

STATE BAR OF GEORGIA
SECTION OF FAMILY LAW
AMENDED AND RESTATED BY-LAWS

(Draft February 12, 2012 by By-Laws Committee of the Section approved by the Section Executive Committee on February 22, 2012 and approved by the section on March 6, 2012)

ARTICLE I

Name and Purpose

Section 1: The name of this Section shall be the "Section of Family Law."

Section 2: The purpose of this Section shall be to promote the objects of the State Bar of Georgia within the field of family law; to actively sponsor the continuing education of the members of the State Bar of Georgia in this field; to make appropriate recommendations in this field to the State Bar of Georgia; and to further the purposes of a Section of the State Bar of Georgia as contemplated under the provisions of Article XIV of the By-Laws of the State Bar of Georgia.

ARTICLE II

Membership and Dues

Section 1: Each member of this Section shall be a member in good standing of the State Bar of Georgia. Any member in good standing of the State Bar of Georgia, upon request and payment of annual Section dues for the current year, shall be enrolled as a member of this Section. Thereafter, the dues shall be paid in advance for each year at the time of payment of dues to the State Bar of Georgia. Any member whose annual dues are more than six months past due shall cease to be a member and shall be dropped from the rolls of the Section, subject to automatic reinstatement at any time upon payment of dues for the current year.

Section 2: The annual Section dues payable by each member of this Section shall be established from time to time by the Executive Committee and approved by the Board of Governor of the State Bar of Georgia.

ARTICLE III

Officers

Section 1: The officers of the Section shall be a Chairman, a Vice-Chairman, and a Secretary, all of whom shall be members of the Section in good standing and whom shall meet the qualifications for office set forth herein. At the time the Secretary is elected or appointed to serve as office of Secretary, he or she cannot be an associate or member of the same law firm as the Chair and Vice Chair.

Section 2: Each officer shall hold office for a term concurrent with the terms of offices of the officers of the State Bar of Georgia and until a successor is qualified. If a vacancy arises in the office of the Chairman, the Vice-Chairman shall be appointed Chairman for the unexpired term. If a vacancy arises in the office of Chairman and there is also a vacancy in the office of the Vice-Chairman, the President of the State Bar shall appoint a Chairman for the unexpired term. If there is any vacancy in the office of the Vice-Chairman or Secretary, then the Chairman shall appoint a special nominating committee under the same guidelines as set forth under Article VI, Section 1, with the election taking place at a specially called meeting of the Section.

Section 3: The Chairman shall preside at all meetings of the Section. The Chairman shall also appoint the Editor of the Family Law Review, the Legislative Liaison, and committees of the Section to serve at the pleasure and discretion of the Chairman during his term. The Chairman shall also plan and supervise the programs of the Section at its various meetings, shall give a financial report of the current status of the Section at the Executive Committee meetings, and the Chairman shall perform all executive and administrative duties necessary or proper to the organization and functioning of the Section, including any duty as from time to time may be prescribed or requested by the Section, by the State Bar of Georgia, by the General Assembly or Legislature, or any committee, sub-committee, or study group commissioned by or related to any of the foregoing.

Section 4: The Vice-Chairman shall assist the Chairman and, in the absence or disability of the Chairman, perform the duties of the Chairman. The Vice-Chairman shall organize and plan the Family Law Institute and shall present a budget for the Institute to be approved by the Executive Committee.

Section 5: The Secretary shall keep minutes of all meetings of the Section, maintain the permanent records, give notices of meetings, and perform other duties as prescribed by the Chairman. The Secretary shall organize and plan the Nuts and Bolts Seminars and shall present a budget for the Seminars to be approved by the Executive Committee.

ARTICLE IV

Meetings of the Section

Section 1: An annual meeting of the Section shall be held each year at or about the time of each midwinter meeting of the State Bar of Georgia, but not in conflict therewith. The Chairman shall designate a date and time at a place in the vicinity of the midwinter meeting.

Section 2: A Special Meeting of the Section may be called by the Chairman or by majority vote of the Executive Committee, upon notice to the members of the Section, at such time and place, and for such programs and order of business as may be fixed by the Chairman.

Section 3: Ten (10) members of the Section present at any meeting shall constitute a quorum.

Section 4: All action of the Section, unless specifically designated to one or more of the officers, shall be by a majority vote of the members at a meeting at which a quorum is present.

Section 5: Notice of the time and place of each meeting of the Section shall be given to each member of the Section on the rolls of the Section in the office of the State Bar of Georgia. In the absence of actual notice sent by at least ten (10) days in advance of any meeting, written or printed notice sent by United States Mail or by email no less than ten (10) days in advance of such scheduled meeting sent to the member's address on record in the office of the State Bar of Georgia shall constitute due, adequate, and sufficient notice of such meeting of this Section. Further, any such notice may be included with other written or printed material mailed or emailed to all of the members of the State Bar of Georgia or any part thereof which includes all the members of the Section. Such notice shall also be due, adequate, and sufficient notice of such meeting of this Section.

ARTICLE V

Executive Committee

Section 1: The Executive Committee of the Section shall consist of the following:

- (1) The Chairman of the Section;
- (2) The Vice Chairman of the Section;
- (3) The Secretary of the Section;
- (4) The immediate Past-Chair of the Section;
- (5) The Editor of *The Family Law Review*, the Section Newsletter (if there is more than one Editor, then the Chair of the Section shall designate one of the Editors to serve as a member of the Executive Committee of the Section of Family Law);
- (6) The Legislative Liaison;
- (7) The Chair of the Family Law Committee of the Younger Lawyers Division of the State Bar of Georgia (if there is more than one Chair then the President of the Younger Lawyers Division of the State Bar of Georgia shall designate one of the Chairs to serve as a member of the Executive Committee of the Section of Family Law); and
- (8) Members at Large: No fewer than five nor more than nine other members of the Section, all of whom shall be appointed by and serve at the pleasure of the Chairman. No Member at Large shall serve more than five (5) consecutive years.

Section 2: The Executive Committee shall have full authority to act for the Section in any way in which the Section itself would be authorized to act. The Executive Committee acting pursuant to this provision shall report any such action to the members of the Section at the next annual meeting of the Section, unless previously reported.

ARTICLE VI

Elections

Section 1: At least thirty (30) days before the annual meeting of the Section, the Chairman shall appoint not less than three members of the Section, at least one of whom shall be from outside of the metro Atlanta area, and none of whom shall be officers or members of the Executive Committee. These three members, along with the Chair and Vice-Chair, shall serve as the nominating committee who shall nominate one or more members of the Section as qualified to hold the offices of Chairman, Vice-Chairman, and Secretary. The nominating committee shall report its nominations to the annual meeting; thereafter, and before the election of officers, any member present at the annual meeting may nominate any other member of the Section for election as an officer.

Section 2: Voting at the annual meeting for the election of officers shall be viva voce. The nominee for an office with the lowest number of votes in any ballot shall be dropped from consideration on the next ballot, and voting shall continue in this manner until all officers are elected by a majority vote of the members of the Section present at the annual meeting. Members present at the annual meeting may modify this procedure to require secret ballots or otherwise, but the election of any officer shall be by a majority of the members present.

ARTICLE VII

Finances

Section 1: Funds of the Section shall be deposited in the treasury of the State Bar of Georgia and shall be disbursed by the Treasurer of the State Bar of Georgia to pay bills of the Section approved for payment by the Chairman and one of the other officers.

Section 2: The funds of the Section shall be expended for such purposes related to the activities of the Section as from time to time shall be authorized by the majority of the Section's Officers.

Section 3: The officers and members of the Section shall receive no compensation for services.

Section 4: A financial report of the funds of the Section shall be rendered by the Secretary at each annual meeting of the Section. The fiscal year for the Section shall be the same as that of the State Bar of Georgia.

ARTICLE VIII

Miscellaneous

Section 1: The Section shall coordinate all activities with the other Sections of the State Bar of Georgia as required to resolve conflicts in activities and encourage a spirit of cooperation.

Section 2: The Section may from time to time, subject to the Rules, Bylaws and Standing Board Policies of the State Bar, sponsor, promote, study, or review proposed legislation. The Section may from time to time report on its legislative activities to the State Bar.

ARTICLE IX

Effective Date and Amendment

Section 1: These By-Laws shall become effective upon approval by the Board of Governors of the State Bar of Georgia.

Section 2: These By-Laws may be amended by a majority vote of the members of the Section present at the annual or any other meeting of which there is a quorum present, if notice of the proposed amendment is included with notice of the meeting or in the manner provided for notice of meetings at least ten days in advance, subject to subsequent approval by the Board of Governors of the State Bar of Georgia.