

MONROE COUNTY BAR ASSOCIATION
FAMILY & MATRIMONIAL LAW SECTION
BY-LAWS

ARTICLE I

Name and Purpose

Section 1. Name.

This Section shall be known as the “Family & Matrimonial Law Section” (“Section”) of the Monroe County Bar Association (“Association”).

Section 2. Purpose.

The purpose of this Section shall be to bring together for the furtherance of their mutual interest, such members of the Monroe County Bar Association as are interested and engaged in Family Law and Matrimonial Law in the New York State Courts; to encourage and promote cooperation between various members of the bench and bar, including public agency attorneys and private members of the bar; to preserve and promote high standards of integrity, honor and professional courtesy and to perform such other functions relating to these fields as may be appropriate or desirable.

ARTICLE II

Membership

Section 1. Enrollment.

Any member of the Monroe County Bar Association shall be eligible for membership in this Section, and shall be enrolled as a member by payment of the annual dues in accordance with these By-Laws and any applicable By-Laws of the Association.

ARTICLE III

Officers, Standing Committees and Executive Council

Section 1. Officers.

The Officers of the Section shall consist of: Chairperson; Vice-Chairperson; Secretary; Previous Chairperson

Each Officer shall be a practicing attorney, who shall be elected by majority vote of the members of the Section voting in accordance with the By-Laws of the Section and shall serve at the pleasure of the Monroe County Bar Association Board of Trustees.

Section 2. Election of Officers.

Officers shall hold a one (1) year term beginning July 1 and ending June 30 of the following year and shall be elected by majority vote of the members of the section voting prior to the Section's June Meeting. The Executive Council shall submit its nominees for Officers and Executive Council members no later than May 15 of each year.

In the event the Section fails to hold such elections, the Board of Trustees of the Association may appoint officers to hold office until elections are held.

Officers may hold two (2) consecutive terms, but may not hold three (3) consecutive terms. Except that if the Vice-Chairperson performs the duties of the Chairperson, pursuant to the provisions of Article IV, Section 2, the Vice-Chairperson, acting as Chairperson may then succeed to the office of the Chairperson in the following year.

Section 3. Executive Council.

The Executive Council shall consist of the four (4) Officers as listed in Article III, Section 1, and up to ten (10) additional members of the Section. The Executive Council shall have no less than seven (7) total members, including the Officers. In the event there are less than seven (7) total members of the Executive Council, the Board of Trustees of the Association may appoint additional members of the Executive Council until elections are held.

Officers shall hold a one (1) year term beginning July 1 and ending June 30 of the following year and shall be elected by majority vote of the members of the Section voting in accordance with the By-Laws of the Section at the Section's June Meeting. In the event the Section fails to hold such elections, the Board of Trustees of the Association may appoint the Executive Council. The Executive Council shall ask for nominees for the Executive Council no less than two (2) months in advance of the election of Council members.

The members of the Executive Council shall be eligible for re-election for successive terms.

Section 4. Standing Committees.

The Executive Council may designate such other Standing Committees as it may in its discretion determine necessary. The Standing Committee Chairpersons and the members of each Standing Committee shall be appointed by the Chairperson as soon as practicable after the election of officers. The Chairperson of the Section may fill any vacancy in the Standing Committee Chairs or membership of any Standing Committee and may make additional appointments to any Standing Committee during their term of office.

Section 5. Quorum.

A quorum of said Executive Council shall consist of no less than six (6) members of said Council, subject to Executive Council powers as noted in Article IV, Section 4.

ARTICLE IV

Duties of the Officers and of the Executive Council

Section 1. Chairperson.

The Chairperson shall preside at all meetings of the Section and of the Executive Council, and shall perform such other duties and acts as are usually performed by one holding the office of Chairperson.

Section 2. Vice-Chairperson.

The Vice-Chairperson shall preside at meetings of the Section and of the Executive Council when the Chairperson is unable to do so, and shall perform such other duties and acts as to prepare for the position of Chairperson.

Section 3. Secretary.

The Secretary shall be the custodian of the By-Laws, all books, membership rosters, papers, documents and other property. He or she shall keep a true record of the proceedings of all meetings of the Section and of the Executive Council. The Secretary shall file copies of the minutes of the Section and Council meetings with the Staff Liaison.

Section 4. Executive Council.

The Executive Council shall have general supervision and control of the affairs and activities of Section, subject to the By-Laws of the Association and of the Section. The Executive Council may adopt its own rules of procedure, including rules as to the number of its members who shall constitute a quorum, the time and place of its meetings and the notices of meetings to be given to members.

ARTICLE V

Meetings.

Section 1.

The meetings of the Section shall be held at a time and place designated by the Chairperson.

Section 2.

All binding actions of the Executive Council shall be by a majority vote of those Executive Council members present and voting.

ARTICLE VI

Action of the Section

Section 1.

The Executive Council shall have the power to make *public statements* expressing its views on matters within the Section's areas of interest and to authorize communication of those views to other members of the Association, members of other professions, appropriate governmental agencies, and the general public, except when it is in regard to a suit, action or proceeding in which the Association is a party participant, or regarding political candidates or proposed appointees to public office. Any such communication shall be reviewed by the Association's President and/or the Executive Director prior to its release and shall indicate that the views expressed therein are those of the Section. No public statement expressing the views of the Section shall be adopted except at a meeting of the Executive Council.

Section 2.

A *resolution* expressing the views of the Section may contain, or be accompanied by a resolution containing, a recommendation that such resolution be adopted as expressing the policies of the Association, except when it is in regard to a suit, action or proceeding in which the Association is a party participant, or regarding political candidates or proposed appointees to public office. In such case, the Executive Council shall submit such resolution and recommendation to the Board of Trustees of the Association. No action of the Section will establish policy or be otherwise binding of the Association unless and until it has been submitted to and approved by the Board of Trustees of the Association.

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ARTICLE VII

Miscellaneous Provisions

Section 1.

These By-Laws shall become effective upon approval by the Board of Trustees of the Association.

Section 2.

The By-Laws of the Section shall at all times be consistent with the Association's By-Laws, policies and procedures.

Section 3.

The By-Laws of Section may be amended at any meeting of the Section by a two-thirds vote of the members of the Section present, provided that written notice of the time, place and purpose of the meeting is mailed by United States Postal Service or electronic mail by the Section's Secretary to all members of the Section at least five (5) days before the date of the meeting. Amendments shall be submitted to the Board of Trustees of the Association for approval after their adoption and shall be effective on the date of such approval by the Board of Trustees unless a later date is expressly indicated.

Section 4.

The Board of Trustees of the Association shall fix the dues for membership in the Section subject to any limitations which may be imposed by the By-Laws, policies and procedures of the Association for the use and benefit of the Section and may be expended as determined by the Officers and Executive Council of the Section.

Section 5.

The use of Association funds (other than those referred to in Section 4 above) for the business of the Section must be approved in advance of any financial commitment by the Executive Director of the Association. Requests for expenditures of Association funds for the activities, programs, or projects of the Section shall be submitted to the Executive Director by the Chairperson or Secretary of the Section.