

STATE BAR OF GEORGIA SECTION OF ENVIRONMENTAL LAW

ARTICLE I

Name and Purpose

Section 1: The name of this Section shall be the “Section of Environmental Law.”

Section 2: The purpose of this Section shall be to promote the goals of the State of Georgia within the field of environmental law; to make available opportunities for the continuing education of the members of the State Bar of Georgia in this field; to make available to Section members opportunities to be active participants in this Section through seminars, meetings, committees and publication of a newsletter, and if and when appropriate, to study, review or initiate proposed legislation or administrative policy for the improvement of the law and practice in this field, and to make appropriate recommendations thereon to 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 of the State Bar of Georgia, upon request and payment of annual Section dues, in amounts as determined from time to time by the Executive Committee of the Section (subject to any applicable limitations or required approvals of the State Bar of Georgia), shall be enrolled as a member of this Section. Thereafter, such dues shall be paid in advance each year at the time of payment of dues to the State Bar of Georgia. Members so enrolled and whose dues are so paid shall constitute the membership of this Section. Any member whose annual dues shall be more than one (1) year 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 for the current year.

ARTICLE III

Officers

Section 1: The officers of the Section shall be a Chairperson, a Chair-Elect, a Secretary, a Treasurer and a Member-at-Large, all of whom shall be members of the Section in good standing and whom shall meet the qualifications for office set forth herein.

Section 2: Each officer shall hold office for a term beginning at the close of the annual meeting of the Section at which he or she is inducted and ending at the close of the next succeeding annual meeting of the Section and until his or her successor shall have been qualified and elected. The Chair-Elect shall automatically assume the office of Chairperson at the close of his or her term as Chair-Elect. If a vacancy arises in the office of Chairperson, the Chair-Elect shall become Chairperson for the unexpired term. If a vacancy arises in the office of Chair-

Elect, Secretary, Treasurer or Member-at-Large, the Chairperson shall appoint a successor for the unexpired term. If a vacancy arises in the office of Chairperson and there also exists a vacancy in the office of Chair-Elect, the Executive Committee (as defined in Article V of these By-Laws) as then constituted, including the Immediate Past Chairperson of the Section, shall appoint a successor Chairperson for the unexpired term.

Section 3: The Chairperson shall preside at all meetings of the Section, shall appoint appropriate committees of the Section to serve during his or her term as Chairperson, shall plan and supervise the programs of the Section at its various meetings, 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 of Georgia. The Chairperson shall also serve as chairperson of the Program and Social Committee as described further in Section 3 of Article VII of these By-Laws.

Section 4: The Chair-Elect 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 serve as chairperson of the Newsletter Committee and shall prepare for delivery upon Section Members at least three newsletters during his or her term which contain articles and other information relevant to the practice of environmental law and shall take minutes, when appropriate, at Section and Executive Committee meetings. The Secretary shall also assist the Chairperson and the Chair-Elect in the performance of their duties.

Section 6: The Treasurer shall monitor the Section's account balance in the treasury of the State Board of Georgia, including incoming dues, Section expenses and the State Bar's assessments of the Section, and shall, when requested, report the status of the Section's account balance to the Executive Committee. The Treasurer shall also assist the Chairperson and the Chair-Elect in the performance of their duties.

Section 7: The Members-at-Large shall represent the interests of those members of the Section who reside or practice primarily outside of the metropolitan Atlanta area. The Member-at-Large shall also serve as chairperson of the Outreach, Public Service and Education Committee as further described in Section 6 of Article VII of these By-Laws.

ARTICLE IV

Meetings of the Section

Section 1: An annual meeting of the Section shall be held each year in January at or about the time of each Midwinter Meeting of the State Bar of Georgia, and, if practical, in the immediate vicinity of the same place with the date, time and meeting room to 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: Ten (10) members of the Section present at any meeting shall constitute a quorum for the transaction of business.

Section 4: All action of the Section requiring a vote of the members 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: At least ten (10) days written notice of the time and place of each meeting of the Section shall be given by mailing the same to each member of the Section on the rolls of the Section in the office of the State Bar of Georgia at the member's address as the same appears in said office. However, it shall not be required that any such notice be by a specifically separate mailing; the same may be included in other written or printed material which is being distributed by mail to all of the members of the State Bar of Georgia or to any part thereof which is inclusive of all of the members of the Section.

ARTICLE V

Executive Committee

Section 1: The Executive Committee of the Section shall consist of all five officers of the Section and the Immediate Past Chairperson of the Section, who shall be an ex-officio, non-voting member of the Executive Committee.

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 meeting of the Section.

ARTICLE VI

Elections

Section 1: On or around the first day of September of each calendar year, the Immediate Past Chairperson of the Section shall appoint a Nominating Committee to consist of at least five (5) members of the Section, including the Immediate Past Chairperson, the Chairperson, the Chair-Elect and, unless otherwise unavailable, the two most recent Past Chairpersons beyond the Immediate Past Chairperson. If either such Past Chairperson should be unavailable to serve on the Nominating Committee, the Immediate Past Chairperson, in consultation with the Chairperson and Chair-Elect, shall designate some other member(s) of the Section who is not currently an officer to fill that position. It shall be the duty of the Nominating Committee to solicit and select from the membership a proposed slate of candidates for each of the offices to be filled. The Nominating Committee shall obtain the consent and agreement of each member nominated or selected that such member will undertake the duties of the office if elected. Nominations shall be closed on or around the thirtieth day of September. Prior to such solicitation and selection, the Nominating Committee shall develop and distribute to the Section membership a job description of each office to be filled. The Nominating Committee shall have the authority to modify a job description for any particular office from time-to-time as it deems reasonable and necessary, provided that such job description does not conflict with the responsibilities assigned to such office in these By-Laws.

Section 2: Commencing with elections for officers for calendar year 2000, to be a qualified candidate for Chair-Elect, any candidate shall be a member in good standing in the Section and shall have served a minimum of one term as an officer for the Section within the preceding two years. To be a qualified candidate for Secretary or Treasurer, any candidate shall be a member in good standing in the Section. To be a qualified candidate for Member-at-Large, any candidate shall be a member in good standing in the Section and shall have a primary residence and a predominance of practice outside the metropolitan Atlanta area.

Section 3: On or around the first day of October of each calendar year, the Nominating Committee shall prepare and distribute to the membership a ballot reflecting all properly nominated and qualified candidates for office. Ballots shall be cast by mail or by facsimile or other electronic means in a manner prescribed by the Nominating Committee but in any event shall be received by the Nominating Committee on or before October 31 of the year in which the balloting is conducted. The Nominating Committee shall count the ballots to determine the winner of each office. The candidate receiving the plurality of votes for any office shall be deemed elected to that office effective at the close of the annual (mid-winter) meeting prescribed in Section 1 of Article IV. The Chair-elect shall become Chairperson of the Section effective at the close of the same meeting.

Section 4: The Nominating Committee will be allowed to set additional guidelines as necessary and reasonable to conduct elections and select and accept nominees for office.

ARTICLE VII

Committees

Section 1: The standing committees of the Section shall be (1) the Executive Committee, (2) the Program and Social Committee, (3) the Nominating Committee, (4) the Newsletter Committee and (5) the Outreach, Public Service and Education Committee.

Section 2: The Executive Committee shall consist of the officers of the Section and the Immediate Past Chairperson of the Section and shall have the authority granted to it in Article V of these By-Laws.

Section 3: The Program and Social Committee shall be responsible for organizing and conducting brown bag lunches, continuing legal education programs and seminars, and social activities. The Chairperson of the Section shall serve as chairperson of the Program and Social Committee with responsibilities delegated to the Chair-Elect as the Chairperson deems appropriate. The Chairperson shall appoint other members of the Program and Social Committee as necessary.

Section 4: The Secretary of the Section shall serve as the chairperson of the Newsletter Committee and shall be responsible for the publication of at least three newsletters as provided for in Section 5 of Article III of these By-Laws. The Newsletter Committee shall have other responsibilities as deemed appropriate by the Executive Committee. The Secretary shall appoint other members to the Newsletter Committee as necessary.

Section 5: The Nominating Committee shall consist of those members and carry out those responsibilities as provided for in Article VI of these By-Laws.

Section 6: The Member-at-Large shall be the chairperson of the Outreach, Public Service and Education Committee and shall appoint other members to the Committee as necessary. The suggested responsibilities of the Outreach, Public Service and Education Committee include: (1) serving as a liaison to law students in the State of Georgia and encouraging law student participation in the Section, (2) conducting career days at law schools in the State of Georgia so as to educate and inform law students about the practice of environmental law and (3) maintaining a list of Section Members willing to accept pro bono environmental law cases and referring pro bono clients to such members. The Outreach, Public Service and Education Committee shall have other responsibilities as deemed appropriate by the Executive Committee.

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 the Chairperson and the Treasurer.

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 annual 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 field of environmental law and may coordinate its efforts in this regard with the other Sections of the State Bar of Georgia.

Section 2: This Section may from time to time sponsor, promote, study or review proposed legislation and report thereon to the State Bar of Georgia.

ARTICLE X

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 any properly called meeting at which a quorum is present, subject, however, to subsequent approval thereof by the Board of Governors of the State Bar of Georgia.