

STATE BAR OF ARIZONA FAMILY LAW SECTION BYLAWS

ARTICLE I: IDENTIFICATION

I.1 NAME.

This Section shall be known as the "Family Law Section", and shall be hereinafter designated simply as the "Section".

I.2 PURPOSE.

The general purposes of the Section shall be the promotion of the objectives of the State Bar of Arizona (State Bar) within the particular field of family law. To that end, it shall be the purpose of the Section:

To study and act in all areas of family law, such as establishing seminars, reviewing and informing members of legislative and judicial matters impacting the practice of family law, making recommendations within the judicial system relating to family law, and promoting family law professionalism.

I.3 LIMITATIONS.

In addition to these bylaws, the Section must adhere to the Rules of the Arizona Supreme Court and the State Bar Board of Governor's bylaws and policies.

ARTICLE II: MEMBERSHIP

II.1 ENROLLMENT.

Any member in good standing of the State Bar shall, upon request to the Executive Director of the State Bar, be enrolled as a member of the Section by the payment of annual section dues.

II.2 THE MEMBERSHIP.

Members so enrolled and whose dues are paid pursuant to the provisions of this article shall constitute the membership of the Section.

II.3 AFFILIATE MEMBERS

Affiliate Members of the State Bar of Arizona will be entitled to the same

section benefits as State Bar of Arizona members except that such affiliate members may not vote, hold elected office, or be counted in determining the presence of a quorum.

II.4 DUES.

Dues for membership in the Section shall be in an amount set by the Section and approved by the Board of Governors, payable upon enrollment and thereafter annually in advance each year, at the beginning of the State Bar's fiscal year succeeding such enrollment.

II.5 DELINQUENCY.

Any member of the Section whose annual dues shall be more than (3) three months past due shall thereupon cease to be a member of the Section.

ARTICLE III: THE EXECUTIVE COUNCIL

III.1 POWERS.

(a) Power to Conduct Business of the Section:

The Council shall be vested with the powers and duties necessary for the administration of the affairs of the Section. The policy of the Council shall be consistent with the policies set by the Board of Governors. It shall especially authorize all commitments which entail the payment of money, and shall authorize all expenditures of monies appropriated by the State Bar for the use or benefit of the Section. It shall not, however, authorize commitments which entail the payment of more money during any fiscal year than the amount appropriated to the Section for the fiscal year. No action of any Section committee shall be effective until approved by the Executive Council or by the Section.

Between meetings of the Section, the Council shall have full power to do and perform all acts and functions which the Section itself might perform. Any such action taken by the Council shall be reported to the Section at its next meeting.

The Council may direct that a matter be submitted to the members of the Section for vote by e-mail or online community. In such event, binding action of the Section shall be a majority of the votes received in accordance with rules fixed by the council and as conducted and certified by the Secretary.

III.2 MEETINGS OF THE EXECUTIVE COUNCIL.

(a) Annual Meetings:

The Council shall hold at least one meeting each year open to the entire section membership at a time and place at or near the annual meeting of the State Bar to dispatch any necessary business.

(b) Regular Meetings:

The executive council shall hold regularly scheduled meetings to dispatch any necessary business. The chair shall call and set the agenda for such regularly scheduled meetings. Meetings may be held in person or by video conference. All executive council members shall be given reasonable advance notice of regularly scheduled meetings of the council in writing or by electronic mail.

(c) Special Meetings:

Special meetings may be called at any time by the chair or, in his or her absence, the vice chair, or upon the written request by a simple majority of the executive council. All executive council members shall be given no less than 48 hours advance notice in writing or by electronic mail, which shall include the topics to be discussed at the special meeting.

III.3 COMPOSITION.

The Executive Council shall be composed of voting and non-voting members as follows:

(a) Voting Members:

Executive Council members who are eligible to vote on any question before the council are: 1) all Officers; 2) the immediate past Chair; 3) fifteen Members-at-Large, and 4) two section members of the Young Lawyers Division (YLD) to be nominated at the discretion of the council.

Members at Large shall be elected by the Section membership for three-year terms. No person may serve as an Officer and a Member at Large simultaneously. The terms of Members at Large shall be staggered so that at all times one-third of shall be serving the first year of their terms, one-third shall be serving the second year of their terms, and one-third shall be serving the third year of their terms.

YLD members shall be nominated by a vote of the council and at the discretion of the counsel and will serve staggered two (2) year terms. No

person may serve as a YLD member and a Member at Large simultaneously.

(b) Non-voting Members:

Executive Council members ineligible to vote on any question before the council are: The Presiding Family Law Judge, or a judicial officer designated by the presiding judge of each county, and a Judge of the Court of the Appeals from each division.

III.4 QUALIFICATION OF VOTING MEMBERS.

All voting members of the executive council shall be members of the Section in good standing and shall have been members of the State Bar of Arizona in good standing for at least one (1) year.

III.5 CONTROLLING VOTE AND QUORUM:

Actions of the executive council shall be by majority vote of the voting members of the executive council members present. A quorum consisting of 12 voting members of the executive council shall be required to conduct business.

Proxy voting by executive council members is not permitted.

III.6 POLL OF COUNCIL:

In the event of a matter requiring immediate attention the Chair may, or upon request of three (3) members of the Chair shall, submit to each Executive Council member in writing or by electronic mail (which shall not include the online community), a proposition upon which the Executive Council may be authorized to act. The members of the Executive Council may vote upon the proposition by written or electronic mail to the Secretary, who shall record the proposition and votes in the matter.

III.7 EXPECTATIONS:

If any officer or member of the executive council shall fail to attend two (2) successive meetings of the executive council without excuse, the officer or executive council member's office shall be automatically vacated, unless excused upon good cause accepted by the members of the executive council.

All members of the executive council are expected to either hold office or be involved with at least one (1) committee.

III.8 REMOVAL:

A member of the executive council may be removed at a meeting of the executive council by majority vote of those executive council members present.

III.9 NO COMPENSATION:

No salary or compensation for services shall be paid to or by any officer, member of the executive council, or member of any committee, except as may be specifically authorized by the Board of Governors.

ARTICLE IV: OFFICERS

IV.1 OFFICERS.

The officers of the Section shall be the Chair, the Chair-Elect, the Vice Chair, the Secretary, and the Budget Officer.

IV.2 CHAIR.

The Chair, or successively, the Chair-Elect and the Vice Chair, in the absence of the Chair, shall preside at all meetings of the Section and of the Council. The Chair shall appoint the chair and members of all committees of the Section who are to hold office during their term as Chair. The Chair shall plan and superintend the program of the Section during their term, subject to the directions and approval of the Council. The Chair shall superintend the performance of all activities of the Section. The Chair shall keep the Council duly informed and carry out its decisions. The Chair shall perform such other duties and acts as usually pertain to the office or as may be designated by the Council.

IV.3 CHAIR-ELECT.

The Chair-Elect shall, on consultation with the Chair, arrange for the appointment of the chairs and members of all committees who are to hold office during their coming term as Chair. The Chair-Elect shall aid the Chair in the performance of the Chair's responsibilities in such manner and to such extent as the Chair may request. The Chair-Elect shall perform such further duties and have such further powers as usually pertain to their office or as may be designated by the Council or the Chair. In case of the death, resignation, or disability of the Chair, the Chair-Elect shall perform the duties of the Chair for the remainder of the Chair's term or disability, as the case may be.

IV.4 VICE CHAIR.

The Vice Chair shall aid the Chair in the performance of their responsibilities in the manner and to the extent the Chair may request.

IV.5 SECRETARY.

The Secretary shall consult with and assist all the officers of the Section as to the work of the Section generally in the manner and to the extent they may request. The Secretary shall be the liaison between the Section and the State Bar staff regarding the retention and maintenance of books, papers, documents, and other property pertaining to the work of the Section in the custody of the State Bar. The Secretary shall keep a true record of the proceedings of all meetings of the Section and of the Council, whether assembled or acting under submission. The Secretary in conjunction with the Chair, as authorized by the council, shall attend generally to the business of the Section.

IV.6 BUDGET OFFICER.

The Accounting Office of the State Bar of Arizona shall keep an accurate record of all monies appropriated to the Section and expended by the State Bar of Arizona for the purposes of the Section. The Budget Officer receives reports and other documents prepared by the Accounting Department of the State Bar of Arizona as to the Section funds, revenues, and expenditures, and works with State Bar of Arizona staff and the accounting department to ensure the accuracy of the reports. The Budget Officer reports on the Section's present and projected financial condition at each meeting of the executive council. State Bar of Arizona staff and the Budget Officer advise the officers and executive council as to the financial impact of any proposed action by the officers, executive council or Section.

ARTICLE V: COMMITTEES

V.1 IN GENERAL.

The Council of the Section is authorized to establish, or to empower the Chair of the Section to establish, such committees as it may deem necessary and desirable to promote effectively the activities of the Section within the jurisdiction of the Section and with the approval of the Board of Governors. In establishing a new committee, the Council shall state the area of its proposed activities

V.2 NOMINATING COMMITTEE

Before January 1st of each year and after consultation with the council, the Chair shall appoint a Nominating Committee of five (5) members of the Section who are not candidates for office. At least one (1) of the nominees shall not be a current officer or council member and has not been an officer of the Section for a period of at least 5 years. The Chair will promptly thereafter announce the names and addresses of the members of the Nominating Committee to Section membership by electronic mail. The Chair may appoint a member to fill any vacancy which may arise thereafter in the Nominating Committee.

The Nominating Committee shall make and report one nomination for each position which is to be filled by elections as provided in these bylaws. The report shall identify each nominee and shall include a brief statement of their qualifications. The Committee shall submit its report to the Chair within enough time to allow it published on the online community and e-mailed to the Section Members prior to the opening assembly of the annual meeting.

ARTICLE VI: MEETINGS OF THE MEMBERSHIP

VI.1 ANNUAL MEETING.

The Section shall hold an annual meeting of members in conjunction with the annual meeting of the State Bar. The Section may, upon approval of the Board of Governors, hold other meetings of members throughout the year.

The agenda of the Annual Meeting shall consist of other matters as decided by the Chair or Council. The agenda shall be provided to the membership no later than five (5) days prior to the annual meeting by e-mail, online community, or both.

VI.2 QUORUM.

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

VI.3 CONTROLLING VOTE.

Action of the Section shall be by majority vote of members present.

VI.4 VOTING ELIGIBILITY.

Any member of the State Bar, who is also a member of the Section, and whose good standing can be certified by official State Bar records for thirty (30) days prior to the time of voting shall be eligible to vote.

VI.5 ELECTION OF OFFICERS AND EXECUTIVE COUNCIL.

The members of the Section shall elect officers and Executive Council members at their annual meeting. The members of the Section shall select candidates for each office from the members nominated in the annual report of the Nominating Committee and any nominations for any office properly made by petition.

Nominations for any Officer or Member at Large position on the Executive Council may be made a petition, signed by not less than five (5) Section members, that states the name of the member nominated and position for which that member is nominated, and avows that the nominated member has agreed to be nominated. Nominations by petition must be delivered to the Chair in writing or by electronic mail no later than sixty (60) days prior to the opening assembly of the annual Section meeting. The Chair shall notify the Nominating Committee, the other candidates, and the Council of any nominations by petition no later than 45 days prior to the annual Section meeting. The Executive Director of the Section shall notify Section Members by e-mail or the online community, or both, of all contested Section elections no later than thirty (30) days prior to the opening assembly of the annual Section meeting.

If more than one person has been nominated to any Executive Council position, the Executive Council shall prepare and approve a form of ballot for each contested office and send that ballot to the Section Members by electronic mail along with the Chair's notice of contested section election thirty (30) days prior to the opening assembly of the annual Section meeting. The ballot and notice shall be accompanied by a brief statement of the qualifications of each person nominated to contested office and instructions and deadline for submission of ballots which must ensure receipt by the Secretary of the Section no later than 12:00 noon on the day prior to the opening assembly of the annual Section meeting. Election for each contested office shall be by a plurality of the votes cast in the manner proscribed.

Election to each position for which only one person is nominated shall be by voice vote at the Section annual meeting.

VI.6 E-MAIL VOTING.

The Council may direct that a matter be submitted to the members of the Section for vote by e-mail, online community, or both. Binding action of the Section shall be by a majority of the votes received from members in accordance with rules fixed by the council.

ARTICLE VII: ELECTIONS

VII.1 ELECTIVE OFFICERS:

At each annual meeting of the Section, the membership shall elect:

- (a) a Chair-Elect and a Vice Chair to serve a term of one (1) year;
- (b) a third of the total number of Members-at-Large of the Council;
- (c) a Secretary and a Budget Officer for a one-year term; and
- (d) Officers or Council members to fill vacancies in any office or upon the Council as provided in Article VIII.

VII.2 CHAIR:

The Chair-Elect shall automatically succeed to the office of Chair. They shall serve no more than two (2) non-consecutive one-year terms and thereafter may not again accede to that office. In the event the office of Chair-Elect shall be vacant, then a Chair shall be elected in the manner set forth in Section 7.4.

VII.3 ELIGIBILITY FOR OFFICE:

Any member of the State Bar, who is also a member of the Section, and whose good standing can be certified by official State Bar records for thirty (30) days prior to the time of election shall be eligible for office.

ARTICLE VIII: SUCCESSION OF OFFICERS AND VACANCIES

VIII.1 CHAIR-ELECT:

Unless the Chair-Elect refuses or is disqualified, the Chair-Elect automatically becomes the Chair for a term of one year at the end of the annual meeting following the election.

VIII.2 TERMS OF OFFICE:

The term of office for each Officer and Executive Council Member shall

begin with the adjournment of the annual meeting following the election and shall end following the annual meeting at which a successor has been duly elected. If at the close of any term of office a successor has not been elected, then the term shall be extended until a successor shall have been elected.

VIII.3 OFFICERS AND COUNCIL:

Between annual meetings of the Section, the Council may fill vacancies on the Council, or in the offices of Vice Chair, Secretary, or Budget Officer. Members of the Council and officers filling such vacancies shall serve until the next annual meeting of the Section, at which time the membership of the Section shall elect officers or Council members to fill any unexpired terms existing.

VIII.4 IMMEDIATE PAST CHAIR:

At the end of their term of office the immediate past Chair shall become a member of the Council for a term of one year.

VIII.5 SUCCESSION:

No Council Member-at-Large may serve more than two successive terms as a Member-at-Large.

ARTICLE IX: REPRESENTATION OF STATE BAR'S POSITION

A Section cannot take any action, including taking a position, in any manner that could be deemed an action or position of the State Bar. Any such action or position by the Section must be approved by the Board of Governors of the State Bar, as the Board of Governors is the single governing body on behalf of the State Bar. Any proposed resolution or proposed action by the Section shall be reported by the Chair or their representative to the Board of Governors with a recommendation for action to the Board of Governors.

ARTICLE X: AMENDMENTS

Changes to these bylaws may be proposed at any annual meeting of the Section by a majority vote of the members of the Section eligible to vote. Proposed amendments shall first have been approved by a majority of the Council before presentation at the annual meeting of the Section. Amendments shall become effective upon approval by the Board of Governors.

Proposed Revisions
Reviewed by General Counsel
Approved by Board of Governors