

BYLAWS

REAL PROPERTY LAW SECTION STATE BAR OF GEORGIA

ARTICLE I Name and Purpose

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

Section 2: The purpose of this Section shall be to form an association of licensed lawyers in the State of Georgia who desire to develop their knowledge and professional abilities in the field of real property law and related subjects; to sponsor continuing education of the bar in this field; to promote cooperation with other professional and business groups engaged in related activities; to study or review, proposed legislation, administrative policy or Advisory Opinions for the improvement of the law in this field and make appropriate recommendations to the State Bar of Georgia; all in conformity with the statutes, orders, bylaw, or other rules, regulations, or established policies governing the State Bar of Georgia; and to render better services to their clients and the public.

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. Upon enrollment and payment of annual Section dues, any member of the State Bar shall be enrolled as a member of this Section. Thereafter, dues shall be paid in advance annually at the time of the payment of dues to the State Bar of Georgia. Section members who are enrolled and whose dues are paid shall constitute the membership of this Section. Any member whose annual dues are unpaid and past due 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. The Annual section dues shall be set by the Section Executive Committee and approved by the Board of Governors.

Section 2: Student Law Members: Any student law member, pursuant to Rule 1-206.1, shall be eligible and may become a law student member of this Section upon

application and payment of the required dues. Law student members shall be entitled to all of the privileges of this Section, except that of voting or holding office.

ARTICLE III

Officers

Section 1: The Officers of the Section shall be a Chairperson, a Vice-Chairperson, a Secretary-Treasurer (a position held by one person), and an Immediate Past Chair, all of whom shall be members in good standing of the Section and who shall perform the usual duties of their respective offices and the duties hereafter specified. These officers shall be members of the Section Executive Committee and shall have general charge of the affairs of the Section.

Section 2: At the annual meeting of the Section, an election shall be held for the offices of Vice Chairperson and Secretary-Treasurer. Upon election of the Vice Chairperson, the Vice Chairperson elected at the previous annual meeting of the Section shall become Chairperson. Each Officer shall hold office for a term of one (1) year beginning at the commencement of the fiscal year of the State Bar of Georgia following the election at which he or she is elected and ending at the close of the same fiscal year of the State Bar of Georgia or until his or her successor has been elected.

If a vacancy arises in the office of the Chairperson, the Vice-Chairperson shall become Chairperson for the unexpired term and shall also serve as Chairperson for the next succeeding term. If a vacancy arises in the office of the Chairperson and there is also 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. The Section Executive Committee may, by majority vote, fill any other vacancy in any other elected office for the balance of the unexpired term of such office.

Section 3: The Chairperson shall provide notice of the Section Executive Committee meetings and Section meetings; shall preside over all meetings of the Section Executive Committee and of the Section; appoint appropriate committees to serve during his or her term as Chairperson; plan and supervise the program of the Section at its annual meeting; and shall perform all executive and administrative duties necessary to the organization and functioning of the Section, including any responsibility as may be prescribed by the Section or by the State Bar of Georgia.

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

Section 5: In their role as Secretary, the Secretary-Treasurer shall record and keep minutes of all meetings of the Section, present minutes to the Section members for approval, maintain permanent records until such time that the permanent records are transferred to the elected or appointed successor of the Secretary, and perform such other duties as may be prescribed by the Chairperson.

Section 6: In their role as Treasurer, the Secretary-Treasurer shall keep an accurate record of all dues collected and expenses of the Section, assist in the preparation of an annual budget for the Section, report upon the budget at meetings of the Section, and shall perform other duties as may be prescribed by the Chairperson. The Treasurer shall provide an accounting to the Section at its annual meeting or upon the Chairperson's request.

ARTICLE IV **Meetings of the Section**

Section 1: A Section shall meet a minimum of twice per Bar year. Other meetings of the Section may be held from time to time on the call of the Chairperson or Vice-Chairperson or any four members of the Section Executive Committee or any ten active members of the Section. An annual meeting of the Section shall be held each Bar year at or about the first week of May; the date, time, and location and by any electronic means to be determined by the Chairperson.

Section 2: The Chairperson may call a Special Meeting of the Section 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: At any meeting of the Section, twenty members present and eligible to vote shall constitute a quorum. Presence at a meeting can be in-person or by any electronic means of communication other than text messaging or email as set forth in Art. IV, Section 7 of these Bylaws.

Section 4: Except for administrative decisions made by the Officers or Section Executive Committee, all actions of the Section shall be by a majority vote of the members of the Section present and eligible to vote at any properly called meeting at which a quorum is present.

Section 5: Parliamentary procedure at all meetings of the Section shall be governed by Roberts Rules of Order, Newly Revised, and by these Bylaws.

Section 6: Notice of Section meetings shall be given at least ten days prior to the time and place of the meeting of the Section. Notice of a Section meeting shall be given by email or mailing a notice to each member of the Section. Notice shall be sent to the member's email address or office address as the same appears in the membership rolls of the Section maintained by the State Bar of Georgia. Notice of this Section's meetings may be included in other written or printed materials as distributed by the State Bar by email, U.S. mail, or posted on the official website of the State Bar of Georgia.

Section 7: If deemed prudent or necessary, the Section may conduct any meeting by any electronic means that allows for discussion, debate, and voting other than by text messaging or email. A Section may adopt internal rules to allow for email voting on noncontroversial matters, provided that the rule allows for any member to request verbal debate or discussion, which would stop all email voting. All internal rules must be approved by the Office of the General Counsel.

ARTICLE V **Section Executive Committee**

Section 1: The Section Executive Committee shall consist of the Officers of the Section, appointed by the Chairperson and whose term shall be co-existent with that of the Chairperson, and up to 22 members appointed by majority vote of the Executive Committee.

Section 2: Except for actions requiring a vote from the entire membership of the Section, the Section Executive Committee shall have full authority to act for the Section in any way the Section itself would be authorized to act. Any such action taken by the Executive Committee under this provision shall be reported to the

members of the Section at its next meeting and by email or by the publication of a newsletter that is mailed or emailed to the members of the Section.

Section 3: Standing Committees: There shall be the following standing committees of this Section, appointed by the Chairperson, upon consultation with the Executive Committee, to serve during the Chairperson's term of office:

(a) Title Standards Committee, the duties of which Committee shall be to maintain a continuing review of the existing title standards and to recommend amendments to the existing title standards for approval by the Section;

(b) Legislative and Governmental Relations Committee, the duties of which Committee shall be to seek to keep the Members of the Section informed as to legislation pending before or enacted by the General Assembly of Georgia or the Congress of the United States affecting real property law and other matters directly related to real property law, and to submit for approval by the Executive Committee legislative subjects to be presented to the State Bar Advisory Committee on Legislation; and

(c) Bylaws Committee, the duties shall be to maintain a continuing review of these bylaws and to recommend such amendments from time to time as may be appropriate.

All committees, except as otherwise provided herein, shall be appointed or removed by the Chairperson. Members of the Section Executive Committee, other than the Officers, and any other members of the Section may serve as Chairperson of appointed committees.

Section 4: The Chairperson shall appoint such other special committees as he or she may from time to time deem appropriate. The Chairperson shall also appoint a Nominating Committee as provided in Article VI, Section 1, of these bylaws.

ARTICLE VI

Elections

Section 1: Annual elections for new officers shall occur between the mid-year meeting of the State Bar of Georgia and the annual meeting of the State Bar of Georgia. Prior to each election, the Chairperson shall appoint three or more members

of the Section to be 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 the ensuing terms of office and to fill vacancies for regular members of the Executive Committee whose term of office will expire at the next annual Bar year. The nominating committee's report shall be made to the Secretary-Treasurer thereafter, and the Chairperson shall present the report to the Section at its next meeting, or by email or publication of a newsletter. Thereafter, and before 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 fill any of the vacant offices.

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 Section at its Annual Meeting and Ballots shall be cast to elect a designated Member to an office or position by majority vote. Voting shall be viva-voce or by written ballot, but only those Members appearing in person at the Annual Meeting may vote. A majority of the Members of the Section present and voting may require written secret ballots or otherwise modify the procedure governing the election.

ARTICLE VII

Finances

Section 1: Funds of the Section shall be deposited in the treasury of the State Bar of Georgia. All expenses and accounts payable of the Section shall be approved by a member of the Section Executive Committee and paid by the Chief Financial Officer of the State Bar of Georgia. The Treasurer of the Section shall communicate with the Sections Director to obtain financial information necessary to create financial reports to be delivered to the members of the Section.

Section 2: Funds of the Section shall be expended for such purposes related to the Section's activities as authorized by the Section's Executive Committee.

Section 3: Officers and members of the Section shall not be compensated for services to the Section but may be reimbursed for reasonable expenditures incurred on behalf of the Section. Reimbursement of expenditure will require a receipt of the expense incurred on behalf of the Section and submitted to the Sections Director. The Sections Director will report the expense to the Executive Committee, which will approve or deny the reimbursement.

Section 4: A financial report of the funds of the Section shall be reported by the Treasurer at each meeting of the Section upon request by any member of the Section. The Sections Director will assist the Treasurer in preparing a financial report for the Section. This Section shall have the same fiscal year as the State Bar of Georgia.

ARTICLE VIII

Miscellaneous

Section 1: The Section shall conduct continuing education programs at least once each Bar year. Continuing education programs that are six hours or more in credit hours shall be conducted through the Institute of Continuing Legal Education of the State Bar of Georgia in the area of law and field of practice of this Section. Any continuing legal education program that is less than six hours may be conducted by the Section without the Institute of Continuing Legal Education of the State Bar of Georgia. All continuing education programs must be approved by the Commission on Continuing Lawyer Competency. The Section may coordinate its continuing legal education efforts with the other sections of the State Bar of Georgia.

Section 2: The Section, subject to the rules, bylaws, and Standing Board Policies of the State Bar of Georgia, may study or review proposed legislation. The Section may submit any proposed legislation to the Advisory Committee on Legislation for consideration by the Committee. The Section shall report or submit a report in writing of any legislative activities to the State Bar of Georgia at or prior to the Annual Meeting of the State Bar of Georgia. Written reports shall be submitted at least six weeks in advance of the Annual Meeting for publication in the Annual Meeting Board Book.

Section 3: The Section will not engage in actions and activities or promote positions that are not germane to the scope and purpose of the State Bar of Georgia. A section shall not do any act or take any action contrary to the rules, bylaws and standing policies of the State Bar of Georgia.

ARTICLE IX

Effective Date and Amendment

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, provided the proposed amendment has first been approved by a majority of the Executive Committee.

Section 3: No amendment to these Bylaws shall become effective until approved by the Board of Governors of the State Bar of Georgia.

Signed, sealed, and subscribed before the undersigned this _____ day of _____, 20 ____.

CHAIRPERSON

SECTION SECRETARY