



**Committees
and
Commissions
Guidelines**

2010

Welcome

In many ways the work and accomplishments of the State Bar, are the work and accomplishments of its sections, committees and commissions. The Bar's Board of Governors, the staff of the State Bar, and sections, committees and commissions combine efforts to fulfill our goals.

This manual has been prepared to assist volunteer committees and commission members. This manual also reminds all committees and commission members and chairs of their responsibilities to their committees and commission, the governing body of the Bar, and to the overall membership. Each committees and commission member is expected to focus on the best interest of the Bar and the legal system, rather than on personal, constituent or client interests.

Purpose of Commissions and Committees

State Bar groups are established and governed under Bar's by-laws as adopted by the Board of Governors. Committees address matters of continuing and recurring concern to the State Bar. Special committees and task forces are appointed to undertake specific assignments of relatively short duration. Only those committees needed to achieve goals are established and retained.

Members and chairs are appointed by the President of the State Bar, in consultation with the Board of Governors. The committee may appoint from its membership such subcommittees as it deems advisable to facilitate its work.

Cooperation with and respect for other committees is expected. Should conflicts appear in areas of responsibility or in purposes or goals, such conflicts should be promptly called to the attention of the Board of Governors.

Commissions assess applications for specialization and provide assistance to the Board of Legal Specialization as requested.

Members and chairs are appointed by the President of the State Bar, in consultation with the Board of Governors. The committee may appoint from its membership such subcommittees as it deems advisable to facilitate its work.

Cooperation with and respect for other commissions and committees is expected. Should conflicts appear in areas of responsibility or in purposes or goals, such conflicts should be promptly called to the attention of the Board of Governors.

Rosters; Contact Information

A complete listing of all of the committees of the State Bar of Arizona, as well as rosters of all council and committee chairs, Board of Governors members, and State Bar committee staff liaisons, can be found on the State Bar's web site, www.myazbar.org.

Commissions rosters are not posted on the website at this time.

Important Dates

Committees members should calendar the events and deadlines. Please refer to the State Bar's web site or contact your State Bar staff liaison to obtain additional information on these events.

Activity

Approximate Due Date*

Committees' report on plans for the coming Bar year
Board of Governors meeting agenda requests
Board of Governors meetings

September 30
last Friday each month
Generally the Third Friday each
month (check the website)

Committee Budget Proposals
Introduction of Legislation
Convention Seminar Proposal
Convention Brochure Information
Convention Seminar Materials
State Bar Convention
Arizona Attorney submissions

July
By end of first week in September
First week in September
Late December
Mid February
June
Anytime for review by the Editorial
Board

Committees' wrap-up report on activities for the Bar year

Last Friday in April for the May
Board meeting

MEETINGS AND STAFF SERVICES

The State Bar wants its committees to be active and to study and remark on problems affecting their segment of the law or the profession. Committees are encouraged to meet on a monthly basis. Dates and locations for proposed meetings throughout the year should be scheduled and submitted with the Staff Liaison.

Committee and Commission Meetings: Attendance, Absences, Quorums

The by-laws of the State Bar require committees hold an initial meeting within ninety days after the Annual Convention of the State Bar unless, in the discretion of the Chair and the Executive Director, such a meeting is unnecessary. One-third of the members of the committee will compose a quorum. Further, the Board of Governors does not permit proxy voting, and this policy extends to committees of the Bar as well. Commission quorums are defined in the Board of legal Specialization Rules and Regulations, unless otherwise stated they are the same as committees.

Attendance records must be kept by chairs or their designee. Absence from **two** consecutive meetings without an excused approval by the chair may result in removal. The chair shall advise the Staff Liaison who shall advise the Bar President of any absence for 3 or more meetings.

Commission and Committee Meeting Location Arrangements and Notices

Your State Bar staff liaison will assist with meeting arrangements, notification process, and distribution of agendas and minutes at your Chair's request. We urge you to give staff sufficient advance notice to permit them to provide this important service to you in a timely manner. The State Bar strongly encourages its commissions, sections and committees to utilize technological and electronic means to communicate and share information among members and for meeting notification.

Conference rooms are available for use at the State Bar offices. The rooms must be reserved in advance by calling your staff liaison.

Minutes

Minutes of all meetings must be kept by the commissions and committees. The chair should designate a member to record and prepare minutes for distribution. The minutes shall be forwarded in final form to the State Bar staff liaison within fifteen days following each meeting. The minutes will be filed with the Board of Governors by the State Bar staff liaison. It is requested that the minutes be provided in electronic format for ease in distribution to committee and Board members.

Financial and Organizational Overview

Revenues from and expenditures for the commissions and committees shall be under the general supervision of the Board of Governors acting through the Executive Director.

Reimbursable expenses associated with a committee's operation should be approved by the chair and submitted to staff liaison with original receipts.

Meeting Costs; Mileage Reimbursement Policy

Reimbursable expenses incurred in conjunction with meetings include reasonable costs for refreshments and meeting rooms. No mileage or per diem charges will be paid to individual commission or committee members for travel within the state. Mileage may be paid to section members upon approval by the section executive council.

Budget

Individual commissions and committees of the State Bar are not provided an operating budget. However, the Bar budget each year provides limited funds for commission and committee expenses. Requests for extraordinary committee expenses (i.e. honorariums or travel expenses for convention speakers, committee members' travel expenses) must be submitted for consideration by the Board of Governors on or before the Board's meeting in September, and must be approved prior to the expenditure. Requests for special appropriations should include a brief outline of the project and anticipated cost.

In July of each year each chair or budget officer shall submit to the Staff Liaison its requested budget for the fiscal year commencing January 1st. Although the committee's year begins July 1st, the State Bar operates on a calendar year basis and therefore committee budgets cover the period January 1-December 31.

In June or July, your staff liaison or the accounting department will provide a copy of your current budget showing appropriations and expenditures to date. Each line item in the current budget should be reviewed as to whether certain programs or activities will be continued, expanded or diminished. The following is a list of line items with expenses that typically fall into each category:

- Accommodations: Breakfast, luncheon or dinner meetings; lodging and/or meals for convention speakers.
- Delivery services.
- Facilities/meeting room rental charges.
- Office supplies: Name tags, audio or videotapes, banners.
- Parking: Meetings, out-of-state conferences.
- Postage: Monthly mailing of meeting notices, newsletters, surveys, or legislative information.
- Printing: Brochures, invitations or newsletters.
- Reproduction: Copying of meeting or convention materials by council members. (Copies made at the State Bar office are not charged to individual committees.)
- Telephone: Teleconference meetings.
- Gifts/Contributions: Plaques for outgoing chairs, awards, or gifts to speakers. (NOTE: In the past this has been limited to founding chairs and/or long-term chairs upon retirement.)
- Honorariums: Convention speakers or special presentations at meetings.

- Library: Books, magazines (for committee use).
- Professional Services: Language specialists, translators, etc.
- Travel - Faculty: Travel expenses for convention seminar speakers.

Inquiries regarding financial policy and budget preparation in general should be directed to your staff liaison or to the accounting department. The liaisons are available to assist in developing cost estimates for particular projects and in considering the various factors involved in implementing these activities.

A commission or committee cannot have bank accounts or funds of its own, as all transactions connected with Bar activities must be reflected in the appropriate State Bar account. All funds received by a commission or committee must be remitted to the State Bar, and all expenditures will be paid by the State Bar.

Donations

Because commissions, sections and committees are funded by the State Bar and any moneys they receive as income are co-mingled with general Bar funds, all donations (including “in kind” donations) must be approved in advance of expenditure or commitment by the Board of Governors in order ensure consistent application of the *Keller* policy.

Public Positions

Only the State Bar President, elected officers and the president’s designees can speak on behalf of the State Bar of Arizona. No member of a commission, section or committee, in his or her capacity as such, shall express a position to the public (either in writing or verbally) or engage in any activity (including political or legislative activity) in the name of or on behalf of the commission, section or committee or State Bar without advance authorization by the Board of Governors. Further, no commission, section or committee nor any member thereof (while acting in his or her capacity as such) may submit an *amicus curiae* brief in any matter without Board of Governors approval.

All commission and committee members are reminded that while serving as a member of a commission or committee, they are to focus on the best interest of the legal system, the State Bar and the commission or committee, rather than on personal, constituent or client interests.

Commission and committee members are encouraged, however, to participate in activities as private citizens, not representing the Bar unless authorized by the Board of Governors. In addition, letters to the editor cannot be written on State Bar letterhead and cannot suggest that the person writing the letter is submitting it on behalf of the State Bar of Arizona.

Legislative Activity

The Government Relations Department is charged by the Board of Governors, under its supervision, with overall responsibility for legislative programs and activities.

Permission from the Board of Governors is mandatory prior to any legislative advocacy. Requests for permission must be provided to the Government Relations Director who represents the Bar.

During legislative sessions, the Government Relations Department provides updates on legislative matters on the website. Each section and committee shall have the responsibility for reviewing legislation that falls within its particular area of expertise. It is very important to communicate to the Government Relations Director as soon as possible all legislative concerns of your committee.

All proposed positions on existing legislation and all legislative proposals initiated by sections and committees shall be directed to the State Bar's Government Relations Director, who will forward the proposals to the Board of Governors. All relevant materials are to be prepared by section and committee members, shall be in writing, and shall include the following:

- The minutes reflecting requested action;
- Copies of the bill or proposal and a detailed summary;
- Copies of pending legislation in this or other legislatures, if appropriate; the existing state or federal laws which would be affected by the proposal, and whether the proposal would repeal or supplement such laws, and a brief description of how such change or repeal would operate;
- Reasons for the approval and enactment or rejection of the proposal and anticipated impact as it relates to the Bar's Long Range Plan;
- A statement of the known position on the proposal by interest groups or corporations concerning the proposal, including principal reasons for their support or opposition to the proposal.
- Other information as requested by the Government Relations Director or Board of Governors.

Proposed legislation must be received by the Government Relations Director no later than September 1 prior to the commencement of the legislative session.

Amicus Curiae

The decision to enter an *amicus curiae* will be made at a regularly held meeting of the Board of Governors. When possible, the Board will solicit the position of all parties to the matter to assist in making a determination as to whether or not to enter the case.

In case of emergency, the President shall poll the Board and shall act only on the affirmative vote of the majority of the Board. No section or committee may submit an *amicus curiae* brief in any matter without prior Board of Governors approval.

Correspondence

When you communicate to anyone in writing with regard to the business of your committee, you are doing so in the name of the State Bar. To avoid any misunderstandings or possible ethical problems, the Board of Governors directs that all such correspondence must be typed on State Bar stationery and you must indicate your representative capacity after your signature (i.e. John Q. Doe, Chair, _____ Committee). Board policy also dictates that it is never appropriate to include your firm or agency's logo/letterhead on State Bar letterhead. Supplies of Bar letterhead stationery and envelopes may be obtained from the Bar office. Copies of any significant committee materials or correspondence must be provided for the State Bar's master files.

As previously stated, only the State Bar President, elected officers and the president's designees can speak on behalf of the State Bar of Arizona. Please contact your staff liaison with any question in this regard.

Gender Neutral Language

In drafting articles for the *Arizona Attorney*, manuals and seminar materials for Continuing Legal Education, and any other publications and materials for the State Bar, gender neutral language should be used. Unless the circumstances require otherwise, gender neutral nouns, such as the "applicant," "witness," "party," "director," etc. should be used in place of masculine or feminine pronouns.

Standing Committees Key Operational Guidelines

- One-third (1/3) of the members of a committee will compose a quorum.
- A quorum is required to conduct business (vote on issues) at any committee meeting.
- Voting by proxy shall not be permitted at any meeting of the committee.
- Attendance records shall be kept by the chair or his/her designee.
- Absence from two consecutive meetings without an excused approval by the chair may result in removal from the committee.
- Minutes of all meetings must be kept. The chair should designate a member to record and prepare minutes for distribution.
- Only the State Bar president, or his/her designee, can speak on behalf of the State Bar of Arizona. No committee member shall express a position to the public or engage in any activity in the name of or on behalf of the committee or State Bar without advance authorization by the Board of Governors.
- Permission from the Board of Governors is mandatory prior to any legislative advocacy.
- Keller case. Here's the test to assist unified bar associations when determining permissible expenditures (of mandatory dues): "whether the challenged expenditures are necessarily or reasonably incurred for the purpose of regulating the profession or improving the quality of the legal service available to the people of the state." Do the committee's activities pass the test?
- Finances:
 - Consult with the chair on the budget for the committee (tied into charter)
 - Prepare and track the budget and reimbursable expenditures
- The State Bar administrative support staff will assist with meeting arrangements, notification process, and distribution of agendas and minutes at the chair's request.

Example Committee Charter & Mission

Committee Name:
Committee Charter

Committee Information

Chair:

Members:

Resource Leader: (staff liaison)

Committee Start:

Committee End:

Mission

Goals

Committee Reports

Two reports shall be prepared and filed with the Board of Governors each year. The first, to be submitted by **September 30**, will outline the committee's plans and goals for the coming year. The second report will be submitted at the latest by **Last Friday in May for consideration at the June Board meeting** and will summarize the activities of the current year and anticipate activities for the ensuing year.

Committee and Commission Appointments

Committee membership varies but is generally limited to twenty-one (21) people. Members are appointed for terms of one (1) to four (4) years (depending on the committee). Commission membership is generally limited to 10 people. The chair's appointment will remain on an annual basis. The chair may be re-appointed to the committee at the end of the term as chair.

The Chair of each commission and committee shall, not less than thirty (30) days prior to the annual meeting of the State Bar, submit a recommendation for chair for the ensuing year to the State Bar's Staff Liaison.

Chair's General Duties

1. Planning objectives (in consultation with the board and staff).
2. Assigning responsibilities to individual members to make sure that each member is an active, productive participant.
3. Conducting meetings such that all views are aired, objectives are met, recommendations are summarized, and participation is encouraged.
4. Maintaining records and information by ensuring that accurate minutes are kept, reports are prepared, and a record of work is maintained.
5. Monitoring the progress of subcommittees and the work of individual members.
6. Evaluating the status of activities and projects, and the participation of individual members.
7. Adjusting work assignments so that individual assignments meet the interests and capabilities of each member.
8. Informing the staff, the president and the board of the activities and progress on a given task as well as the overall objectives.

Commission, Committee and Executive Council Member's Responsibilities

Commission, committee and executive council members report to the chair. Members are expected to fully participate in the work of the council, commission or committee, provide thoughtful input to the deliberations of the group, and work toward fulfilling their goals. Members are expected to do the following:

1. Review all relevant material before meetings; make contributions and voice objective opinions on issues.
2. Attend meetings and conduct business by telephone and/or written or e-mail communications.
3. Carry out individual assignments made by the chair and discharge their responsibilities diligently, and not delegate them to other members or staff.
4. Work as part of the team to ensure that when the committee proposes policies and/or develops products and services, it is done within their scope of interest.
5. Promote clarity within the committee on how it supports and fits within the interests of the State Bar.
6. Publicly disclose any actual or perceived conflicts of interest and not vote on such matters.
7. Act in good faith and in accordance with what they believe to be in the best interest of the State Bar, their commission and committee, and the legal profession as a whole, rather than on personal, client or constituent interests.