

BYLAWS

THE CRIMINAL LAW SECTION OF THE STATE BAR OF GEORGIA

*Draft
6/98
Approved*

6/20/98

ARTICLE I

Section 1: The name of this Section shall be "The Criminal Law Section of the State Bar of Georgia." (Hereinafter referred to as The Section.)

Section 2: The purpose of this Section shall be to promote the objects of the State Bar of Georgia within the field of Criminal Law; to sponsor actively the continuing education of the members of the State Bar of Georgia in this field; to study, review or initiate proposed legislation or administrative policy for the improvement of the law and practice in the field and to make appropriate recommendation thereon to the State Bar of

ARTICLE II Membership and Dues

Section 1: Each member of the Section shall be a member in good standing of the State Bar. Any member of the State Bar, upon request and payment of annual Section dues of \$15.00 for the current year, shall be enrolled as a member of the Section. Thereafter, such dues shall be paid in advance each year at the time of the payment of dues to the State Bar. members so enrolled and whose dues shall be more than six (6) months past due thereupon shall cease to be a member and shall be dropped from the rolls of the Section, subject to reinstatement at any time upon the payment of dues on the current year.

ARTICLE III Advisory Council

Section 1: There shall be an Advisory Counsel appointed to provide policy and planning assistance to the Executive Committee and to the membership of the Section. The Advisory Counsel shall consist of one (1) member from each Judicial Circuit in the State of Georgia and three (3) at-large members. The members of the Advisory Council shall be appointed by the Executive Committee. The selections of the Executive Committee shall be submitted to the membership of the Section at the annual meeting. Each member of the Advisory Council shall serve a term of four (4) years. The terms of Advisory Council members shall be staggered in such a way that no more than four (4) Advisory Council members' terms of office shall expire in any one year. The initial terms of office for the Advisory Council members shall be as follows and thereafter upon election or

reelection each member shall serve a four (4) year term: The First Judicial Circuit Advisory Council member shall serve a term of one (1) year; the Second Judicial Circuit Advisory Council member shall serve a term of one (1) year; the Third Judicial Circuit Advisory Council member shall serve a term of two (2) years; the Fourth Judicial Circuit Advisory Council member shall serve a term of two (2) years; the Fifth Judicial Circuit Advisory Council member shall serve a term of two (2) years; the Sixth Judicial Circuit Advisory Council member shall serve a term of three (3); the Seventh Judicial Circuit Advisory Council member shall serve a term of three (3) years; the Eighth Judicial Circuit Advisory Council member shall serve a term of three (3) years; the Ninth Judicial Circuit Advisory Council member shall serve a term of three (3) years; the Tenth Judicial Circuit Advisory Council member shall serve a term of four (4) years; At-Large Advisory Council member Post One shall serve a term of (4) years; At-large Advisory Council member Post Two shall serve a term of four (4) years; and At-Large Advisory Council member Post Three shall serve a term of four (4) years. After each Advisory Council member has served the initial term of office as set forth herein, each board member shall thereafter be selected to a full four (4) year term. The Immediate Past Chairperson shall serve as an ex-officio member of the Advisory Council for the one year immediately succeeding his or her term of office.

Section 2: The Advisory Council shall hold regular meetings at such time and place designated by the Chairperson with the concurrence of a majority of the Executive Committee. Meetings will normally be held in conjunction with the annual and midyear meetings of the State Bar of Georgia at such time and in such locations as the meetings designated for the State Bar meeting. All business conducted at said meetings shall be conducted in accordance with Roberts Rules of Order and a quorum for the transaction of business shall be a majority of the membership of the Advisory Council members present. Meetings shall be notified to each member of the Advisory Council by regular mail.

Section 3: The Chairperson, or in his or her absence, the Vice Chairperson, shall serve as Chairperson of the meetings of the Advisory Council.

Section 4: In the event of a vacancy on the Advisory Council, the executive committee shall fill such vacancy and the person so appointed shall serve the remainder of the unexpired term.

ARTICLE IV

Officers

Section 1: The officers of the Section shall be a Chairperson, a Vice Chairperson and a Secretary, all of whom shall be members in good standing of the Section.

Section 2: Each Officer shall hold office for a two-year term beginning at the close of the annual meeting of the Section (which shall coincide and be concurrent with the annual meeting of the State Bar of Georgia.) The officer's term shall end two years thence at the close of the annual meeting of the Section. (Which shall coincide and be concurrent with the annual meeting of the State Bar of Georgia.) If a vacancy shall arise in the office of Chairperson, the Vice Chairperson shall become

Chairperson for the unexpired term. If a vacancy shall arise in the office of the Chairperson and there then also shall exist a vacancy in the office of the Vice Chairperson, the President of the State Bar of Georgia shall appoint a successor Chairperson for the unexpired term.

Section 3: The Chairperson shall preside at all meetings of the Section, appoint appropriate committees of the Section to serve during his or her term as Chairperson, plan and supervise the program of the Section at its annual meeting, and 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 by the Section or by the State Bar.

Section 4: The Vice Chairperson shall assist the Chairperson and in the absence or disability of the Chairperson, shall perform the duties of the Chairperson.

Section 5: The Secretary shall keep minutes of all meetings of the Section, maintain the permanent records, provide notices of meeting of the Section and the Advisory Council and perform such other duties as may be prescribed by the Chairperson.

ARTICLE V

Elections

Section 1: Prior to the Section's meeting at the time of the State Bar's Annual Meeting, the Chairperson shall appoint not less than three (3) members of the Section to a nominating committee which shall nominate one or more members of the Section as qualified to hold each of the offices of the Section for which an officer's term is expiring. The report of the nominating committee shall be made to the annual meeting; thereafter, and prior to the election of officers, any member of the Section present at the annual meeting may nominate any other member of the Section for election to any of the offices for which an officer's term is expiring.

Section 2: The names of all members of the Section nominated for each office either by nominating committee or from the floor shall be submitted to the annual meeting and ballots shall be cast until there shall be a majority of the members of the Section present favoring the election of a designated member to an office. Voting shall be viva-voce and the nominee for an office with the lowest number of votes in any ballot shall be dropped from consideration on the next succeeding ballot, provided that at any annual meeting, by majority vote of the members of the Section present, may require written secret ballots or otherwise modify the procedure governing any election.

ARTICLE VI

Section Meetings

Section 1: There shall be two semiannual meetings of the Section. Each meeting shall coincide and be concurrent with the time and location of the State Bar Association's Annual Meeting and Mid-Years Meeting. The exact time and meeting room for each meeting shall be fixed by the

Chairperson.

Section 2: A Special Meeting of the Section may be called by the Chairperson to be convened at such time and place and with such program and order of business as may be fixed by the Chairperson.

Section 3: A quorum for the transaction of business at any meeting called and duly noticed as provided herein shall be a majority of the Board of Direct Members present.

Section 4: All action of the Section shall be by a majority vote of the members of the Section present at any properly called meeting at which a quorum is present.

Section 5: Notice of the time and place of each semiannual meetings of the Section shall be placed in the official newsletter of the Section in the quarter immediately preceding the meeting. It shall not be required that any such notice be by a specifically separate mailing; the same may be included in other written material which is being distributed by mail or publication to the members of the Section.

ARTICLE VII

Executive Committee

Section 1: Between meetings of the Section the Executive Committee, shall be composed of the Chairperson, Vice Chairperson, Secretary, and Immediate Past Chairperson.

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 and any such action taken by the Executive committee pursuant to this provision shall be reported to the members of the Section at the next semiannual meeting of Section.

ARTICLE VIII

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 which have been approved for payment by any Officer of the Section.

Section 2: 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 Section's Executive Committee.

Section 3: Officers and members of the Section shall not be compensated for services thereto.

Section 4: A financial report of the funds of the Section shall be rendered at each semiannual meeting thereof. This Section shall have the same fiscal year as the State Bar of Georgia.

ARTICLE IX

Miscellaneous

Section 1: The Section shall from time to time conduct programs for the continuing education in the world and field of this Section, but shall endeavor to coordinate its efforts in this regard with the other Sections of the State Bar of Georgia.

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 X

Approval and Effective Date

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

Section 2: These Bylaws may be amended by a majority vote of the members of the Section present at any properly called meeting at which a quorum is present and subsequent approval thereof by the Board of Governors of the State Bar of Georgia.

**SIGNED, SEALED AND SUBSCRIBED BEFORE
THE UNDERSIGNED THIS THE _____ DAY
OF _____, 19 ____.**

WITNESS

Approved by the Board of
Governors this the _____
Day of _____, 19 ____.

CHAIRPERSON

President

Secretary