

Resolution

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LOUISIANA STATE BAR ASSOCIATION
REVISED BY-LAWS OF THE CIVIL LAW & LITIGATION SECTION
OF THE LOUISIANA STATE BAR ASSOCIATION

ARTICLE I.
NAME AND PURPOSE

Section 1. This Section shall be known as the Civil Law & Litigation Section.

Section 2. The purposes of this Section are to promote educational activities, study and service to the Bar, Judiciary, and the public on the law, procedure, practice and techniques of civil law and litigation, to promote professionalism, civility, diversity and inclusion in the practice of civil law and litigation, and to take such related actions as may be desirable and consistent with the Articles of Incorporation and By-Laws of this Association.

ARTICLE II
MEMBERSHIP AND DUES

Section 1. Any member in good standing of the Louisiana State Bar Association shall, upon request to the Secretary of the Louisiana State Bar Association, be enrolled as a member of the Civil Law & Litigation Section. Members so enrolled and whose dues are paid shall constitute the membership of this Section.

Section 2. Dues for membership in this Section shall be \$20.00 per year, payable upon enrollment and thereafter annually on the same fiscal year basis as Louisiana State Bar Association dues.

Section 3. Any member whose annual dues shall be more than three months delinquent shall immediately cease to be a member of this Section. Only Section members in good standing, with dues paid, shall be eligible to vote, hold any Section office, or receive Section publications.

ARTICLE III
OFFICERS

Section 1. The officers of this Section shall be a Chair, a Vice-Chair, and a Secretary-Treasurer. The officers shall serve as members of the Council. The past Chair of the Section shall be designated as Chair Emeritus.

Section 2. Each officer shall hold office for a term of three years, to begin with the adjournment of the annual meeting of the Section at which the member was elected and to end at the close of the third succeeding annual meeting of the Section or until such time as a successor shall have been elected.

ARTICLE IV

DUTIES OF OFFICERS

Section 1. Chair. The Chair, or the Vice-Chair in the absence of the Chair, shall preside at all meetings of the Section and the Council. On consultation with the Council, the Chair shall establish such committees as are deemed necessary and appoint the chair and members thereof who are to hold office during the Chair's term. The Chair shall plan and supervise the programs of the Section and the performance of all activities of the Section. The Chair shall keep the Council informed and carry out its decisions. The Chair shall prepare and present a report of the work of the Section for the year prior to each annual meeting of the Louisiana State Bar Association, and shall perform such other acts as usually accompany the office.

Section 2. Vice-Chair. The Vice-Chair shall assist the Chair, performing such tasks as shall be assigned by the Chair. In the absence of the Chair, or upon the death, resignation or disability of the Chair, the Vice-Chair shall perform the duties of the Chair for the remainder of the term of office; provided that, in the case of disability, the Vice-Chair shall act only during the pendency of the disability.

Section 3. Secretary-Treasurer. The Secretary-Treasurer shall be the custodian of all books, papers, documents and other property of the Section, and shall keep a true record of the proceedings of all meetings of the Section and of the Council, whether assembled or acting under submission. With the Chair, the Secretary-Treasurer shall prepare a summary of the activities of the Section for its Annual Report to the Louisiana State Bar Association. The Secretary-Treasurer, in conjunction with the Chair as authorized by the Council, shall attend generally to the business of the Section.

Section 4. The Secretary-Treasurer shall sign any application for and execute any bond as may be requested by any officer of the Section and/or member of the Council pursuant to any resolution duly adopted for any bond for the purpose of protecting the monies of the Section. Any cost or premium for such bond, however, shall not be borne by the officer, but shall be an expense of the Section and paid from the funds of the Section.

ARTICLE V

THE COUNCIL

Section 1. The Council of the Section shall be composed of the officers, three members of the Section selected from Section membership, and the Chair Emeritus.

Section 2. The Council shall have general duties and control as necessary for the administration of the affairs of the Section subject to the provisions of the Constitution and Bylaws of the Louisiana State Bar Association and the Bylaws of this Section.

Section 3. The Council of the Section is authorized to take action in the name of the Section during intervals between meetings of the Section. All binding action of the Council shall be by majority vote of the whole Council.

Section 4. The Council, during the interim between annual meetings of the Section may, with the concurrence of the Chair, fill vacancies in its own membership or in the offices of the Vice-Chair or Secretary-Treasurer and, in the event of vacancies in the offices of both Chair and Vice-Chair, then also in the office of Chair. Members of the Council and officers so elected shall serve until the close of the next annual meeting of the Section.

Section 5. Members of the Council shall vote in person when present at a meeting of the Council. When members contemplate absence, they may communicate their votes on any proposition to the Secretary-Treasurer and have them counted with the same effect as if cast personally at such meeting.

Section 6. The Chair of the Section may submit or cause to be submitted in writing to each of the members of the Council any proposition upon which the Council may be authorized to act, and the members of the Council may vote such propositions as submitted, by communicating their vote thereon, in writing over their respective signatures, including via email, to the Secretary-Treasurer, who shall record upon the minutes each proposition so submitted, when, how and at whose request same was submitted, and the vote of each member of the Council thereon, and keep a file of such written and signed votes. If the votes of a majority of the members of the Council so recorded shall be in favor of such a proposition, or if such majority shall be against such proposition, such majority vote shall constitute the binding action of the Council. The Council of the Section may take action in the name of the Section whenever proposals are brought before the Council for an expression of views and recommendations to the Board of Governors of the Association.

ARTICLE VI

ELECTION OF OFFICERS AND COUNCIL

Section 1. Nominations — Annually, the Chair shall appoint a Nominating Committee of three members of the Section. This Committee shall make and report one nomination for each office and council position which is to be filled in that year, identifying each nominee and including a brief statement of the activities undertaken by the nominee in the Section and in the legal profession. Upon receipt of the committee report, the Chair of the Section shall have it published via email to Section members prior to the Annual Meeting. Added nominations may be made prior to the annual meeting by means of a petition signed by not less than ten members of the Section.

Section 2. Elections — If only one person be nominated for any office, and the nominations are closed, that person shall be declared elected to that office and there shall be no ballot confirming such. The Section members shall be notified of said election via email. If two or more persons are nominated for any office, the nominee receiving the plurality of votes cast pursuant to an email ballot shall be elected to that office. The ballot shall contain the names of all nominees and shall be accompanied by a brief biography of each nominee. The ballot shall include a deadline for returning the ballot by email to the Louisiana State Bar Association to the attention of the Section Coordinator, who will forward the results to the Secretary-Treasurer of the Section. The ballot shall further instruct the Section member to include an electronic signature on the email. Voting shall be under such scheduling as set by the

Officers of the Section; provided that such scheduling shall allow completion of the election no less than ten days prior to the commencement of the Annual Meeting of the Section.

ARTICLE VII

MEETINGS

Section 1. The annual meeting of the Section shall be held in conjunction with the Louisiana State Bar Association annual meeting or at another time as determined by the Council.

Section 2. Special meetings of the Section may be called by the Chair or upon request of any officer or member of the Council, at such time and place as the Council may determine.

Section 3. The members of the Section present at any meetings shall constitute a quorum for the transaction of business, and the Section shall be bound by a majority vote of the members present at such meeting.

ARTICLE VIII

MISCELLANEOUS PROVISIONS

Section 1. The fiscal year of the Section shall be the same as that of the Louisiana State Bar Association.

Section 2. All bills incurred by the Section shall, before being paid, be approved by the Chair or Vice-Chair and the Secretary-Treasurer, and checks for all disbursements shall be signed by the Secretary-Treasurer or such other officer as the Chair may authorize, except as to funds appropriated by the Board of Governors which shall be disbursed only by the proper officers of the Louisiana State Bar Association on bills approved by the Council.

Section 3. No salary or compensation shall be paid to any officer, committee, or council.

Section 4. These Bylaws shall become effective immediately upon approval thereof, as required by the Articles and Bylaws of the Louisiana State Bar Association.

Section 5. All printing for the Section or for the Council or any committee of the Section shall be done under the supervision of the Executive Director of the Louisiana State Bar Association.

ARTICLE IX

AMENDMENTS

Section 1. These Bylaws may be amended at any annual meeting of the Section by a majority vote of the members of the Section present and voting, provided such proposed amendment shall first have been approved by a majority of the Council, and provided further that no amendment so adopted shall become effective until approved by the Board of Governors of the Louisiana State Bar Association.

Section 2. The Council may propose amendments by majority vote of the Council. Amendments also may be proposed by submission in writing to the Council in the form of a petition signed by at least ten members of the Section in time for it to be considered by the Council at its last regular meeting before the annual meeting of the Section at which it is to be voted upon. The Council shall consider the proposed amendment at said regular meeting and shall prepare recommendations thereon. The recommendations, together with a complete and accurate text of said proposed amendment, shall be disseminated to the members of the Section by the Secretary-Treasurer prior to the annual meeting of the Section at which they will be voted upon.

I, the undersigned Chair of the Civil Law & Litigation Section of the Louisiana State Bar Association, confirm that a majority of the Section's officers voted in favor of these Revised By-Laws.

DATED: April 25, 2014

Respectfully submitted:



J. Robert Ates

UNANIMOUSLY APPROVED
HOUSE OF DELEGATES
JUNE 5, 2014
DESTIN, FL

UNANIMOUSLY APPROVED
BOARD OF GOVERNORS
JUNE 6, 2014
DESTIN, FL