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WORK PLAN GUIDELINES

GOVERNANCE
• Review your Section or Division bylaws for any necessary updates or changes
• Review the National Policies pertaining to Sections and Divisions.

LEADERSHIP STRUCTURE
• Establish a leadership ladder and establish various committees
• Ensure Section or Division Officers are FBA members in good standing
• Plan at least one meeting between the current and incoming board of officers
• Work closely with the Chair-elect to provide continuity throughout the term
• Conduct a minimum of quarterly leadership calls with recorded minutes

BUDGET & FINANCES
• Review the most recent copy of your section or division’s financial report
• Establish a budget of projected expenses and revenue for the fiscal year
• Determine sponsorship interest and opportunities

CONTENT & COMMUNICATIONS
• Work with National staff to update Section or Division webpage
• Draft a “Chair’s Welcome Message” to be posted on the webpage that is inviting to new and prospective members
• Announce leadership and board to current membership via welcome email coordinated with National staff
• Determine what kind of publications or educational content will be produced

MEMBERSHIP
• Review the most recent copy of your Section or Division’s membership report
• Work closely with the Membership Chair and National staff to grow membership

PROGRAMING & EVENTS
• Identify the types of programs the Section or Division will offer and establish a quarterly programing calendar
• Host or sponsor at least one CLE program or audio webinar per year

OTHER SECTION OR DIVISION GOALS
• Identify any additional goals for the year and communicate them with National Staff

HOW NATIONAL CAN HELP
• **Communications & Outreach:** A variety of communication opportunities are available for outreach to membership. National staff is available to update Section & Division Webpages, design and distribute newsletters, and broadcast e-mail announcements & notifications to membership.
• **Membership Reports & Recruitment Materials:** Membership reports are produced and circulated on a monthly basis highlighting active, new, coming due and lapsed members. Recruitment and retention materials are available on the leadership portal & by request.
• **CLE & Programing Support:** National staff is available to assist in the development and planning of CLE and non-CLE programing or events. Marketing support, CLE application, and logistic assistance is available with 30 days’ notice (60 days with CLE) and completed request form.
• **AND MORE!** Connect with Laura Mulhern, Manager of Sections & Divisions, for more resources and tools to increase the value of your Section or Division.
The activities of the Sections and Divisions should primarily serve to advance the Section or Division’s purpose, promote and serve the interests of the members and support growth of membership. This work plan establishes priorities, goals, and a plan of action for the term in office. Completed Worksheet along with required attachments are due to Laura Mulhern at lmulhern@fedbar.org on or before November 15.

### REQUIRED ATTACHMENTS

- [ ] Roster of Section or Division officers & committee leadership including name, contact information, and Section or Division role
- [ ] Chair’s “Welcome Message”, bio, and headshot to be posted on the webpage
- [ ] Draft budget of projected expenses and revenue for the fiscal year

### How frequently will you hold leadership calls? (Please circle)

- [ ] Quarterly
- [ ] Monthly

Will these calls be at a recurring day & time? If so, please list: ______________________________

### What kind of publications or educational content do you plan to produce? (Circle all that apply)

- [ ] Newsletter
- [ ] Circuit Summaries
- [ ] Other Content: ______________________________

Frequency of publication: ______________________________

### What types of programs do you plan to offer? (Circle all that apply)

- [ ] CLE program
- [ ] Social/Networking events
- [ ] Audio webinars
- [ ] Other

*Programs require submission of request form to FBA staff 30 days in advance of program date (60 days if CLE is requested)*
OFFICER TRANSITIONS

We encourage incoming Section or Division chairs to plan at least one meeting between the outgoing and incoming leaders to ease the transition between Section and Division officers each year. Incoming officers should come prepared with questions and outgoing officers should bring any materials needed by their successors. Any Section or Division can execute a smooth transition by sharing the knowledge that officers have gained during their term. The below list represents a tool for easing the transition between section/division officers each year.

TRANSITION QUESTIONS

- What is the importance of your office/position? Why is it necessary?
- Review and explain the responsibilities of your office
- Review this manual thoroughly and explain each part
- Review the previous year’s calendar; discuss events and programs that were successful
- Review the budget and the procedure for making changes or submitting reimbursements
- Explain portions of the By-laws and Constitution that pertain to your office
- Review correspondence that is sent on a regular basis
- Describe what your goals were and how you formulated them. Suggest ways to avoid failure and increase success of events and programs
- Discuss possible changes and goals for the coming year
- Discuss the interrelations between other officers, Sections, Divisions, Chapters and the National Office
- Share the benefits and rewards of your office
- Give your suggestions for effective leadership of the Section or Division

SUGGESTIONS FOR EFFECTIVE LEADERSHIP

The following guidelines are meant to aid in the administration of your Section or Division. Positions and responsibilities can include:

SECTION OR DIVISION CHAIR

- Establish priorities and plan of action during term as Chair
- Appoint leaders for various committees
- Work with the Continuing Legal Education chair to develop at least one CLE program per year
- Work closely with the Chair-Elect to provide continuity throughout the term
- Actively administer the Section or Division Officers to assure their responsibilities are being met
- Establish a working relationship with the National Office
- Ensure Section or Division Officers are members in good standing
- Attend the National Council meetings at the Annual Convention and the Mid-Year Meeting

VICE CHAIR/CHAIR ELECT

- Work closely with the Chair to provide continuity throughout the term
- Act in the absence of the Chair discharging the duties pertaining to that office
- Begin planning for your term as Chair, no later than six months prior to the new term
- Attend the FBA Leadership Training Program
- Attend the Section and Division Leaders Meeting at FBA Annual Convention
TREASURER
- Obtain quarterly financial statements from the National Office and make sure they are consistent with the Section or Division records
- Request financial transactions (reimbursements, sponsorships) from the Manager of Sections and Divisions at the National Office

SECRETARY
- Send all meeting notices, meeting minutes, and communications to the Manager of Sections and Divisions at the National Office
- Take the minutes at all Section or Division meetings
- Coordinate announcement with the National Office for the election of new officers

MEMBERSHIP CHAIR
- Obtain monthly membership reports from the National Office
- Plan and implement a membership campaign using resources on the National webpage
- Actively seek new sources for membership
- Actively pursue a retention program

PROGRAMING CHAIR
- Conduct at least one CLE program or Webinar annually
- Coordinates any efforts with the National Office
- Obtain CLE Program Approval form and notify Manager of Sections and Divisions at the National Office 60 days in advance of the program
- Collect necessary program information to send to the Manager of Sections and Divisions to prepare flyers, mailings, and advertising for programs and CLE events

COMMUNICATIONS CHAIR
- Coordinates with members for the development of newsworthy items to send to the Manager of Sections and Divisions for email blasts
- Provide Section or Division news to the Manager of Sections and Divisions at the National Office for inclusion in the Section and Division column in The Federal Lawyer.
- Sends updates to the website to the Manager of Sections and Divisions
- Collects articles from members to be included in the newsletter. Send all articles, pictures, and information to be included in the newsletter to the Sections and Divisions Coordinator for editing, formatting, and distribution

BOARD MEETINGS
The Board Meeting is an integral part of a Section or Division’s success. During the board meeting, important decisions are made relating to the activities of the Section or Division. Establishing a regular meeting time and date will help ensure board members attend. Most board meetings will occur via conference calls during regular business hours. The Manager of Sections and Divisions can provide the Chair with call-in information for your meeting and circulate a recurring schedule to members.

SUGGESTED AGENDA
Here is a suggested agenda for a typical board meeting:
- Call Role
- Approve or Correct Minutes of Previous Meetings
CONDUCTING A SUCCESSFUL MEETING

The way that a board meeting is run affects the success and actions of the Section or Division. It is essential that board members know what is expected of them and that they regularly attend these meetings. Some other tips for conducting a successful board meeting are as follows:

- Establish a "Board Meeting Day" – Have each board meeting on this set day at a set time during regular business hours. For example, the board will meet on the first Tuesday of every month at noon. This allows for board members to plan meetings into their schedule well in advance.
- Compose an agenda identifying individuals expected to present a report and how much time is allotted to them. E-mail the agenda to board members at least 2-3 days in advance so that they are prepared.
- Following the agenda, start and end the meeting on time. If necessary, schedule a separate meeting to discuss a “hot” topic more in depth.
- Make sure that a secretary or, in absence of a secretary, a board member is clearly tasked with taking minutes. Send the previous meeting’s minutes in advance. Refer back to previous meeting minutes to refresh the board’s memory of commitments made.

MEETING MINUTES

The following is a sample list of information that should be included in Meeting Minutes:

- Date (month-day-year)
- Time and Location
- Presiding Officer (name and title)
- Roll Call
- Members Present, Members Absent (list name and title)
- Quorum or lack of quorum present
- Guests present (list names and titles, if appropriate)
- Approval of Previous minutes, corrected (if necessary) - when minutes are approved, the word "Approved" with the secretary (or applicable officer)'s initials and the date written in the lower left-hand corner
- Individual Officer / Committee Reports
- Old Business *
- New Business *
- Announcements
- Date (month-day-year) of next meeting
- Time of adjournment

* Each topic discussed should be placed in a separate paragraph with the appropriate heading for easy reference. The discussion can be condensed but the specific details influencing the decision made should be included in the minutes. Each motion made (unless it was withdrawn) together with the name of the member who made the motion and the name of the member who seconded the motion should be included in the minutes. Specific action taken on the motion (carried, lost, defeated, tabled) should be recorded; if a head count was taken, the head count is recorded. All motions should be underlined for easy reference.
WEBPAGE GUIDELINES

Each Section and Division is given a webpage on the FBA website. Each page allows new, potential, and existing members to learn about the Section or Division and its activities. A tailored weblink for your page is available for circulation.

STANDARD WEBPAGE CONTENT

- Message from the chair
- List of officers
- Calendar of events
- Join link
- Resources

ENHANCING CONTENT

- Consider adding bios and headshots of officers
- Past Events Recap
- Related Links of Interest
- Section or Division Awards
- Pro Bono Opportunities
- Hot Issues in the practice area

To submit content or an update for your Section or Division web page, please e-mail Alea Al-Aghbari, Section & Division Coordinator, at aalaghbari@fedbar.org. Attachments to Web pages are welcome as long as they are low resolution documents (72 dpi for photos) and are in an accessible format (Word, PDF, etc.) Please allow three days for FBA staff to process and complete the update.

SOCIAL MEDIA GUIDELINES

Social media platforms are a great way to increase member engagement, build community, and improve access to information, resulting in greater value to members and the public. If a Section or Division wishes to create a social media presence, they must notify Laura Mulhern, Manager of Sections & Divisions at imulhern@fedbar.org.

FBA National staff will serve as the creator of the social media platform and the Section or Division will serve as the site administrator. Each Section or Division will be responsible for appointing a Social Media Chair to administer the account, develop and manage content, and remain in compliance with the FBA social media policy.
NEWSLETTER GUIDELINES

Member communication is an important part of a successful section/division. Newsletters serve to communicate a variety of pertinent information to members and add value to their membership. The Federal Bar Association offers custom newsletters at the request of any Section and Division. In order to ensure quality work in a timely manner, please follow the guidelines listed below:

CONTENT

- The newsletter should have a mixture of feature articles and standing columns
- All newsletters have a 2-week turnaround time, meaning that all final content must be submitted 2 weeks before desired first draft date
- Citations should be formatted as endnotes, placed at the end of the article. Endnotes should be few in number and limited to citing specific authorities; “string” citations and discursive notes are discouraged
- Along with content, please send a list of everything that is to be included in each newsletter, the preferred order (if applicable)
- Text for each newsletter should be sent as a Microsoft Word document (.doc) or Rich Text Format document(.rtf)
- Content documents should be sent to Alea Al-Aghbari at aalaghbari@fedbar.org

IMAGES

- Required images should be sent separate from content in JPG or PNG format
- Please be sure to include caption that identify the event name, persons, or location (if applicable)

EDITS

- Each print newsletter is allowed two rounds of edits
- A first draft will be sent to the point of contact for review. When those initial changes are made to the newsletter, a second draft will be sent to the point of contact for final review. This will be the last chance to send edits and changes before receiving the final PDF
- Edits must be sent marked directly on the draft. Editors may scan or fax the marked up draft to FBA National or, if applicable, can use PDF software (such as Adobe Acrobat) to indicate changes directly on the PDF

DISTRIBUTION

- The FBA will format, edit, and distribute all Section & Division newsletters
- If you do not have an established distribution schedule please contact Laura Mulhern, Sections & Divisions Manager, at lmulhern@fedbar.org
- Newsletters will be distributed via email & posted to the Section or Division webpage, please contact FBA National if you require any printed copies
Each Section and Division has the opportunity to contribute to *The Federal Lawyer Magazine*. Sections and Divisions can volunteer to submit to three columns per year, based on the editorial calendar. These columns are typically 2,000 words or less and are written in a manner that appeals to our entire diverse readership, not just those who know the ins and outs of a particular practice area. They can be authored by one person every time or be assigned to different authors.

Additionally, during each issue, every section and division is encouraged to post program announcements, updates, interesting facts, pictures and event write-ups to the Sections and Divisions Page of *The Federal Lawyer*. These submissions can range in content with maximum length at 500 words. Submit as completed to Alea Al-Aghbari at aalaghbari@fedbar.org.

The following is an example of the Sections and Divisions Page:
MEMBERSHIP RECRUITMENT & RETENTION

The FBA has been dedicated to the practice of federal law and to the advancement of the science of jurisprudence for 100 years. As the only professional organization for federal practitioners, we offer an unmatched array of leadership opportunities and benefits and services to our member base of over 18,000. Our mission is to strengthen the federal legal system and administration of justice by serving the interests and the needs of the Federal practitioner, both public and private, the federal judiciary and the public they serve.

The FBA serves as the national representative of the federal legal profession. We promote the sound administration of justice, provide unmatched networking and social interaction opportunities among members, enhance high standards of professional competence and ethical conduct, provide quality educational programs to the federal legal profession and the public, and keep our members informed of developments in their fields of interest. The FBA works closely with many federal government agencies and the judicial branch on key public policy issues related to the federal judiciary, federal government employees, and the legal field in general.

FBA MEMBER RETENTION

Communication and partnership is essential in a Section or Division's efforts to retain members. We continually work together to keep members informed of upcoming activities, events and programs and to remind them of the benefits, services, and opportunities afforded them through membership in the FBA. Together we work to enhance our members’ perceived value in and connection with the organization, thereby building loyalty.

The following tips and tools suggest ways to develop ongoing communication with members to encourage involvement, enhance their perceived value, and thereby improve member retention:

- **Monthly Membership Report** – use this keep your mailing lists accurate and up-to-date.
- **Welcome New Members** - a new member welcome letter can introduce a member to the Section or Division and reinforce the importance of participating in national and local Section or Division activities as a way of promoting one’s professional development.
- **Acknowledge the Continued Support of Renewing Members** – a renewing member is a valuable asset to the organization. Acknowledging this, as well as communicating the value of the Section or Division to the member, has a positive impact on efforts at building and strengthening member loyalty.
- **Keep Members Informed and Encourage Participation** - ongoing communication that keeps members informed on important legal issues and encouraging participation in upcoming events will enhance the members’ perceived value.

FBA MEMBER RECRUITMENT

When promoting the FBA to prospective members, a number of key benefits and services can be highlighted. These include:

- **Networking** - the FBA will enable you to keep connected to your profession on both a national and local level.
- **Practice Area Sections** - the FBA's practice area sections give you a vital link to key information, resources and expertise in over 25 substantive law sections and career divisions, to stay at the forefront of your practice area.
- **Professional Development and Continuing Legal Education** - the FBA offers continuing legal education programs annually on the national, regional and local levels. These programs
provide opportunities for attorneys practicing federal law to enhance their knowledge, skills and fulfill state licensing requirements.

- **Outstanding Publications** - Members receive issues each year of The Federal Lawyer – the only professional magazine designed specifically for the federal practitioner. Members can also receive a 40% discount on a wide variety of FBA publications.
- **Government Relations** - the FBA is instrumental in assuring that federal legal practice is part of pending legislation before Congress.
- **Membership Discount Programs**

**PROSPECTIVE MEMBERS**

Prospective members can be found from the following sources:

- **Circuit Court List and New License Listings** – names of individuals who have recently been admitted to the bar are often listed in local legal newspapers. A letter from the chapter, describing the FBA and inviting the prospective member to join is an effective way to recruit members.
- **Local Law Firm Websites** – many firms will list their attorneys’ e-mail addresses, which can be used to send invitations for upcoming events, etc.
- **Federal District Courthouse and Administration** – names of accepted applications.
- **Member Networking** – asking active members to encourage their “non-member” colleagues to join is undoubtedly a valuable tool. Members can invite a guest to an upcoming event to enable first-hand experience with the FBA.
- **Event Registration Lists** – when individuals register for and attend upcoming events, be sure to obtain their complete contact information so the National office and the local Chapter can work together to recruit non-member attendees.
- **State Bar Association** – many list their admitted licensed practitioners.

**RESOURCES**

Use resources provided by national including letter and email templates, call scripts, benefits list, survey templates, and more! Visit [www.fedbar.org/SDmembershipchallenge](http://www.fedbar.org/SDmembershipchallenge) or reach out to Laura Mulhern, Manager of Sections & Divisions, at lmulhern@fedbar.org
Recognizing that the strength of FBA is in the vitality of its members, [Name of Section/Division] hereby adopts the following Membership Plan. The Plan is guided by FBA’s Best Membership Practices: (1) RETAIN existing members, (2) ATTRACT new members, and (3) LEAD by having a designated leader who is responsible for execution of the Membership Plan.

I. LEADERSHIP
   i. [Name of Section/Division] will have a specified leader ["leaders" if large] who is responsible for Membership. For the purposes of this Plan, the designated leader will be called the “Membership Chair.”
   ii. The Membership Chair shall have a Membership Committee, which the Chair shall appoint within the first month of taking office. The Committee will be responsible for assisting the Membership Chair with implementation of this Plan.
   iii. Although [Name of Section/Division] will have certain members designated to lead in the area of membership, [Name of Section/Division] recognizes that all members should be engaged in membership. To this end, the Board of [Name of Section/Division] will include Membership in its regular agendas, where a member of the Membership Committee will provide an update as to the monthly membership numbers supplied by FBA National and upcoming membership efforts.

II. RETAINING AND ATTRACTING MEMBERS
    [Name of Section/Division] will retain existing members and attract new members in two ways: engaging in personal outreach and providing excellent programming.
    i. Personal outreach
       a) Retaining existing members
          o The Membership Chair, or a member of the Membership Committee, will personally contact existing members when notified by FBA National that the existing members are coming due on renewal. The contact may be by telephone, e-mail, or letter, and it will highlight benefits of FBA membership and the Section/Division. The contact will provide contact information for the Membership Chair and will encourage the existing member to renew.
          o The Membership Chair, or a member of the Membership Committee, will personally contact each non-renewing member once to encourage them to renew. The contact will remind the non-renewing member of the benefits of FBA.
       b) Attracting new members
          o The Membership Chair, along with all Board members, will strive to invite at least one new person to an event each year.
          o The Membership Chair or Membership Committee will reach out to include law students and judicial law clerks in events, and will encourage law students to joint as Law Student Associate members of FBA.
    ii. Programming
       a) When the Section/Division plans any event it will consider how the event will further the Section/Division’s goals of retaining existing members and
attracting new members. The Section/Division will strive to implement the strongest programming possible in order to demonstrate the value of membership.

b) At each event, upcoming events and encouragement to join will be included in either introductory or concluding remarks.

c) At each event, membership applications will be available at the check-in area, along with CLE certificates if applicable.

d) After each event, the Membership Chair, or a member of the Membership Committee, will contact any non-FBA members who attended and encourage them to join FBA and attend future events.

e) The Section/Division will strive to hold events that not only provide legal programming, but networking and social opportunities.

f) The Section/Division will co-sponsor or advertise events with other organizations who share similar interests or goals.

g) When possible, Section/Division will provide a cost benefit that encourages membership, such as reduced fees for existing members or those who join at an event.
EVENTS & PROGRAMING

Each Section and Division is expected to develop and maintain programs and activities of interest to that Section’s or Division’s membership. Each Section and Division shall have a leader tasked with the development of CLE and programming. Sections and Divisions should strive to include a CLE component with each program they offer and are required to host at least one (1) per year.

TYPES OF CLE PROGRAMS

- **Live In-Person CLE Program** - Section or Division programming lasting four hours or less will be planned and executed by the sponsoring Section or Division with the assistance of the Manager of Section and Divisions.
- **Audio Webinar** – Complimentary audio webinars are hosted by FBA Sections & Divisions on the third Wednesday of each month on a topic related to that section or division.
- **National Conference** – Any programming lasting more than four hours is deemed a “national program” and the Section and Division in collaboration with national staff will plan and execute the program. An application must be submitted for a national conference not held in the prior year.

TYPES OF NON-CLE EVENTS

- Networking Events
- Receptions
- Breakfast or Lunch
- Informational Webinars

SECTION & DIVISION EVENT REQUESTS

All Section and Division programming and events should be shared with national staff at least 30 days prior to the event (60 days if CLE is required). National staff is available to assist in the development and planning of CLE, as well as non-CLE programing or events. Marketing support, CLE application, and logistic assistance is available with completed request that should include the following:

**EVENT INFORMATION**

- Program or Event Name
- FBA Section or Division
- Type of Event
- Location
- Date and Time
- Name of Organizer
- Registration Cost

**MARKETING REQUESTS**

**CLE REQUIREMENTS**

Please complete the [PROGRAMING REQUEST FORM](#) and submit to Laura Mulhern, Manager of Sections & Divisions at lmulhern@fedbar.org
Please complete this form and submit to imulhern@fedbar.org at least 30 days prior to the event (60 days if CLE is needed with all required attachments).

**EVENT INFORMATION**

Program or Event Name: 

FBA Section or Division: 

Type of Event: 

Location: 

Date and Time: 

Description: 

Name of Organizer/Main Point of Contact: 

Email Address: 

Registration Cost: 

**MARKETING REQUESTS**

Section, Divisions, or Chapters for Distribution:

Inclusion in National E-News: YES ☐ NO ☐

Inclusion on Webpage: YES ☐ NO ☐

Email Blasts: YES ☐ NO ☐

**PLEASE COMPLETE IF CLE APPLICATION IS REQUESTED FROM THE FBA**

Expected Total Credit Hours: 

Will there be Ethics Credit Hours: 

Will there be Mental Health/Substance Abuse Credit Hours: 

**PLEASE ATTACH THE FOLLOWING IN A SEPARATE DOCUMENT**

Panel Descriptions
Speaker Names, Titles, Organizations
Speaker Bios
Materials (see Material Guidelines)
CLE MATERIAL GUIDELINES

COURSE APPROVAL
State regulations vary from state to state, but generally agree on the following guidelines. Panel presentations must have "significant intellectual or practical content," a "primary objective" of increasing "professional competence and skills as an attorney" and "pertain to a recognized legal subject or other subject matter which integrally relates to the practice of law, or to the professional responsibility or ethical obligations of the participants."

REQUIREMENT FOR WRITTEN MATERIALS
Written materials should reflect a thorough preparation by the panelists and serve as a resource for course participants by assisting them in improving their legal competence.

The purpose for Written Materials is to ensure thorough course preparation, resource for attendees after course completion, and allow the MCLE Board to evaluate the quality and nature of the course.

While these suggestions do not guarantee materials submissions will result in panel accreditation, experience has shown that these material formats result in greater approval rate. Please be mindful of these guidelines. Poor material submissions risk not only the approval of CLE credit for the conference, but also the Federal Bar Association's status as an approved provider.

FBA MATERIAL SUGGESTIONS
- **PowerPoint presentation**
  - A minimum of 30 slides is recommended
  - Slide content references legal statutes, regulations, cases, oral arguments, etc. with analysis from panelists
  - Slides should not simply serve as a guide to oral content to the presentation
- **Detailed Outline**
  - A minimum of 3 pages is recommended
  - Bullet points reference legal statutes, regulations, cases, oral arguments, etc. with citation and explanatory notations

COMMON ISSUES WITH SUBMITTED MATERIALS
- Materials that only contain hypotheticals
  - If hypotheticals are accompanied by (1) course materials which assist the understanding of the subject matter and have reference value to the participants or (2) course materials which provide a thorough written discussion and/or responses to such hypotheticals may satisfy this requirement
- Bibliographies or a list of other reference materials standing alone
- Topical outlines without citations or explanatory notations
- Panel agendas standing alone

LEGAL ETHICS
Ethics courses receive approval by addressing "topics embraced in recognized formulations of rules of professional conduct or codes of professional responsibility applicable to attorneys." It is highly recommended that the panel title includes the phrase "legal ethics".

*The following topics are examples that do not qualify for ethics credit: Ethics in Government; Medical Ethics; Business or Corporate Ethics; Ethics of other Professions; Rules of Procedure, Rules of Evidence and Litigation Tactics*
Policy No. 9-4-: Section and Division Policies, Procedures and Guidelines

Approved By: Board of Directors

Date Approved: September 7, 2011

Date Effective: October 1, 2011

Purpose:

The Bylaws of the Federal Bar Association, Bylaw 10, establishes six (6) Divisions of the Association. Article IX, Section 1 of the Constitution, allows the President of the Association to establish, with the approval of the Board of Directors, Sections of the Association “to consider areas of law and practice of interest to the membership or particular groups of members.” The Sections and Divisions strive to further the mission of the Association, as set forth in Article III, Section 1 of the Constitution, to “strengthen the federal legal system and administration of justice by serving the interests and the needs of the Federal practitioner, both public and private, the federal judiciary and the public they serve.”

The Sections and Divisions also serve to advance the General Objectives of the Association, as set forth in Article III, Section 3 of the Constitution, including but not limited to:

- To enhance the professional growth and development of members of the Federal legal profession and promote high standards of professional competence and ethical conduct, including through the provision of quality education programs;
- To support the members of the Association including through promoting professional and social interaction, notifying and educating members as to developments in their respective fields of interest, encouraging member involvement in activities of the Association, and providing opportunities for members to assume leadership roles in the Association;

The activities of the Sections and Divisions should primarily serve to advance the Section’s purposes, enhance the Section’s field, promote and serve the interests of the Section’s members and support growth of Section membership. The Sections and Divisions are encouraged to collaborate with other Sections, Divisions, Chapters, and FBA National initiatives and activities. The activities of the Sections and Divisions shall include, but not be limited to, a Section communication tool, CLE programs, and participation in other bar activities. Sections and Divisions shall report their activities to the Sections and Divisions Council on a quarterly basis, or more frequently as requested by the Sections and Divisions Council.
According to the FBA Bylaws, the Sections and Divisions Council as established by the FBA Board of Directors is responsible to coordinate, assist, and supervise the efforts of Divisions and Sections of the Association.

**Minimum Requirements and Responsibilities**

These Section and Division Policies, Procedures and Guidelines have been developed to assist Sections and Divisions in discharging their obligations under the Constitution and Bylaws of the Association, and to assist the Sections and Divisions Council, the staff Sections and Divisions Manager and others in the oversight and support of the Sections and Divisions. Minimum requirements and responsibilities include:

- Quarterly leadership meetings with minutes that shall be shared with Section and Division members
- Quarterly reports to the Sections and Divisions Council that shall be shared with Section and Division members
- Hold regular elections in compliance with Section or Division Bylaws
- Certify elections by August 1
- Update Section or Division website regularly
- Sponsor one (1) educational program per Fiscal Year
- Complete an Annual Work Plan (See Policy 9-5)

**Formation and Membership**

Any member of the Association in good standing shall be eligible for membership in all Sections and Divisions provided the member meets any additional eligibility requirements for each Division. Associate members of the Association are eligible for Section and Division non-voting membership, but shall not be eligible to hold office in a Section or Division. To the extent that Association membership is suspended for nonpayment of dues, that member’s Section and Division membership(s) shall be similarly suspended. Any member whose Association membership remains in good standing but whose Section and/or Division dues are delinquent shall be dropped or suspended from such Section and/or Division membership. A member of the Association in good standing may reactivate his or her Section and/or Division membership at any time by paying the appropriate dues.

New Sections may be formed pursuant to the Constitutional provisions cited above and these Section and Division Policies, Procedures and Guidelines. The President of the Association shall consider establishment of a new Section when a minimum of twenty-five (25) members of the Association come forward to form a substantive law or practice section. If a smaller group wishes to plan and recruit to form a substantive law section, the President may appoint a special substantive law committee for one year. At the conclusion of five years, new Sections are subject to the guidelines for membership of an existing Section. A new Section is defined as any Section in existence for less than five years. An existing Section is defined as any Section in existence for five or more years. An existing Section shall strive to maintain a minimum of one hundred (100) dues-paying members.

Each Section and Division shall designate the dues required annually for continuing Section or Division membership and activities.
By March 1 of each calendar year, FBA staff will send out a notice that each Section and Division should issue a call for nominations, together with a sample form. The call for nominations should be sent to every member of the Federal Bar Association and should list the offices available and the dates of any deadlines or elections to be held. Each Section and Division is responsible for holding elections and certifying the results of those elections in compliance with its bylaws by August 1 of each year. Prior to August 1 of each year, FBA staff will circulate a certification form to each Section and Division. For clarity’s sake, an election taking place any time in the year prior to the August 1 certification qualifies as a valid election for certification purposes. Thus, a September 2014 election, for example, may be certified on or prior to August 1, 2015.

Where a Section or Division fails to file a certification of compliance, or otherwise becomes non-compliant with its bylaws, the Chair of the Sections and Divisions Council and Executive Director shall report the failure and/or non-compliance to the FBA Board of Directors. Failing a timely certification of compliance, or a report of non-compliance to the FBA Board of Directors, the Executive Director shall issue a call for nominations for open officer positions with notice to all members of the Federal Bar Association for an election that shall be held prior to the next annual convention. Failing a timely certification of compliance, no Section or Division funds shall be disbursed absent the approval of the Executive Director. Where, following a valid election, a vacancy or vacancies in leadership remain, the President may appoint officers to fill those vacancies, subject to the approval of the FBA Board of Directors.

Leadership

All Section and Division members who are eligible to hold office shall be permitted and encouraged to seek leadership positions within the Section or Division, in accordance with the General Objectives of the Association as set forth in the Constitution. It shall be the responsibility of each Section and Division leader, with the assistance of the Sections and Divisions Council to search for and cultivate future leaders for the Sections and Divisions.

Each Section’s and Division’s bylaws shall provide a structure for Section and Division leadership, describing the size of the leadership and leadership positions that are required to be filled. Each Section and Division shall have at least the following four positions in its leadership structure: Chair; Vice-Chair (or Deputy Chair or Chair–Elect), Secretary and Treasurer. No individual may fill more than one of these positions at any given time. The bylaws of each Section and Division shall further describe a mechanism by which each leader shall rotate through the leadership positions and into the position of Chair.

In addition to those positions, each Section and Division shall have a leader, appointed or elected, for each of the following roles: Membership, Chapters Liaison, Continuing Legal Education/Programming, and Communications (Newsletter/Publications). Section members may not serve more than two consecutive years in the same officer position, except as approved by the Sections and Divisions Council and in accordance with Section and Division bylaws. The Section and Division leadership shall meet at least four times per year. Any form of meeting, including telephonic, is acceptable.
Each Section and Division shall strive to have leaders representing at least three of the Federal circuits.

The bylaws of each Section and Division shall provide for term limits in accordance with Policy No. 9-3.

Each Section and Division may amend its bylaws to revise the leadership structure as the needs of the Section or Division permit, consistent with this policy 9-4. All such amendments shall be made in accordance with the requirements of the Constitution and Bylaws of the Association and shall be submitted to the Sections and Divisions Council for review. The Chair of the Sections and Divisions Council shall submit proposed bylaws amendments to the FBA Board of Directors for approval.

The Chair or Officers of any Section or Division are subject to removal from office by the FBA Board of Directors for good cause, including knowingly engaging in conduct designed to overthrow the constitutional form of government in the United States, or knowingly assisting in such conduct; disbarment by any State, Federal, or Tribal court; knowingly engaging in any conduct in violation of the Constitution of the Association or its Bylaws; or for theft, fraud or violation of fiduciary duty.

The Executive Director shall ascertain that disbursements are made in accordance with FBA policies and pursuant to any relevant Section or Division bylaws. The Executive Director shall report regularly to the Board of Directors on such expenditures and shall suggest any additional or supplemental guidelines or policies as appropriate to best further the FBA mission.

**Sections and Divisions Council**

The Sections and Divisions Council shall coordinate Section and Division efforts and activities. The President shall nominate and, with the approval of the FBA Board of Directors, appoint a Chair of the Sections and Divisions Council (who is a current or former Section or Division Chair) and not fewer than four other members; one of whom serves as the Deputy Chair. The Council shall include one ex-officio member who is a representative from the Vice President of the Circuits. The Chair and Deputy Chair of the Sections and Divisions Council shall each be appointed for a one-year term. The Chair of the Sections and Divisions Council is the appointed representative of the Sections and Divisions to the FBA Board of Directors. The Sections and Divisions Council shall work closely with the staff Sections and Divisions Manager and Deputy Chair to provide assistance to all Sections and Divisions, and will report the activities of each Section and Divisions to the FBA Board of Directors on a quarterly basis, or more frequently as requested. When a Section or Division is determined to be inactive or uncommunicative, the FBA Board of Directors shall be informed by the Chair of the Sections and Divisions. The Chair of the Sections and Divisions Council shall consult with the Deputy Chair as needed to resolve Section or Division conflicts that arise during the discharging of the Chair’s duties. The Chair may also assign additional duties to the Deputy Chair and members that are consistent with the responsibilities of Sections and Divisions Council.

The FBA Staff in cooperation with the Sections and Divisions Council shall provide financial oversight of the Sections and Divisions. Each Section and Division will submit an annual work plan (as outlined in Policy 9.5) detailing all projected expenses prior to each fiscal year. The staff
Manager of Sections and Divisions is available to assist in the development of the work plan for each Section and Division, and shall provide a template for use by the Sections and Divisions.

The Chair of the Sections and Divisions Council, with the staff Sections and Divisions Manager, shall schedule and hold regular meetings via teleconference with the Section and Division Chairs, at least quarterly.

In cooperation with FBA staff, each Section and Division is responsible for:

- Publishing current officers and directors on the FBA website
- Publishing current bylaws on the FBA website
- Conducting elections at least every two years in accordance with their bylaws
- Certifying Section or Division bylaws and elections by August 1 annually

The Section and Divisions Council, working with FBA staff, shall ensure that the entire Section and Division membership is notified of any leadership opportunities available in the Section or Division and that all qualified persons be encouraged to apply for such opportunities on a nondiscriminatory basis. Additionally, such vacancies shall be advertised on the FBA website and on social media so that nonmembers are encouraged to join the FBA.

Conflicts within Sections and Divisions (other than those relating to elections as set forth in this policy) shall be resolved through Robert’s Rules of Order. Any person aggrieved by an action of a Section or Division may file a written appeal with the Sections and Divisions Council not later than 30 days of distribution of the minutes reflecting the action or inaction. The Sections and Divisions Council shall decide any appeals within thirty days of receipt, however, if the Council is unable to reach decision within 30 days it may extend for an additional 15 days. Sections and Divisions Council decisions on those appeals shall be reviewed by the Board of Directors. Informal dispute resolution by the Executive Director is encouraged, but not required. Where all persons consent, informal or formal mediation is encouraged.

**Staff Sections and Divisions Manager**

The staff Sections and Divisions Manager shall support the activities of the Sections and Divisions Council. The Sections and Divisions Manager shall provide and oversee the support for all the activities of the Sections and Divisions. The Sections and Divisions Manager reports to the Association’s Executive Director.

**Public Statement of Positions**

A Section or Division, in the name of the Association, may issue reports, make public announcements, and publicly advocate positions on issues of concern to the Section or Division
only with the prior review of the Sections and Divisions Council and approval of the FBA Board of Directors. Without such prior approval, the Section or Division may take a public position only if the position statement includes a disclaimer that indicates that the Section or Division is taking the position in the name only of the Section or Division. In any event, if a Section or Division takes such action in its own name and not in that of the Association, the Section or Division shall report that action immediately to the FBA Board of Directors. The policy appears in the FBA Constitution under Article VIII Divisions, Section 2 and Article IX Sections, Section 2. It is also addressed in Bylaw 11.

**Change Notice:** Original policy was adopted in 2004. Amended 3/27/15.
Policy No. 9-3: Terms of Office for Section and Division Officers

Approved By: William N. LaForge, Secretary

Date Approved: March 20, 2003

Date Effective: March 20, 2003

Policy:

No Section or Division Officer shall serve in the same office for more than one term as provided for in the Bylaws of that Section or Division, unless prior approval is granted by the National Board of Directors. A term shall not exceed three years. The Immediate Past Chair shall be eligible to serve as a voting member of the Section’s or Division’s Board for one term immediately following service as Chair. Thereafter, unless prior approval is granted by the National Board of Directors, a former Chair shall not (i) be eligible to return as a voting member of the Section’s or Division’s Board unless and until they have taken a five-year break in service or (ii) at any point be eligible to serve as Chair or in any office (whether previously held or not), of that Section or Division.

Purpose:

The purpose of this policy is to promote the development of leadership within the FBA’s Sections and Divisions and to provide for leadership opportunities while preserving continuity within the leadership structure.

Change Notice: Amended 6/23/2017; 6/24/2011; 2/1/2018
Policy No. 7-3: Section and Division Leadership Training

Approved By: Board of Directors
Date Approved: June 24, 2011
Date Effective: October 1, 2011

Policy:

The Federal Bar Association shall conduct a Section and Division Leadership Training Program (SDLTP) in each fiscal year. The program shall be at least one (1) day of programming geared toward incoming Section and Division Chairs. The program shall include tools, information, and networking opportunities needed by Section and Division Chairs-elect to meet the challenges of a FBA Section and Division Chair. The program may be held in conjunction with the Chapter Leadership Training Program.

Sections and Divisions shall cover the costs associated with their Chair-elect’s attendance. Sections and Divisions shall stress the importance of their Chair-elect attending SDLTP.

Purpose:

To insure Section and Division Chairs-elect are prepared for the challenges and commitment of becoming Section and Division Chair. The program shall also act as an educational opportunity for Section and Division leadership to better understand the national/Section and Division relationship and the resources supplied by the FBA.

Change Notice: Amended 1/31/2015
Policy No. 9-5-: Section and Division Financial Management

Approved By: Board of Directors

Date Approved: 3-28-2014

Date Effective: 3-28-2014

Financial Management

The activities of the Sections and Divisions should primarily serve to advance the Section’s purposes, enhance the Section’s field, promote and serve the interests of the Section’s members and support growth of Section membership, but may also serve or advance the interests of the broader Association membership. Each Section and Division must be fiscally responsible and utilize organizational funds to benefit Section and Division members and further the mission of the association. Section and Division revenue is derived from Section and Division dues and fees for Section and Division programming, therefore those funds must be used to advance the mission of the FBA and provide value to Section and Division members.

The Sections and Divisions shall develop an annual work plan that includes projected expenses. Any expenses over $500 must be included in the annual work plan. The annual work plan shall be reviewed by the Chair of the Sections and Divisions Council prior to approval by each Section or Division Board. Any expenses over $500 that are not included in the original plan must be approved by the Sections and Divisions Board and captured in meeting minutes. If a Section or Division has fewer than three active Board members, any expense over $500 not reflected in the Sections and Divisions work plan must be approved in advance by the Sections and Divisions Council Chair and/or the Executive Director. Contributions or sponsorships pledged to a non-FBA organization that, in sum, are equal to $10,000 or greater per fiscal year shall be subject to the approval of the Board of Directors.

Outside funding or endorsements of Section and Division programs are subject to review and approval by the Chair of the Sections and Divisions Council and the Association. This process will prevent the possible conflicts between Sections, Divisions, and the Association requesting funding from the same sources. All monies received or to be received in connection with any such sponsorship or endorsement of an activity or program shall be delivered to the Association for allocation to the appropriate Section or Division activity. The FBA Accounting Department will facilitate the receipt of all revenues and the payment of all expenses. Sections and Divisions will be provided a monthly accounting for all revenues and expenses. All contracts shall be reviewed and signed by the Executive Director of the Association. Additionally, each Section and Division shall comply with the FBA Sections and Divisions Reimbursement Policy listed below.

The Section/Division Activity Fund shall be administered by the Chair of the Sections and Divisions Council.
Section and Division Reimbursement Policy

All requests for reimbursement must be submitted within 60 days after the date on which the expense for which payment is being sought was incurred. Amounts sought for reimbursement must be within the limits established by this policy or otherwise approved by the Chair of the Sections and Divisions Council or the Executive Director of the FBA in advance of incurring the expense. All requests should be on the attached Reimbursement Request Form and must be accompanied by receipts and/or an explanation of the nature of the expense. When a receipt is not available, a written explanation of the expense shall be submitted.

Reimbursement shall be as follows unless otherwise provided by the Chair of Sections and Divisions Council or the Executive Director:

- The Chair of the Section/Division shall be reimbursed as follows for expenses associated with his/her duties as Chair. Airfare shall be limited to coach fare and must be purchased 21 days in advance and not exceed $500.00 unless the chair obtains prior approval of the expense from the Chair of the Sections and Divisions Council and/or the Executive Director. Officers and Board Members asked to travel in place of the Chair for meetings and events are subject to the same reimbursement policy as it applies to the Chair in those situations.

- Officers and Board members of Sections/Divisions shall be reimbursed as provided in this policy when traveling on Section/Division business that has been pre-approved by the Board of the Section/Division.

- The Sections/Divisions will reimburse for coach or economy class airfare, subject to a 21-day advance purchase. It is incumbent upon the traveler to get the greatest discount possible. Airfares that exceed $500.00 must have prior approval by the Chair of the Sections and Divisions Council and/or the Executive Director.

- The Section/Division will reimburse for rail travel up to the maximum of equivalent airfare in lieu of air or car travel.

- The Section/Division will reimburse travel by car at the current IRS standard mileage rate per mile in lieu of air or rail travel up to the maximum of equivalent airfare at the coach fare not to exceed $500.00.

- The Section/Division will reimburse ground transportation and parking (e.g., taxi, bus, parking, subway) actual expenses, up to a maximum of $75.00 per day.

- The Section/Division will reimburse for lodging, meals, and incidentals up to a maximum $175 per diem (actual, up to a maximum per day). Member will stay in the official meeting hotel to receive per diem. Maximum per diem will not exceed three days.

All requests for reimbursement shall be approved by the Chair and Treasurer of the Section/Division. The Chair shall forward approved reimbursements to the FBA Manager of Sections and Divisions for processing. Any exceptions to this policy must have prior approval of the Executive Director of the FBA. The Section/Division Reimbursement Policy shall be referenced in the Bylaws of the Section/Division.
Change Notice:
Amended March 23, 2018 (increased per diem to $175); April 1, 2016
Policy No. 2-6: Section and Division Administrative Fee

Approved By: Board of Directors

Date Approved: June 24, 2011

Date Effective: October 1, 2011

Policy:

Sections and Divisions shall be required to pay an annual administration fee to help cover overhead and administrative expenses incurred by the Association. This fee supports FBA national staff administrative assistance provided to all Sections and Divisions.

For each Section or Division with 200 or more members, the annual administration fee shall be $6.00 per member per year. For each Section or Division with fewer than 200 members, the annual administration fee shall be a flat $500.00 per year. In the President’s or Executive Director’s discretion, the Association may temporarily reduce or waive the fee for Sections and Divisions in start-up phase or with other temporary special needs.

The annual administration fee shall be calculated during the first two (2) weeks of October each year and half of the fee shall be deducted from each Section’s or Division’s fund balance semiannually in October and April each year. The administrative fee shall not apply to Divisions without a dues structure.

The annual administration fee does not cover hard costs that are incurred and paid by Sections and Divisions separately, such as printing, photocopying, postage, meals, equipment rental, credit card processing fees, etc.

Purpose:

To fairly address the cost of overhead in providing support to all Sections and Divisions activities.

Change Notice: 8/10/18 ($500 flat fee for sections with fewer than 200 members instead of $6 per member per year); 6/17/2016 (fee increased from $4 to $6 per member per year)
FBA Social Media Guidelines

In sum, be professional, respectful and discreet in your online dialogue. Represent the FBA and your profession well. Exercise good judgment. FBA members who fail to do so, or who fail to comply with these guidelines and the FBA’s Standards of Professional Ethics and Conduct, may not only forfeit the right to participate in social networking activities sponsored by the FBA and may be subject to removal from FBA leadership positions, but may also be subject to penalties and discipline by their licensing body for failing to adhere to applicable Rules of Professional Conduct, as well as civil or criminal liability and penalties, as warranted.

1. **Be responsible.** You are personally responsible for the material you post. All statements must be true and not misleading. Carefully consider content; what you publish will be widely accessible for a long time and, in some cases, indefinitely. Protect your privacy and the privacy of others, and adhere to all statutory proscriptions and Professional Rules of Conduct governing the privacy of individuals and confidential information of your clients.

2. **Identify yourself.** Your honesty—or dishonesty—will be quickly noticed in the social networking environment. Always speak in first person, and identify yourself in your postings. Make it clear that your views are your own and not those of the FBA. Only the Web Content Editor, with prior approval from the FBA executive director and/or associate executive director, is authorized to speak for the FBA.

3. **Respect your audience.** Do not use defamatory, abusive, threatening, offensive or obscene language, or post illegal material.

4. **Do not harass.** Harassment of employees, FBA members, or members of the public while in the course and scope of conducting FBA business will not be tolerated. Blogs or communications through social networking services should not violate FBA’s conduct-related policies, including the Employee Conduct Guidelines, Equal Employment Opportunity, and Sexual & Other Harassment policies. When participating in online social networking or posting to a blog, FBA staff and others with “material connections” to the FBA may not be discourteous or disrespectful of any co-worker, customer, member, volunteer, or member of the public while in the course and scope of conducing FBA business. FBA staff and members should assume that people, including co-workers, members, and volunteers, are reading your posts. Even after deleting a post, certain technology may still make that content available to readers, so FBA staff and members are encouraged to use discretion and good judgment.

5. **Admit mistakes.** Be the first to respond to your own mistakes and quickly provide the correct information.

6. **Add value.** Add value by providing worthwhile information and perspective. Contribute knowledge, not promotion. Write about what you know.

7. **Respect copyright, fair use and financial disclosure laws.** Always give people proper credit for their work. In general, it’s good practice to link to others’ work rather than reproducing it on your site.

8. **Protect confidential, proprietary or other privileged information.** Make sure to comply with all professional and ethical rules governing the use of others’ materials.
9. **Protect personal information from unlawful or potentially harmful use or disclosure.** Refrain from posting your personal information or sharing personal information of others in a way that may result in acquisition or use by other persons for identity theft or other fraudulent or harmful purposes. Disclosure of financial account numbers, Social Security numbers, driver's license numbers, and private health information should be avoided. Use of applicable social media privacy settings to share other categories of personal information (to include date of birth, phone number and address) only with friends and trusted persons is recommended.

10. **Refrain from endorsements of political candidates.** As a membership organization, the FBA must avoid the appearance of endorsing or financially supporting candidates for political office.

11. **Refrain from making uninformed or unsubstantiated endorsements.** You should not make any qualitative claims about your experience with an FBA program, service, product or activity unless you have personally used the service or product or participated in the program or activity. Endorsements should not be misleading or unsubstantiated.

12. **Include appropriate endorsement disclosures.** FBA staff and others with “material connections” to the FBA should clearly and conspicuously disclose their relationship to the FBA when endorsing its programs, services, products and activities on social media platforms. Such disclosures are necessary to ensure that third-party readers are appropriately informed of the connections and can take them into account when considering the endorsement. A material connection may exist if you are employed by or receive compensation or other significant considerations from the FBA, or in situations where the audience would not reasonably expect a specific relationship between you and the FBA. The disclosure does not have to be elaborate or complex, but it must be clear and easy for others to find.

13. **Comply with rules for lawyer advertising.** Comply with all restrictions governing legal advertising as may apply when posting content to the FBA’s social media platforms.

14. **Do not violate antitrust laws.** Antitrust laws prohibit postings that encourage or facilitate agreements between FBA members concerning the following, as they pertain to legal services: prices, discounts or terms/conditions of sale; salaries; profits, profit margins or cost data; market shares, sales territories or markets; allocation of customers or suppliers; or any other term or condition related to competition.

**Purpose:**

To formalize the policy of the Association regarding its use of social media as a communication tool.

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**Change Notice: Amended 3-16-2017**
Policy No. 5-1: Social Media

Approved By: Board of Directors

Date Approved: January 29, 2011

Date Effective: January 29, 2011

Policy:

The Federal Bar Association supports the use of social media platforms (including, but not limited to Facebook, LinkedIn, Instagram, and Twitter) to increase member engagement, build community, and improve access to information, resulting in greater value to our members and the public. These tools are another method to communicate with a variety of audiences but may not be appropriate in all instances nor for all kinds of outreach.

The following policy and guidelines apply to FBA staff members, boards, sections, divisions, chapters, committees, members, volunteers and related groups (“entities”) wishing to use the FBA’s name and/or logo in conjunction with a social media platform that identifies itself as being affiliated with the FBA.

Administering Social Media Presence

The Executive Director or his/her designee will have exclusive rights to post items on the FBA’s official Facebook page, LinkedIn profile, and Twitter account. The Executive Director or his/her designee will serve as the administrator for each social media platform; all items for posting must be submitted to the administrator. The FBA will constantly monitor the sites for inappropriate posts and retains the right to remove posts deemed to be inappropriate. Entities and individuals who fail to exercise good judgment, or who fail to comply with these guidelines, may forfeit the right to participate in social networking activities sponsored by the FBA. FBA staff members can become a “fan” of the FBA’s Facebook page and a “follower” of the FBA’s Twitter account; however, staff will refrain from posting directly to the page or account. Additionally, FBA staff members will refrain from sending and/or receiving “friend” requests with FBA members.

If at any time an FBA entity wishes to create a social media presence (e.g., Facebook page; LinkedIn group), the entity must contact the Executive Director. The FBA will serve as the “creator” of the social media platform and then designate as an “admin” the entity’s site administrator. Each entity will be responsible for: (1) appointing a site administrator; (2) content development and management; and (3) compliance with FBA social media policy and guidelines.
FBA Social Media Guidelines
In sum, be professional, respectful and discreet in your online dialogue. Represent the FBA and your profession well. Exercise good judgment. FBA members who fail to do so, or who fail to comply with these guidelines and the FBA’s Standards of Professional Ethics and Conduct, may not only forfeit the right to participate in social networking activities sponsored by the FBA and may be subject to removal from FBA leadership positions, but may also be subject to penalties and discipline by their licensing body for failing to adhere to applicable Rules of Professional Conduct, as well as civil or criminal liability and penalties, as warranted.

1. **Be responsible.** You are personally responsible for the material you post. All statements must be true and not misleading. Carefully consider content; what you publish will be widely accessible for a long time and, in some cases, indefinitely. Protect your privacy and the privacy of others, and adhere to all statutory proscriptions and Professional Rules of Conduct governing the privacy of individuals and confidential information of your clients.

2. **Identify yourself.** Your honesty—or dishonesty—will be quickly noticed in the social networking environment. Always speak in first person, and identify yourself in your postings. Make it clear that your views are your own and not those of the FBA. Only the Web Content Editor, with prior approval from the FBA executive director and/or associate executive director, is authorized to speak for the FBA.

3. **Respect your audience.** Do not use defamatory, abusive, threatening, offensive or obscene language, or post illegal material.

4. **Do not harass.** Harassment of employees, FBA members, or members of the public while in the course and scope of conducting FBA business will not be tolerated. Blogs or communications through social networking services should not violate FBA’s conduct-related policies, including the Employee Conduct Guidelines, Equal Employment Opportunity, and Sexual & Other Harassment policies. When participating in online social networking or posting to a blog, FBA staff and others with “material connections” to the FBA may not be discourteous or disrespectful of any co-worker, customer, member, volunteer, or member of the public while in the course and scope of conducting FBA business. FBA staff and members should assume that people, including co-workers, members, and volunteers, are reading your posts. Even after deleting a post, certain technology may still make that content available to readers, so FBA staff and members are encouraged to use discretion and good judgment.

5. **Admit mistakes.** Be the first to respond to your own mistakes and quickly provide the correct information.

6. **Add value.** Add value by providing worthwhile information and perspective. Contribute knowledge, not promotion. Write about what you know.

7. **Respect copyright, fair use and financial disclosure laws.** Always give people proper credit for their work. In general, it’s good practice to link to others’ work rather than reproducing it on your site.

8. **Protect confidential, proprietary or other privileged information.** Make sure to comply with all professional and ethical rules governing the use of others’ materials.
9. **Protect personal information from unlawful or potentially harmful use or disclosure.** Refrain from posting your personal information or sharing personal information of others in a way that may result in acquisition or use by other persons for identity theft or other fraudulent or harmful purposes. Disclosure of financial account numbers, Social Security numbers, driver's license numbers, and private health information should be avoided. Use of applicable social media privacy settings to share other categories of personal information (to include date of birth, phone number and address) only with friends and trusted persons is recommended.

10. **Refrain from endorsements of political candidates.** As a membership organization, the FBA must avoid the appearance of endorsing or financially supporting candidates for political office.

11. **Refrain from making uninformed or unsubstantiated endorsements.** You should not make any qualitative claims about your experience with an FBA program, service, product or activity unless you have personally used the service or product or participated in the program or activity. Endorsements should not be misleading or unsubstantiated.

12. **Include appropriate endorsement disclosures.** FBA staff and others with “material connections” to the FBA should clearly and conspicuously disclose their relationship to the FBA when endorsing its programs, services, products and activities on social media platforms. Such disclosures are necessary to ensure that third-party readers are appropriately informed of the connections and can take them into account when considering the endorsement. A material connection may exist if you are employed by or receive compensation or other significant considerations from the FBA, or in situations where the audience would not reasonably expect a specific relationship between you and the FBA. The disclosure does not have to be elaborate or complex, but it must be clear and easy for others to find.

13. **Comply with rules for lawyer advertising.** Comply with all restrictions governing legal advertising as may apply when posting content to the FBA’s social media platforms.

14. **Do not violate antitrust laws.** Antitrust laws prohibit postings that encourage or facilitate agreements between FBA members concerning the following, as they pertain to legal services: prices, discounts or terms/conditions of sale; salaries; profits, profit margins or cost data; market shares, sales territories or markets; allocation of customers or suppliers; or any other term or condition related to competition.

**Purpose:**

To formalize the policy of the Association regarding its use of social media as a communication tool.

**Change Notice:** Amended 3-16-2017
Policy No. 9-7-: Section and Division Continuing Legal Education Guidelines

Approved By: Board of Directors

Date Approved: July 10, 2015

Date Effective: July 10, 2015

Purpose: Educational programming and national conferences are an important aspect of the FBA mission and a valuable membership benefit. In an effort to promote and support the FBA mission and advance the Sections and Divisions, the following policy addresses the facilitation and creation of national continuing legal education (“CLE”).

Section and Division Minimum CLE Programming

Each Section and Division shall sponsor a minimum of one (1) educational program per Fiscal Year. The educational programs may be in any format designed to advance the General Objectives of the Association as described in the Constitution. All Section and Division programs shall be in compliance with all Association policies, specifically Policy Nos. 2.1, 2-5, 2-6, 9.4 and 9.5. The staff Sections and Division Manager is available to assist in planning all Section and Division programs and activities and is available to assist in obtaining CLE credit for all Section and Division programs.

Endorsements Related To CLE Programming

No Section or Division shall endorse any organization, product or services not formally affiliated with the FBA or accept the endorsement of any such organization without obtaining the prior written approval of the Chair of the Sections and Divisions Council, in consultation with the Executive Director.

Section and Division Programming (CLE programs less than 4 hours)

Each Section and Division is expected to develop and maintain programs and activities of interest to that Section’s or Division’s membership, in accordance with the General Objectives of the Association as described in the Constitution. Each Section and Division shall have a leader tasked with the development of CLE and programming. Sections and Divisions should strive to include a CLE component with each program. All Section and Division programming should be shared with national staff at least 30 days prior to the event. If CLE credit is needed, Section and Division leaders must discuss the program with national staff at least 60 days in advance.
Section or Division programming lasting four hours or less will be planned and executed by the sponsoring Section or Division, and, unless otherwise agreed by the Executive Director, will not be administered by national staff. If a Section or Division plans a program lasting more than four hours that is administered by and will obtain CLE accreditation through a chapter, the program is considered a local program and national will not be involved in the program’s planning or execution.

Any programming lasting more than four hours is deemed a “national program” and the Section and Division in collaboration with national staff will plan and execute the program. For example, at the time of the adoption of this policy the existing national conferences are: DC Indian Law, Tax Law, Insurance Tax Seminar, Annual Indian Law, Labor and Employment, Fashion Law, Immigration and Women in the Law.

**National Continuing Legal Education Programming (CLE programs more than 4 hours)**

All Sections and Divisions wishing to sponsor a national CLE greater than four hours in length that was not held the prior year are required to submit an application to the Executive Director and the Executive Committee. Sections and Division are encouraged to contact the Executive Director to discuss their ideas before submitting an official proposal. (A Section or Division collaborating with a Chapter on a program does not need to submit an application.) All applications will be reviewed by the staff and Executive Committee and Sections and Divisions will be notified as soon as possible whether their program has been approved.

Existing Section and Division programs or conferences do not need to complete an application. The Section and Division leaders should work with national staff on scheduling, program planning and logistics. Final decisions regarding event location, date, time, logistics, registration fees and sponsorship will be made by the Executive Director and the Board of Directors.

The proposal process allows the staff and Board of Directors to ensure that National CLE conferences are true to the mission and vision of the FBA and adequately protects the FBA in regards to financial risk and liability.

New CLE conferences (conferences that have not occurred in that past 24 months) and renewing conferences that experienced a net loss must submit an application and be approved.

Due to the national FBA annual calendar of events, adding a new conference or program can be challenging. Every effort will be made to accommodate a new Section or Division program but the decision will be made by the Executive Director and Board of Directors based on timing, logistics and resources.
A National CLE is:

- Logistically managed by FBA national office
- Content (including topics, theme, program format and speakers) are managed by the section(s) or division(s)
- Revenue/loss is shared between FBA national office and Section or Division according to Policy 2-5
- Includes at least four hours of CLE credit
- Contracts are signed by the FBA Executive Director

Criteria for Proposing:

- Applications should be received at least 8 months in advance of desired dates; however, this time period may be waived by the Executive Director
- Preferably events should not occur within 15 days of another scheduled Annual Meeting and Convention, National CLE event, Midyear Meeting, or Leadership Training
- Completion of National CLE Conference Application Form (see below)
- Proposal to Include:
  - Names of all sponsoring Sections and Divisions
  - Three desired dates (first, second, and third preference)
  - City, State (second and third alternative locations if possible)
  - Time of programing (start and ending hours)
  - Number of CLE hours to be offered, including general and ethics hours
  - Concurrent sessions (if any)
  - Desired attendance capacity
  - Desired meal and reception functions
  - Number of hotel room nights (if desired) and dates needed
  - Names of speakers that have tentatively agreed to speak (if any)
  - Conference budgetary considerations, including but not limited to:
    - Speaker expenses that will be paid from the conference (not Section/Division) funds
    - Registration discounts for specific attendees
    - Audio/visual needs for meeting
If Proposal is accepted:

Sections and Divisions with the aid of FBA national office agree to manage and submit to the FBA staff according to the proposed and mutually agreed upon timeline:

- Description of conference theme
- CLE topics and titles of panels
- CLE descriptions of panels
- Speaker selection
- Collection of speaker information (name, title, organization) and speaker biographies
- CLE material collection from panelists

FBA national office will manage:

- Contract selection, negotiation, signing of meeting site and other vendors contracts
- Program timelines
- Program budget including registration pricing and sponsorship levels
- Marketing (including advertisements in *The Federal Lawyer*)
- Onsite Staffing
- Onsite supplies and signage
- Registration
- Electronic distribution for CLE material
- Sponsorship solicitation
- CLE approval management
Section and Division Continuing Legal Education Program Application

Thank you for your interest in creating programming for the FBA. If you have questions regarding the application, please contact Melissa Schettler at 571.481.9105 or mschettler@fedbar.org.

Proposed Title of National CLE Conference:

________________________________________________________________________________________

• (Co-)Sponsoring Sections and Divisions:
  Please list all sponsoring Sections and Divisions if more than one is participating.

________________________________________________________________________________________

• Submitting Members:
  Please include: Name, Section Name, Section Office Currently Held, Phone Number and E-Mail Address

________________________________________________________________________________________

________________________________________________________________________________________

• Dates:
  If possible, events may not occur within 21 days of a scheduled Annual Convention, National CLE event, Midyear Meeting, or Leadership Training.

  1st Preference: ________________________________________________________________
  2nd Preference: ________________________________________________________________
  3rd Preference: ________________________________________________________________

• Locations (City, State):
  The FBA strongly prefers the conference location to be in the metro Washington, D.C. area due to the cost savings of having a local event.

  1st Preference: ________________________________________________________________
  2nd Preference (optional): _______________________________________________________
  3rd Preference (optional): _______________________________________________________
• Start and End Time for Day One: ____________________________________________

Start and End Time for Additional Days (if applicable):
Day Two: ______________________________________________________________
Day Three: ____________________________________________________________

• Desired Number of CLE Hours: General: __________________ Ethics: ______________

  Ethics CLEs are greatly sought after by attendees.

• Will there be concurrent sessions? If so, how many?

• How many attendees?

  The FBA encourages conferences without prior history to plan for a maximum of 100
  attendees.

• Please list the desired meal and reception functions for each day of the conference.
  Example: Continental Breakfast, Plated Lunch, 1 Hour Light Reception with Open Bar

  Day One:

  ______________________________________________________________

  Day Two:

  ______________________________________________________________

  Day Three:

  ______________________________________________________________

  Meal and reception functions account for the biggest expense of any conference. The
  FBA encourages these events to be kept to a minimum.

• Will attendees require room nights in a hotel? If so, how many?
  Many CLE conferences with large local attendance do not require hotel room nights.

  Number of hotel rooms on night 1: ___________________________________________
Number of hotel rooms on night 2:
________________________________________________________

Number of hotel rooms on night 3:
________________________________________________________

• Have any individuals expressed interest in speaking (optional)?
________________________________________________________

• Additional Budgetary Considerations:
  Will the conference (not Section or Division funds) pay for any speaker expenses? If so, please detail:
________________________________________________________

  Typically, conferences will offer speakers free registration at the conference while the speaker will pay for their own expenses.

• Will the conference offer any reduced registration fees? If so, please detail:
________________________________________________________

  Typically, conferences will offer discounts for early registrants, FBA members and government employees.

• Will the conference require any special audio/visual needs? If so, please detail:
________________________________________________________

  Typically, conferences will provide speakers with a laptop, projector, screen and microphones.
Amended: This policy replaces policy 6-1: Section and Division Sponsored CLE programs