriate, services, programs, publications and activities of interest to those practitioners; to promote and monitor the development of veterans and military law, especially with respect to military service members transitioning from active status to veteran; to promote high standards of professional competence and ethical conduct; to adopt public positions on matters concerning veterans and military law; and to assist chapters, divisions and other sections wishing to sponsor programs within the Section’s areas of specialization.

ARTICLE III. MEMBERSHIP AND DUES.

Section 1. Active. Any active member of the Association in good standing and any honorary member of the Association is eligible for active membership in the Section and is enrolled as a member upon payment of annual Section dues.

Section 2. Associate. Any associate member of the Association in good standing is eligible for associate membership in the Section and is enrolled as an associate member of the Section upon the payment of annual Section dues. Associate members of the Section are not eligible to hold office or vote.

Section 3. Honorary. Any active member or associate member of the Association in good standing may be made an honorary active member or honorary associate member, respectively, of the section upon the approval of the Governing Board of the Section. Approval is indicated by a majority vote of those present and voting at a regular meeting of the Governing Board. Honorary active members and honorary associate members are exempt from the payment of Section dues. Honorary active members are eligible to vote and to hold office. Honorary associate members are not eligible to vote or to hold office. Honorary active and honorary associate status, once conferred, renews automatically until membership or associate membership in the Association expires.

Section 4. Dues. Section dues for active members and associate members are collected annually at the same time Association dues are collected. The amount of dues is set annually, and is subject to the approval of the Board of Directors of the Association (hereinafter, “National Board of Directors”) upon the recommendation of the Governing Board.

Section 5. Termination of Membership. The Section membership of any active member or associate member whose annual Section dues have not been received at the National Headquarters within ninety (90) days after dues have expired for the prior year, immediately lapses and membership immediately ceases. A lapsed membership may be re-instated upon payment of then current dues.

ARTICLE IV. GOVERNANCE

Section 1. Officers. Only active members and honorary active members of the Section may serve as officers. The officers of the Section are the Chair, Deputy Chair, Secretary, Treasurer, and Immediate Past Section Chair. No person may simultaneously hold more than one of these positions.

A. Chair. The Chair is the chief executive officer of the Section. The Chair presides at Section meetings, Governing Board meetings, and at Executive Committee meetings. The Chair represents the Section at meetings of the Association and the National Board of Directors. The Section Chair appoints the chairs of the Section's committees, subject to approval of the Governing Board. The Chair informs the Association and the Section's membership of the Section's activities and changes in the Governing Board, and performs such other functions as usually pertain to the office or as may be designated by the Governing Board.

B. Deputy Chair. The Deputy Chair assists the Chair in such manner and to such extent as the Chair may request and serves as the Section's Chapter Liaison Officer. The Deputy Chair acts for the Chair in the latter's absence or inability to discharge the duties of office. The Deputy Chair assumes the position of Chair upon the expiration of the incumbent Chair's term of office, resignation, removal from office, or inability to discharge the duties of the office.

C. Secretary. The Secretary issues notices of Section Meetings, Governing Board meetings and Executive Committee meetings. The Secretary takes minutes of all such meetings which, at a minimum, shall record the date and time of commencement and adjournment, the identities of those members present, the substance of each motion presented, and the vote on each motion. The Secretary also provides summary minutes of such meetings to the members and maintains copies of the minutes of all such meetings. The Secretary also performs other records keeping and correspondence functions as requested by the Chair and the Governing Board. The Secretary assumes the position of Deputy Chair upon the incumbent Deputy Chair's assumption of office of the Chair, resignation, removal from office, or inability to discharge the duties of the office.

D. Treasurer. The Treasurer maintains an accurate record of Section income and expenditures, reviews the monthly statement provided by the Association's Accounting Department and resolves any discrepancies. The Treasurer reports on the financial condition of the section to the Governing Board or Executive Committee whenever requested. The Treasurer issues a report at the end of the fiscal year itemizing all receipts and disbursements for the year. Upon request, the Treasurer also makes all financial records available to the Governing Board and performs such other duties as properly pertain to the office or as may be required by the Chair. Prior to the beginning of each fiscal year, the Treasurer submits a draft budget to the Governing Board and participates in the planning and budgeting of all section activities throughout the year. The Treasurer assumes the position of Secretary upon the Secretary's assumption of the office of Deputy Chair, resignation, removal from office or inability to discharge the duties of office.

E. Immediate Past Section Chair. The Immediate Past Section Chair performs such services and functions as are designated by the Governing Board or delegated by the Chair.

Section 2. Terms of Office All officers of the Section will serve a one-year term in office ending on September 30. No person shall serve in the same office for more than one term unless prior approval is granted by the National Board of Directors.

Section 3. Selection of Officers. At a regular meeting of the Governing Board, to be held no later than July 15, the Board shall elect a treasurer from among the sitting members of the Board by a majority vote of the Board members present and voting. If an office becomes vacant, the Board shall elect a replacement to complete the unexpired term of office from the sitting members of the Board by a majority vote of the Board members present and voting.

Section 4. Governing Board. Only active members and active honorary members may serve on the governing Board.

A. Governing Board Composition. The Governing Board is composed of the five officers of the Section, the five standing committee chairs, and up to five additional members appointed by the Chair. Each Governing Board member is entitled to exercise one vote, regardless of the number of Section positions the member holds. A quorum of five (5) members is required for a Board meeting to convene. If the quorum requirement is met, a majority vote of those Board members present is required to take action.

B. Governing Board Functions. The Governing Board of the Section is vested with the powers and duties necessary for the administration of the Section and its activities consistent with the Constitution and Bylaws of the Association and these Bylaws. Among these duties are the following:

1. Annually determining the amount of Section dues, subject to the approval of the National Board of Directors;
2. Recommending changes in the Section's Committee structure, organization and Bylaws;
3. Approving the Section's annual budget and Section expenditures';
4. Electing Section officers; and
5. Setting the time and place of membership or Governing Board meetings.

Section 5. Chapter and Division Representatives. To develop, maintain, and improve relationships and communications between the Section and the Chapters and Divisions, the Governing Board members appointed under Section 4(A) should include Chapter and Division Representatives. The Chair should solicit nominations for such Representatives from the Vice Presidents for the Circuits and the Division Chairs.

Section 6. Executive Committee. The five officers of the Section constitute the Executive Committee of the Section. The Committee may act for the Governing Board and the Section when action is required between regularly scheduled meetings of the Board. A quorum of three (3) Committee members is required for a Committee meeting to convene. If the quorum requirement is met, a majority vote of the Committee members present is required for any action to be taken by the Committee.

Section 7. Leadership Diversity. The Section shall strive to include leaders from at least three Federal circuits in accordance with the Association's policy to achieve geographic diversity.

ARTICLE V. COMMITTEES.

Section 1. Standing Committees. The Section shall have the following standing committees:

A. Membership Committee. The Membership Committee is responsible for membership development and outreach to members of the bar in the private or public sectors with a practice or interest in veterans and/or military law in order to establish the opportunity for a diverse and conversant membership. The Committee shall submit a quarterly report for inclusion in a section newsletter.

B. Veterans Affairs Committee. The Veterans Affairs Committee is responsible for monitoring legislative and regulatory developments in the area of veterans' law, especially those pertaining to or within the Department of Veterans Affairs. The Committee also monitors developments in military law to the extent that they affect service members transitioning from active status to veteran. The Committee is charged with communicating the developments in these areas to the membership, the Governing Board and the Executive Committee. The Committee shall, at a minimum, issue a report to the membership on a quarterly basis for inclusion in a section newsletter.

C. Military Law Committee. The Military Law Committee shall monitor legislative and administrative developments within the area of military law, including but not necessarily limited to the Uniform Code of Military Justice, the Manual for Courts-Martial, and administrative regulations that may have an impact on the rights and responsibilities of members of the armed forces. The Committee is charge with communicating the developments in these areas to the membership, the Governing Board and the Executive Committee. The Committee shall, at a minimum, issue a report to the membership on a quarterly basis for inclusion in a section newsletter.

D. Publication Committee. The Publication Committee is charged with producing a quarterly newsletter for the Section, the contents of which shall include reports from the Standing Committees, the Chair, and the Treasurer, as well as articles and comments on significant case law, regulatory or legislative actions deemed of interest to Section members. With the assistance of Association staff, the dissemination of the Section newsletter shall be by electronic means.

E. Continuing Legal Education (CLE) Committee. The CLE Committee shall be responsible for suggesting and soliciting suggestions from the membership, Governing Board and Executive Committee for programs developed either for and by the Section or in conjunction and cooperation with other Sections and Chapters that may have an interest in military and/or veterans Law. The Committee will remain cognizant of the certification requirements for attorney practice before the Department of Veterans Affairs and will take these requirements into consideration in proposing CLE programs. Upon approval by the Governing Board of a CLE program, the Committee will assist, to the extent possible, in implementing that program.

Section 2. Ad Hoc Committees. The Section Chair, with the consent of the Governing Board, may establish such ad hoc Committees as deemed necessary and appropriate. Each ad hoc committee shall cease to exist upon dissolution by the Chair or at the expiration of the term of the Chair who appointed the

committee unless, by majority vote of those present and voting, the Governing Board agrees to extend its term.

Section 3. Selection of Committee Leadership. Each Committee shall have at least one Chair and may have as many as three (3) Co-Chairs, as appointed by the Section Chair with the approval of the Governing Board.

Section 4. Committee Membership. The membership of each Committee includes the Committee Chair or Co-Chairs, the Section Chair ex officio, and such Section members as may volunteer for service with a Committee.

ARTICLE VI. MEETINGS.

Section 1. Section Meetings. Section membership meetings shall be at the call of the Section Chair or of the Governing Board.

Section 2. Governing Board Meetings. The Governing Board shall meet at regularly scheduled dates determined before the end of each fiscal year for the following fiscal year, or at the call of the Section Chair as needed to carry out its administrative powers, functions and responsibilities. However, the Board shall meet at least quarterly.

Section 3. Executive Committee Meetings. The Executive Committee may meet at regularly scheduled dates determined before the end of each fiscal year for the following year, or at the call of any member of the Committee.

Section 4. Notice of meetings. The Secretary shall give notice, or ensure that notice is given, of all Section membership and Governing Board meetings. All notices shall be in writing transmitted by electronic mail. All notices are effective upon transmission.

A. Notice of Section membership meetings shall be given to each member of the Section not less than thirty (30) calendar days before the date of such meeting. The notice shall state the mode or means of meeting, and the date, place and time of the meeting.

B. Notice of Governing Board meetings, other than those that regularly are scheduled, shall be given to each Governing Board member at least five (5) calendar days before the date of the meeting. The notice shall state the means by which the meeting will be held, and the date, time and place of the meeting.

C. Notice of Executive Committee meetings, other than those regularly scheduled, shall be given to each member of the Executive Committee at least two (2) business days before the meeting. The notice shall state the means by which the meeting will be held, and the date, place, and time of the meeting. Notice shall be given by the Secretary or the Committee member calling the meeting.

Section 5. Methods of Meeting. Meetings may be held through any one or more of the following: face-to-face, electronic messaging, telephonic, video or webcast.

Section 6. Rules of Order. Meetings are conducted in accordance with the following rules or order, in order of primacy:

A. The Constitution and Bylaws of the Association.

- B. These Bylaws.
- C. Standing Resolutions passed by the Governing Board.
- D. Limited Resolutions passed by the Governing Board.
- E. The current edition of Robert's Rules of Order.

ARTICLE VII. PUBLIC POSITIONS AND ENDORSEMENTS.

Section 1. Public Positions and Endorsements of Committees. A committee or subcommittee may not issue a public report, statement, or position, or publicly advocate positions either in its own name or on behalf of the Section, or endorse any organization, product or service not formally affiliated with the FBA or accept the endorsement of any such organization. All proposals for public reports, statements, positions and endorsements must be submitted to the Section Chair for consideration by the Governing Board in accordance with this Article.

Section 2. Public Positions of the Section. The Section, in the name of the association, may issue public reports, statements, or positions or publicly advocate positions on issues of concern to the Section only with the prior approval of the National Board of Directors and only if those public reports, statements or positions generally reflect the views of the Section membership. However, the Section may take a public position, issue a public report or statement, or publicly advocate positions without such prior approval only if such position, report, statement or advocacy generally reflects the views of the Section membership and includes a disclaimer that indicates that the position, report, statement, or advocacy is in the name of the Section only and not on behalf of the Association. 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 Board of Directors. In deliberations of the Section Governing Board regarding the advocacy of a Section position on a matter of concern to the Section, a member of the Governing Board may recuse himself or herself from such deliberations and such recusal shall be noted in appropriate records of the Section.

Section 3. Endorsements. The Section shall not endorse any organization product or service not formally affiliated with the Association or accept the endorsement of any such organization without obtaining the prior written approval of the Association's Section Coordinator, in consultation with the Executive Director.

ARTICLE VIII. CLE AND OTHER PROGRAMS.

Section 1. CLE Requirement. The Section must sponsor a minimum of one (1) CLE each fiscal year and may sponsor other events and activities during the year.

Section 2. Program Activity Plan. Each program activity must have a written plan that identifies the following:

- A. Purpose
- B. Intended audience
- C. Format

D. Date, Time Location

E. Co-sponsors, other sponsors

F. Endorsements, if any

G. Budget, including proposed contracts for goods and services

H. Primary point of contact

I. Strategy for announcing activity

Section 3. Format. Programs may be in any format designed to advance the General Objectives of the Association as described in the Constitution.

Section 4. Funding. For each proposed program activity, a revenue and expense budget must be developed in consultation with the Treasurer and approved by the Governing Board. Outside funding or endorsements of programs are subject to review and approval by the Section Coordinator and the Association. All monies received or to be received in connection with any such sponsorship or endorsement of a program must be delivered to the Association for allocation to the Section.

Section 5. Outreach. For each proposed program activity, a strategy for announcing the activity must be developed in consultation with the appropriate Section committees and be approved by the Governing Board.

Section 6. Primary Point of Contact. Each program activity must have a primary point of contact.

ARTICLE IX. FINANCIAL

Section 1. Fiscal Year. The fiscal year of the Section is the same as that of the Association.

Section 2. Annual Budget. The Section shall prepare and adhere to an annual budget. The annual budget must be submitted by the Section Chair to the Section Coordinator to be received no later than 60 days prior to the beginning of the next fiscal year.

Section 3. Accounting. The Section must use the Accounting Department of the Association for the receipt of all revenues and the payment of all expenses.

Section 4. Contracts. All contracts must be reviewed and signed by the Executive Director of the Association.

Section 5. Reimbursement of Expenses. The Section must establish and maintain an expense reimbursement policy.

ARTICLE X. BYLAWS.

Section 1. Effective Date. These Bylaws shall become effective if, at a meeting of the Governing Board at which three-fourths of the Board members are present, three-fourths of those present and voting recommend approval of the Bylaws; and the recommendation is approved by the National Board of Directors.

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