

BYLAWS  
of the  
JUDICIARY DIVISION  
FEDERAL BAR ASSOCIATION

ARTICLE I: NAME AND PURPOSE.

Section 1. Name. This division shall be known as the Judiciary Division of the Federal Bar Association (the Association).

Section 2. Authorization. The Judiciary Division (the Division) is established by Article VIII, Section 2 of the Constitution of the Association. The Division is governed by the Constitution, Bylaws, and Policies of the Association and these Bylaws.

Section 3. Purpose. The purpose of this Division is to improve the administration of justice, including, but not limited to representing the interests of Division members stimulating the interest of others in the work of the Division and the Association, conducting educational programs and activities, and assisting the Association and its chapters in the work of the Association.

ARTICLE II: MEMBERSHIP

Section 1. Membership. Any of the following professional members or Clerk of Court associates of the Association in good standing may become a member of this Division: (1) a present or past member of the Administrative, Federal, Military or State judiciary; (2) a present or past member of their legal staffs; (3) persons involved in court administration; and (4) any member of a court or administrative tribunal or their staffs of a country other than the United States is eligible

ARTICLE III: OFFICERS AND DIVISION COUNCIL.

Section 1. Officers. The Officers shall be a Chair, a Vice Chair, and a Secretary-Treasurer. The officers shall serve a one-year term. The Chair position shall rotate every three years from an Article III Courts judge, and Administrative judge, and any member of the Administrative, Federal, Military, Tribal.

Section 2. Division Council. There shall be a Council of the Division, which shall be comprised of the Division officers, the Chair of each of the Division's Committees, one Delegate from each of the Division's Specific Membership Committees, and the immediate past Judiciary Division Chair. Division Delegates shall serve a term of one year.

Section 3. Succession. The Vice Chair shall automatically assume the position of Chair upon the expiration of the previous Chair's term. The Secretary-Treasurer shall automatically assume the position of Vice Chair. A new Secretary-Treasurer shall be selected by the Division Council per guidelines set forth in Article IV of these bylaws.

Section 4. Immediate Past Division Chair. The Immediate Past Division Chair shall serve a term of one year on the Council and shall have the right to vote on matters before the Council.

Section 5. Executive Committee. The Division Chair, Vice Chair, Secretary-Treasurer and the Immediate Past Division chair shall constitute the Executive Committee of the Division. The Executive Committee may act for the Council and the Division when they are not in session. They may act by telephone conference, electronic conference, or written note. Three shall constitute a quorum.

#### ARTICLE IV: NOMINATING COMMITTEE

Section 1. Nominating Committee. There shall be a Nominations Committee ("the Committee") to be appointed no later than March 1 each year, chaired by the Immediate Past Division Chair with at least four members appointed by the Division Chair from the Division's Specific Membership Committees. The names of the Committee members shall be duly published in all nomination notices. The Committee shall supervise the nomination process and report the results.

Section 2. Nominations. By April 1, the Committee shall electronically transmit to all Division members a call for nominations for the position of Secretary-Treasurer. The Committee may also seek out or consider other qualified members of the Division for possible nomination. The Committee shall nominate one eligible member in good standing of the Division for the office of Secretary-Treasurer to succeed the individual whose term will expire at the close of the fiscal year, and to fill vacancies then existing for unexpired terms for any other officer. The report of the Committee shall be made and electronically transmitted to members of the Division Council at least ninety (90) days prior to the FBA's Annual Meeting and Convention.

Section 3. Council Approval. Nominations made by the Committee are subject to the approval of the Division Council.

#### ARTICLE V: DUTIES OF OFFICERS.

Section 1. Chair. The Chair is the chief executive officer of the Division. The Chair shall preside at all meetings of the Division and its officers and Council; shall represent the Division at meetings of the Association; shall prepare reports on the Division's activities for the President, the Board of Directors and its Executive Committee, and the Association; and shall perform such other duties and acts as usually pertain to the office.

Section 2. Vice Chair. The Vice Chair shall act for the Chair in the latter's absence or inability to discharge the duties of office; shall assume the position of Chair if the Chair resigns or is unable to complete the term of office; shall correspond with and be responsible for liaison with the Association's Circuits and Chapters; and shall perform such other duties as assigned by the Division Chair.

Section 3. Secretary-Treasurer. The Secretary-Treasurer shall be the same person and shall record and distribute minutes of the meeting of the Division's Executive Committee and Council; shall advise the Board of Directors of the results of Council's selection of Secretary-

Treasurer for the following fiscal year, and any public reports or public positions taken by the Division Council; and shall perform other duties as assigned by the Division Chair.

The Secretary-Treasurer shall also, in coordination with the Association's Treasurer and Staff, keep a record of all moneys received, expended or committed; shall, after consulting with the chairs of Division Committees regarding their program budgets, prepare a proposed budget for the Division; and shall perform other duties as assigned by the Division Chair.

Section 4. Terms of Office. No individual may serve in any office for more than one term, unless a waiver to Policy 9-3 is obtained. Anyone who serves less than one year of the unexpired term of a Council position is eligible to serve a full term in any office.

#### ARTICLE VI: DUTIES AND POWERS OF THE COUNCIL.

Section 1. Powers. The Council is the governing body of the Division. It establishes policies on behalf of the Division, which may not be inconsistent with the policies of the Association. It hears reports on the activities of the Division's officers and committees. The Council approves the Division's budget and approves the expenditure of any funds available to the Division. The Council sponsors continuing legal education and other programs and activities, authorizes the Chair to appoint both standing and ad hoc committees, and considers and acts upon resolutions and matters of interest to the Division membership.

##### Section 2. Meetings of the Division Council.

- a. Meetings. The Council shall meet quarterly at the call of the Division Chair. The Division Chair shall give the Council members at least 48-hours notice of any meetings. Meetings may take place in person or by telephone conference or through other electronic meeting formats.
- b. Quorum. One third of the voting members of the Council constitutes a quorum.
- c. Rules of Procedure. The Council may adopt its own rules of procedure. In the absence of rules of procedure adopted by the Council, the latest edition of Roberts Rules of Order shall govern the Council's proceedings.

Section 3. Public Positions of the Division. Subject to the provisions of Article VIII, Section 2 of the Association's Constitution, and Section 10 of the Association's Bylaws, the Council, on behalf of the Division or the Association, may issue a public report or take a public position on an issue that reflects the views of the members of the Division. However, no report or position may be inconsistent with any existing position of the Association.

#### ARTICLE VII: COMMITTEES.

Section 1. Committees. The Division has the following committees each of which shall have a chair and at least four members, all of whom shall be appointed by the Division Chair, subject to approval by the Council:

- a. Nominations. The Nominations Committee shall perform the duties described in Article IV, above.

b. Specific Membership Committees. The Division may have the following committees.

- (1) Administrative Appeals Judges;
- (2) Administrative Judiciary;
- (3) Article III Appellate Judges;
- (4) Article III Trial Judges;
- (5) Bankruptcy Judges;
- (6) Clerks of Courts
- (7) Judicial Legal Staff;
- (8) Magistrate Judges;
- (9) Military Judges;
- (10) Special Court Judges;
- (11) State Judges; and
- (12) Tribal Judges.

Section 2. Ad Hoc Committees. The Division Chair may appoint such ad hoc committees as he or she deems advisable, subject to approval by the Council. The term of every ad hoc committee shall be one year unless affirmatively reauthorized for an additional year or years.

Section 3. Committee Meetings.

- a. Meetings. Each committee shall meet at least once each year. The committee's chair shall schedule the meetings and give each member at least 10-days notice of any meeting. They may meet by either phone, or in person.

Section 4. Public Positions Prohibited. 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 Division. All proposals must be submitted to the Division Council for consideration.

## ARTICLE VIII: NATIONAL OFFICE.

The National Office of the Association shall be the custodian of all books, papers, documents, and other property of the Division. Staff of the National Office of the Association shall, with the Division Secretary-Treasurer, keep, or cause to be kept, a true record of the proceedings of all meetings of the Division, the Council, and the Executive Committee; and shall generally assist the Chair, the officers, and the Council in attending to the business of the Division.

## ARTICLE IX: FINANCES

Section 1. Fiscal Year. The Fiscal Year of the Division shall be the same as that of the Association, Section 13 of the Association's bylaws.

Section 2. Funding. The Judiciary Division shall be a funded division of the Association.

Section 3. Recommended Division Budget. By May 1 of each year, the Chair, with the

cooperation of the Division's Secretary-Treasurer, shall create a budget for the following fiscal year subject to the approval of the Division Council. By June 1, the division budget shall be submitted to the Association's Budget and Finance Committee for its approval and inclusion in the Association's budget.

Section 4. Reimbursement Policy. The Chair of the Judiciary Division shall be reimbursed for all reasonable out-of-pocket expenses associated with his/her duties as Chair. Reimbursement shall not exceed the amount designated in the Association's approved budget.

Section 5 Payments. All bills incurred by the Division, before being forwarded to the National Staff of the Association for payment, shall be approved by the Secretary-Treasurer.

Section 6. Expenses. No salary or compensation shall be paid to any officer, Council member, or member of a committee, but they shall be entitled to reimbursement of expenses authorized under the Association's Policy 9-5: Section and Division Financial Management.

#### ARTICLE X:           AMENDMENTS.

These Bylaws may be amended by a two-thirds vote of the members of the Division Council who are present and voting. No amendment or amendments so adopted shall be effective until approved by the Board of Directors of the Association.