

BY-LAWS OF THE JUDICIAL SECTION OF THE STATE BAR OF TEXAS

ARTICLE I

Name and Purpose

Section 1. This Section shall be known as the Judicial Section of the State Bar of Texas.

Section 2. The purpose of this Section shall be to promote the objectives of the State Bar of Texas within the particular field designated by the name of the Section, and to that end to take such action as may be appropriate thereto subject to the by-laws of this Section and the constitution and by-laws of the State Bar of Texas.

ARTICLE II

Membership Dues

Section 1. Any member of the State Bar of Texas who is serving or who has served as a justice or judge of a federal court including federal magistrates, the Supreme Court, the Court of Criminal Appeals, a court of appeals, a district court, a statutory probate court, or a statutory court exercising any of the jurisdiction of a district or constitutional county court, sitting in the State of Texas, and whose right to so serve has not been formally suspended or terminated by State action, shall upon payment of the annual dues to the Secretary-Treasurer of this Section be enrolled as a member of this Section.

Section 2. Members of this Section shall pay annual dues in an amount and at the time to be fixed by the Board of Directors, subject to the approval of the State Bar Board of Directors.

ARTICLE III

Officers and Board of Directors

Section 1. The officers of this Section shall be Chair, Chair-Elect, and Secretary-Treasurer.

Section 2. The Chair-Elect shall be nominated and elected at each annual meeting of the Section, as hereinafter provided in Article V, for a term beginning with the election and ending with the election of a successor. Beginning with the 1989 annual meeting of the Section, a statutory county court judge shall be elected Chair and every fourth year thereafter. A district judge shall be elected Chair at the 1990 annual meeting of the Judicial Section and every even-numbered year thereafter. An appellate judge or justice shall be elected as Chair at the 1991 annual meeting of the Judicial Section and every fourth year thereafter.

Beginning with the elections to be held at the annual meeting in 2008, the currently serving Chair-Elect shall automatically become the Chair of the Judicial Section at the close of

business of the annual business meeting, and only nominations for the positions of Chair Elect and elected Members of the Board of Directors shall be received and voted upon as provided for in these bylaws. Nominations for the position of Chair Elect shall be conducted in such a manner as to ensure that the position rotation system set forth in the preceding paragraph for the position of Chair shall continue to be observed.

Section 3. The Chair, with the advice and consent of the Board of Directors, shall appoint a Secretary-Treasurer, who shall serve during the term of the appointing Chair and until a successor shall be appointed.

Section 4. There shall be a Board of Directors charged with managing the affairs of the Section. The Board of Directors shall consist of the following officers: The Chair, the Chair-Elect, the Secretary-Treasurer, the Immediate Past Chair and twelve other members, each of whom shall be elected as provided in Article V for a term of three years. The twelve regular members shall be elected according to the following places:

- a) Places 1 and 2 - Intermediate appellate court justices,
- b) Places 3 through 7 - District judges,
- c) Places 8 and 9 - Judges of a statutory county court,
- d) Place 10 - Retired judge or justice,
- e) Place 11 – A justice of the Texas Supreme Court,
- f) Place 12 – A judge of the Court of Criminal Appeals.

Insofar as practicable, each geographical area of the State shall be represented by at least one member of the Board of Directors.

ARTICLE IV

Committees

Section 1. There shall be two legislative committees composed of six members each, and two ex-officio members each. The Chair of the Section, on or before November 1 following election as Chair, shall appoint each committee with two members of each committee appointed for one, two, and three year terms respectively. Thereafter, each newly elected Chair shall appoint two members to each committee before November 1 following election as Chair for three year terms. The Chair of the Judicial Section shall appoint a chair of each committee. The two ex-officio members shall be the Chair and Chair-Elect of the Section for the term of their respective office. The committees to be appointed are as follows:

- a) An Appellate Legislative Committee which is representative of the appellate division and geographically apportioned.
- b) A Trial Judges Legislative Committee which is representative of the trial judges of the Section and geographically apportioned.

Section 2. There shall be a Nominating Committee of one member from each judicial region who shall be appointed by the Chair, on or before April 1 of each year, to serve until the conclusion of the next annual meeting. The Nominating Committee shall solicit from the membership nominations for the offices of Chair-Elect and members to serve on the Board of Directors. Such nominations shall be submitted to the Nominating Committee no later than June 1 each year.

Section 3. There shall be an Ethics Committee composed of nine members. Each Chair of the Judicial Section shall appoint three members to serve for a term of three years and designate one member of the committee to serve as Chair for a term of one year.

Section 4. The Chair of the Board of Directors, from time to time, may create other committees as necessary to carry on the work of the Section, and the membership of such a committee shall be appointed by the Chair of the Judicial Section.

Section 5. Any committee report which is to be voted on by the Section members present at the annual conference shall be made available in writing to the members attending the conference at least 48 hours before the business session.

Section 6. There shall be a Resolutions Committee of no less than three members appointed by the Chair of the Judicial Section. Any member of the Judicial Section proposing adoption of a resolution by the members attending the annual meeting shall present such resolution to the Chair of the Resolutions Committee no later than twenty (20) days prior to the date set for the annual meeting. The Chair of the Resolutions Committee will have all such resolutions posted on the bulletin board at the annual meeting at least forty-eight (48) hours prior to the business section of the annual meeting. No untimely resolution shall be submitted to the membership of the Section for voting except those deemed by the Chair to be “emergency” or “courtesy” resolutions.

ARTICLE V

Nominations and Elections

Section 1. On or before July 1 of each year, the Nominating Committee shall meet to consider the nominations received from the members of the Section and from its own members, and to nominate one member for the office of Chair-Elect, and members of the Board of Directors for the places for which terms are to expire at the annual meeting and for vacant places with unexpired terms. In considering nominees for membership on the Board of Directors, attention shall be given to maintaining geographical representation. Immediately following the meeting, the list of nominees made shall be furnished to the Chair of the Section.

Section 2. The list of nominees shall be furnished to the members of the Section at the time of the call of the annual meeting, together with the information that additional nominations may be made from the floor of the annual meeting.

Section 3. At the annual meeting of the Section, there shall be placed in nomination those nominees selected by the Nominating Committee and those members nominated from the floor.

Section 4. The Chair-Elect and members of the Board of Directors shall be elected by a majority vote of those members present and voting at the annual meeting of the Section. The nominee for a place on the Board of Directors who receives a majority vote shall be elected to serve for a term of three years. The nominee for a vacant place on the Board of Directors with an unexpired term who receives a majority vote shall be elected to serve the remainder of the unexpired term.

Section 5. A vacancy on the Board of Directors shall be declared upon the death, incapacitation, resignation, suspension, termination, and change in judicial status which is the basis for election to the Board of Directors or upon the accumulation of two consecutive unexcused absences during the term as a member of the Board of Directors.

ARTICLE VI

Duties of the Officers

Section 1. Chair. The Chair shall preside at all meetings of the Section and of Board of Directors. The Chair shall formulate and present at each annual meeting of the State Bar of Texas a report of the work of the Section for the year. The Chair shall perform such other duties and acts as usually pertain to the office.

Section 2. Chair-Elect. Upon the death, resignation, suspension, removal, termination, or during the disability of the Chair, or upon the Chair's refusal to act, the Chair-Elect shall perform the duties of the Chair for the remainder of the Chair's term except in the case of the Chair's disability and then only during so much of the term as the disability continues.

Section 3. Secretary-Treasurer. The Secretary-Treasurer shall be the custodian of all books, papers, documents, and other property of the Section, including money. A true record shall be kept of the proceeding of all meetings of the Section and of the Board of Directors while assembled or acting under submission. With the Chair, the Secretary-Treasurer shall prepare a summary or digest of the proceedings of the Section at its annual meeting for publications in the annual report of the State Bar of Texas. The Secretary-Treasurer, in conjunction with the Chair, as authorized by the Board of Directors, shall attend generally to the business of the Section. A true record of all moneys appropriated to and expended for the use of the Section shall be kept. The officers shall be allowed to spend such reasonable sums as may be approved by the Board of Directors for clerical assistance. The Secretary-Treasurer shall submit to the State Bar Accounting Office by facsimile transmission a copy of all monthly bank statements, canceled

checks, deposit slips, and the monthly check register immediately upon receipt of same from the depository bank. Copies of any cumulative reports covering investments of the Judicial Section shall be forwarded to the State Bar Accounting Office immediately upon receipt. The Judicial Section records shall be subject to continuous audit in the same manner as other State bar Sections, in lieu of a separate independent audit by the Judicial Section.

ARTICLE VII

Duties and Powers of the Board of Directors

Section 1. The Board of Directors shall have general supervision and control of the affairs of the Section subject to the provisions of the constitution and by-laws of the State Bar of Texas and the by-laws of this Section. The Board of Directors shall authorize all commitments or contracts which shall entail the payment of money, and shall authorize the expenditure of all moneys available for the use or benefit of the Section.

Section 2. The Board of Directors, during the interim between annual meetings of the Section, shall fill vacancies in its own membership, in the office of the Secretary-Treasurer, and in the office of Chair and Chair-Elect. Members of the Board of Directors and officers so elected shall serve until the close of the next annual meeting of the Section. If any director or officer is suspended, removed or terminated by the State Commission on Judicial Conduct, or by any other authority of the State of Texas, or is convicted of any felony or misdemeanor involving moral turpitude, the office held by such is deemed vacated, and the remaining members of the Board of Directors shall fill such vacancy in accordance with these by-laws.

Section 3. Except as provided in Section 4, all binding action of the Board of Directors shall be by a majority vote of the Board of Directors members present and voting.

Section 4. In lieu of calling a formal meeting of the Board of Directors, the Chair of the Judicial Section may, and upon the request of any member of the Board of Directors shall, submit or cause to be submitted to each of the members of the Board of Directors any proposition upon which the Board of Directors may be authorized to act. The members thereof may vote upon such proposition so submitted by communicating their vote thereon, in a manner to be designated by the Chair, to the Secretary-Treasurer who shall record upon the minutes each proposition so submitted, when, how at whose request same was submitted, and the vote of each member of the Board of Directors. The votes of the members of the Board of Directors so recorded shall be communicated immediately to the Chair and the entire Board and a majority vote of the Board shall constitute the binding action of the Board of Directors.

ARTICLE VIII

Meetings

Section 1. The annual meeting of the Section shall be held at a time and place to be determined by the members of the Board of Directors, with such program and such order of business as may be formulated by the Chair of the Section, with the advice and consent of the Board of Directors.

Section 2. Special meetings of the Section may be called by the Chair at such time and place as the Board of Directors may determine.

Section 3. The members of the Section present at any meeting shall constitute a quorum for the transaction of business.

Sections 4. All binding action of the Section shall be by a majority vote of the members present.

ARTICLE IX

Miscellaneous Provisions

Section 1. No salary or compensation shall be paid to any officer, Board of Directors member, or member of any committee.

Section 2. In the event it is deemed expedient and necessary, the Board of Directors may authorize the payment of actual and necessary expenses incurred by members of the Section in carrying on any particular work of the Section.

Section 3. These by-laws shall become effective upon the approval thereof by the Section at its annual meeting.

Section 4. The fiscal year of the Judicial Section shall commence on June 1 of each calendar year and terminate May 31 of the following calendar year.

Section 5. The Judicial Section shall submit to the Executive Director of the State Bar of Texas by July 15 each year a complete financial report for the preceding fiscal year ending May 31 and, if available, a copy of the Section budget for the current fiscal year.

Section 6. Section funds can only be invested within the parameters outlined in the investment policy as set forth in the State Bar of Texas Board of Directors' Policy Manual, as amended. (Formerly Article X, Amendments, Section 3)

Section 7. No positions may be taken by the Judicial Section, or its members in the name of the Section, that advocate or advance a political or social policy position. However, this shall not be construed so as to prohibit the support for, or advancement of, proposed changes in state laws or court rules designed to improve the judicial branch of government.

ARTICLE X

Amendments

Section 1. These by-laws may be amended at any meeting of the Section by a majority vote of the members of the Section present and voting.

Section 2. No amendment shall be presented or entertained unless the contents thereof are made available to the members present at the annual meeting at least 48 hours prior to the business session of the annual meeting.