

*from Betty
Dennis*

**GENERAL PRACTICE AND TRIAL SECTION
OF THE
STATE BAR OF GEORGIA**

BY-LAWS

ARTICLE I

PURPOSE

Section 1. NAME. The name of this Section shall be the General Practice and Trial Section of the State Bar of Georgia.

Section 2. PURPOSE. The General Practice and Trial Section shall consist of those members of the State Bar of Georgia who recognize an obligation to the public and to the legal profession in the general practice and trial areas of law. The purposes of this Section are to provide an association of lawyers engaged in general practice and trials to accomplish an interchange of viewpoints relating to the general practice and trial areas; to encourage professionalism in the practice of law; to broaden the scope of knowledge and increase the skill of the lawyer by mutual exchange of information through seminars, meetings, publications, projects and other effective means; to improve the efficiency of the general and trial practice by offering solutions to problems affecting same, and by studying and making appropriate recommendations for legislation, court rules, substantive law changes and other methods consistent with improvements of the administration of justice.

The purposes of this Section shall be accomplished through its officers, council, committees and the utilization of publications, meetings, seminars, projects and other suitable means to this end, thereby promoting the objects of the State Bar of Georgia.

ARTICLE II

MEMBERSHIP

Section 1. DUES. The annual dues of the Section shall be Fifteen Dollars (\$15.00) payable to the State Bar of Georgia, General Practice and Trial Section. Any member of the State Bar of Georgia, upon proper application accompanied by advance payment of annual dues for the current year, shall be eligible for membership in the General Practice and Trial Section. Annual dues shall be payable at the same time the governing documents of the State Bar of Georgia call for payment of the State Bar's dues and pursuant to the same rules and procedures set forth in said governing documents. Those members of the State Bar of Georgia in good standing whose names are carried on the rolls of the Section and whose annual section dues are paid in full shall constitute the membership of the Section.

ARTICLE III

OFFICERS, COUNCIL AND COMMITTEES

Section 1. OFFICERS. The officers of this Section shall be a Chair, a Vice-Chair who shall also be the Chair-Elect and a Secretary-Treasurer.

Section 2. COUNCIL. There shall be a Council which shall consist of the officers of the Section, the immediate retiring Chair, together with seventeen (17) council members to be elected by the Section as hereinafter provided.

Section 3. COMMITTEES. The following standing committees of the Section are hereby established: Budget and Finance Committee, Membership Committee, Publications Committee and Annual Meeting Committee.

ARTICLE IV

DUTIES AND RESPONSIBILITIES OF OFFICERS

Section 1. CHAIR. The Chair or, successively, the Vice-Chair or Secretary-Treasurer in the absence of the Chair, shall preside at all meetings of the Section, and of the Council. The Chair shall formulate and present at each annual meeting of the State Bar of Georgia a report of the work of the Section for the current year, and shall appoint the Committee Chairperson and members of all committees of the Section who are to hold office during his or her term as Chair, shall plan and superintend all activities of the Section during his or her term of office, subject to the direction and approval of the Council. The Chair shall call meetings of the Council when in his or her discretion such meetings are required or when at least four members of the Council request it in writing, and shall perform all other such duties and acts, as usually pertain to the office of President or Chair of an association or organization, or as may be designated by the Council.

Section 2. VICE-CHAIR. The Vice-Chair shall be the Chair-Elect and shall be the automatic successor to the office of Chair at the annual meeting of the Section next following his or her election as Vice-Chair. The Vice-Chair shall, in consultation with the Chair, designate those members of the Section who are to be appointed as Chairperson and members of all committees and who are to hold office during his or her coming term. The Vice-Chair shall aid the Chair in the performance of his or her responsibilities in such manner and to such extent as the Chair may request, and shall perform such other duties and have such other powers as usually pertain to the office of Vice-Chair or Vice-President or as may be designated by the Chair, or the Council. In case of the death, resignation or disability of the Chair, the Vice-Chair shall perform the duties of the Chair for the remainder of that Chair's term of office, or for the duration of the disability, as the case may be.

Section 3. SECRETARY-TREASURER. The Secretary-Treasurer shall see to the publication of appropriate notices of all meetings, shall keep a record of all proceedings thereof, and shall be custodian of and accountable for all funds of the Section other than such funds that are deposited to the credit of the Section with the Treasurer of the State Bar of Georgia, or his designee.

The Secretary-Treasurer shall assist the other officers of the Section in such manner and to such extent as they may request and shall be the custodian of all books, papers, documents and other properties of the Section. The Secretary-Treasurer shall keep an

accurate record of all monies appropriated to and expended for the use of the Section.

ARTICLE V

DUTIES AND RESPONSIBILITIES OF COUNCIL

Section 1. COUNCIL. The Council shall establish such policies of the Section as it may deem proper to perform the purposes of this Section and which are not inconsistent with any policy of the State Bar of Georgia. It shall hear all reports of the officers and committees of the Section and shall hear, consider and act upon such resolutions and matters presented to it which pertain to the activities of the Section.

Section 2. QUORUM. The Council shall act by majority vote of those present, provided that a quorum shall consist of not less than seven (7) members.

Section 3. VOTE. Members of the Council when present at a meeting of the Council shall vote in person. When Council Members are absent, they may communicate their vote in writing on any proposition at any time prior to the meeting and have it counted, with the same effect as if personally present at such meeting. Additionally, members may vote by telephone conference call on any matters at meetings.

Section 4. COMPOSITION. The Council shall be composed of the immediate past Chair, the Chair, the Vice-Chair, the Secretary-Treasurer, eleven (11) district representatives, and six representatives-at-large.

All past Chairs shall be ex-officio members of the Council.

Section 5. DISTRICT REPRESENTATIVE, RESIDENCE, TERM.

There shall be one district representative elected from each of the eleven Congressional Districts in the State. At the time of their election and during the entire period of their term, each district representative shall maintain his or her principal office in the Congressional District which he or she represents. The district representatives shall serve a two-year term beginning with the adjournment of the annual meeting at which he or she is elected and ending with the adjournment of the annual meeting two (2) years thereafter except that the election of district representatives from Districts 1, 3, 5, 7, 9 and 11 during the year 1994 shall be for a one-year term.

Section 6. REPRESENTATIVES-AT-LARGE. There shall be six (6) representatives-at-large elected to represent the membership of the General Practice and Trial Section. These representatives shall be elected for two-year terms beginning with the adjournment of the annual meeting at which he or she is elected and ending with the adjournment of the annual meeting two years thereafter except that the election of three (3) of the at-large representatives (referred to as At-Large Representatives 13, 15, and 17) during the year 1994 shall be for an initial one-year term. No more than three (3) of these representatives may be from the metro Atlanta area as it is the purpose of these representatives to reflect the diversity of this section and of the bar.

Section 7. ATTENDANCE AT COUNCIL MEETINGS. Attendance at regularly scheduled business meetings is desirable to secure the necessary input and effort to carry out the many diverse and worthy projects of this Section. A regularly scheduled business meeting is one called by the Chair and announced in a letter to all members of the Executive Committee and Council, or one regularly scheduled at the two annual State Bar meetings.

If an officer or council member misses two regularly scheduled business meetings consecutively without reasonable excuse, he or she shall forfeit the position held and the Chair shall be authorized to nominate a qualified individual to fill the unexpired term.

ARTICLE VI

EXECUTIVE COMMITTEE

There shall be an Executive Committee consisting of the immediate past Chair, Chair, Vice-Chair and Secretary-Treasurer, which committee shall have full power and authority in the intervals between meetings of the Council to do all acts and perform all functions which the Council could perform, provided that the Executive Committee shall not rescind any action taken by the Council.

ARTICLE VII

MEETINGS

Section 1. ANNUAL ELECTIONS. The annual elections meeting of the Section shall be held at or about the time of the Mid-Winter

meeting of the State Bar of Georgia, in the same city or place as such Mid-Winter meeting and with such program and order of business as may be designated by the Chair of the Section and the Council.

Section 2. SPECIAL. Special meetings of the Section may be called by the Chair at such time and place, and for such purpose(s) as may be approved by the Council.

Section 3. QUORUM. The members of the Section present at any general meeting after proper notice shall constitute a quorum for the transaction of business.

Section 4. VOTE. All binding action of the Section shall be by a majority vote of the members present.

Section 5. MAIL VOTE. The Council may direct that a matter be submitted to the members of the Section for a vote by mail. In such event, binding action of the Section shall be by a majority of the votes received in accordance with the rules fixed by the Council.

ARTICLE VIII

ELECTIONS

Section 1. GENERAL ELIGIBILITY. A nominee for any position must be a member of the Section in good standing at the time of his or her nomination. No person may run for more than one elective position at an annual meeting.

Section 2. VOTE REQUIRED. Following organizational elections, a Chair, Vice-Chair, and Secretary-Treasurer together with the appropriate Council Representatives shall be elected at

each Mid-Winter meeting. Such election shall be by a majority vote of those members of the Section present and voting.

Section 3. VACANCIES. If any office or position other than that of Chair shall become vacant during a term, the office or position shall be filled by the Council for the portion of the term remaining until the next annual meeting of the Section.

Section 4. NOMINATIONS. The Chair shall appoint a nominating committee to make and report to the Section nominations for such offices and positions as are scheduled to be filled at the annual election. The nominating committee shall consist of the Chair, the two immediate past Chairs, and such other members as the Chair may appoint. Nominations also shall be permitted from the floor.

Section 5. DATE OF TAKING OFFICE. Elections are to be conducted at the annual (mid-Winter) meeting as defined by these By-Laws. Those officers elected shall take office beginning immediately with the adjournment of the annual meeting at which he or she is elected and ending with the adjournment of the next annual meeting one year later. The date of election notwithstanding, the actual terms of office shall run from the annual (mid-Winter) meetings of the State Bar of Georgia.

ARTICLE IX

AMENDMENTS

These By-Laws may be amended by an affirmative two-thirds (⅔) vote of the Council at a meeting duly held in compliance with these

By-Laws. Any amendment so adopted shall become effective only if it is consistent with and in compliance with the Constitution and By-Laws of the State Bar of Georgia.

ARTICLE X

MISCELLANEOUS PROVISIONS

Section 1. FISCAL YEAR. The fiscal year of the Section shall be the same as that of the State Bar of Georgia.

Section 2. DISBURSEMENTS. No invoice, statement, or other evidence of expenditure on behalf of the Section shall be forwarded to the Secretary-Treasurer of the State Bar of Georgia for payment without having been approved by the Chair or Secretary-Treasurer.

Section 3. STATE BAR OF GEORGIA. No action by this Section shall become effective as the action of the State Bar of Georgia until it is approved by the State Bar of Georgia. Any resolution adopted or action taken by this Section may, on request of the Section, be reported by the Chair of the Section to the governing body of the State Bar of Georgia with a request for action thereon.

THESE BY-LAWS ADOPTED AT THE MAY 8, 1993 COUNCIL MEETING.

Secretary