

CRIMINAL JUSTICE SECTION  
INDIANA STATE BAR ASSOCIATION  
BYLAWS

ARTICLE I  
NAME AND PURPOSE

Section 1. Name. This section shall be known as the Criminal Justice Section of the Indiana State Bar Association.

Section 2. Purpose. The purpose of this Section shall be:

- (a) to unite in a single Section of the Indiana State Bar Association those lawyers and judges who are interested in and concerned with the system for administration of criminal justice in the State of Indiana;
- (b) to promote high standards of professional conduct for lawyers, judges and law enforcement officials who function as a part of the criminal justice system;
- (c) to cooperate with the trial and appellate judges of the State of Indiana in formulating programs of continuing legal education in the field of criminal justice;
- (d) to recommend and support the adoption of any needed changes or revisions in the substantive criminal law and penalties prescribed for violations of such law;
- (e) to recommend and support the adoption of any needed changes in the system of criminal justice in the State of Indiana which will insure to all persons who need representation in criminal proceedings the opportunity to obtain competent counsel;
- (f) to recommend and support the adoption of any needed changes in criminal procedure which will produce just, speedy and inexpensive determinations of the guilt or innocence of persons accused of crimes and at the same time uphold the constitutionally guaranteed rights and individual liberties of those so accused;
- (g) to recommend and support adoption of any needed changes in the corrections system of the State of Indiana which will insure the safety of citizens of the state, but at the same time be most conducive to rehabilitation of persons

convicted of crimes;

- (h) to recommend and support adoption of any needed changes in the procedures for probation and parole in the State of Indiana;
- (i) to recommend and support adoption of any needed changes in the criminal justice system which will provide uniformity in treatment of persons convicted of the same crimes; and
- (j) to promote a better understanding of the system of criminal justice in the State of Indiana and the individual rights and liberties guaranteed under the Indiana and United States Constitutions to individuals accused or convicted of crimes.

## ARTICLE II MEMBERSHIP

Section 1. Eligibility. Any member in good standing of the Indiana State Bar Association shall be eligible for membership in the Criminal Justice Section.

Section 2. Admission to Membership. Admission to membership shall be:

- (a) by application upon forms provided by the principal office of the Association, and
- (b) upon payment of annual dues as hereinafter provided in these Bylaws.

## ARTICLE III MEETINGS

Section 1. Regular Meetings. The Section shall have two Regular Meetings each year consisting of

- (a) Annual Meeting; and
- (b) Spring Meeting.

Section 2. Schedule of Regular Meetings. The Annual and Spring Meetings of the Section shall be held at the same general location and at the same approximate time as the Annual and Spring Meetings of the Association. The exact time and place of the Annual and Spring Meetings is to be designated by the Section Chair and coordinated through the Association headquarters.

Section 3. Special Meetings. Special Meetings may be called by the Section Chair and shall be called when (a) the Section Chair determines that such a meeting should be called, (b) a

majority of the officers and Directors' Council vote to call such a meeting, or (c) when ten members of the Section in good standing petition for a special meeting.

Section 4. Notice. Notice of the time and place of all meetings shall be given by the Chair at least 15 days prior thereto. The notice of a Special Meeting shall specify the purpose thereof. In addition to notices sent to each member of the Section, whenever possible notice of the meetings shall appear in Res Gestae magazine.

Section 5. Quorum. The members of the Section present at any meeting shall constitute a quorum for the transaction of business.

Section 6. Majority. A majority vote of the Section members present and voting shall constitute binding acts of the Section.

#### ARTICLE IV OFFICERS AND COUNCIL

Section 1. The officers of the Section shall be the Chair, Secretary and Treasurer.

Section 2. There shall be a Directors' council of the Section of 18 members consisting of the officers, and three members of the Section from each District of the Indiana Court of Appeals. At a minimum there must be:

- (a) Two directors who are active sworn full or part-time prosecutors or deputy prosecutors;
- (b) Two directors who are sworn full or part-time judges. Pro tems and commissioners do not fulfill this requirement; and
- (c) Two directors who actively engage in the practice of criminal defense

The Chair of the Section will appoint the three directors from each of the Districts of the Indiana Court of Appeals within two weeks of the Chair's election.

#### ARTICLE V NOMINATION AND ELECTION

Section 1. Nomination of Officers. Nomination shall be as follows:

- (a) By not later than 30 days after the Spring Meeting, the Chair shall appoint a Nominating Committee consisting of one

Section member from each of the first, second and third Districts of the Indiana Court of Appeals, one member at large

and the immediate Past Chair of the Section, who shall serve as the Chair of the Nominating Committee.

- (b) The Nominating Committee shall nominate one candidate for each of the offices of Chair, Secretary and Treasurer. The Nominating Committee shall submit its slate of candidates at the Annual Meeting of the Section.
- (c) Any Section member in good standing may nominate a Section member in good standing for the office of Chair, Secretary or Treasurer by filing a written nominating petition addressed to the attention of the Section Secretary at the principal office of the Association, not later than 20 days prior to the Annual Meeting of the Section or in person at the Annual Meeting.

Section 2. Election of Officers. Election of officers shall be as follows:

- (a) A Chair, a Secretary and a Treasurer shall be elected at each Annual Meeting for one-year terms, to serve from the close of the Annual Meeting at which elected to the close of the next Annual Meeting.
- (b) Election shall be by a majority vote of the Section members present and voting.

## ARTICLE VI VACANCIES

Section 1. In the event of a vacancy in the office of Chair, the Secretary shall automatically become Acting Chair until such time as the next annual election. The Acting Chair shall then appoint an Acting Secretary to serve until the next annual election.

Section 2. Vacancies in the directorships shall be filled by the Chair with the consent of a majority of the existing Directors' Council for the unexpired term of such office.

Section 3. Any vacancy in the offices of Secretary or Treasurer not occurring as the result of the events described in Section 1 shall be filled by appointment by the Chair with the consent of a majority of the Council for the unexpired term of such office.

## ARTICLE VII DUTIES OF OFFICERS

Section 1. The Chair shall preside at all meetings of the Section and of the Council and shall have such other powers and shall perform such other duties as usually pertain to the office of a presiding officer. With the advice and approval of the Council he shall:

- (a) appoint all committee members and designate the Chairs thereof, and
- (b) prepare and present annual reports of the work of the Section for the Board of Governors of the Association and shall prepare and present such interim reports to the Board of Governors of the Association as shall be determined by the Council.

Section 2. The Secretary shall be the custodian of all books, documents, papers and other property of the Section except money and shall keep a true record of the proceedings of all meetings of the Section and of the Council. He shall also establish and maintain a roster of all members of the Section with the assistance of the Treasurer.

Section 3. The Treasurer shall supervise the handling of all Section funds in accordance with the procedures established by the Association. No disbursement of the funds of the Section shall be made without authorization from either the Chair, Secretary or Treasurer of the Section or Executive Director of the Association. The Association shall keep accurate and current records of all funds of the Section.

## ARTICLE VIII DUTIES OF THE COUNCIL

Section 1. The Council shall determine and control the policy of the Section, except that any policy determination made and any action voted to be taken, must be approved by the Board of Mangers of the Association before the same is given publicity or becomes effective as the action of an organ of the Association. The Council shall have supervision and control of the affairs of the Section, including expenditure of Section funds subject to the Articles and bylaws of the Association. The Council shall have such other powers and duties as are enumerated elsewhere in these Bylaws.

Section 2. A quorum for the transaction of business of the Council shall be a simple majority of the Council.

Section 3. All binding acts of the Council shall be by majority vote of the council members present and voting on the question, provided a quorum is present.

## ARTICLE IX COMMITTEE

Section 1. There shall be a Nominating Committee to be appointed by the Chair having the composition and duties as provided in Article V, Section 1.

Section 2. There shall be such other committees as the Council may from time to time authorize consistent with the goals and purposes of the Section.

## ARTICLE X DUES

Section 1. Payment of annual dues shall be a prerequisite for membership in the Section.

Section 2. Membership in the Section shall terminate automatically in accordance with procedures established by the Association for termination of delinquent members.

Section 3. The amount of annual dues shall be established by the Council by a majority vote of all Council members.

Section 4. Dues shall be paid to the principal office of the Association to be maintained on behalf of the Section and in accordance with these Bylaws.

Section 5. The Section shall incur no obligation which is not currently payable from Section funds. Assessments other than annual dues shall not be made except by majority vote of all Section members present and voting at a special meeting of the Section called and with notice given in accordance with Article III.

## ARTICLE XI EXPULSION AND REINSTATEMENT

Section 1. A member may be suspended or expelled from the Section for conduct unbecoming a member of the Bar upon the vote of two-thirds of all Council members, said vote to be conducted by secret ballot. Said vote shall not become effective until concurred in by majority vote of the members of the Board of Governors of the Association.

Section 2. Termination of membership in the Association shall automatically terminate Section membership and the rights incident thereto.

Section 3. One whose membership has terminated for non-payment of dues pursuant to Article X may apply for reinstatement and upon payment of dues for the current year, and upon payment of delinquent dues not exceeding one full year's dues, may be reinstated upon approval of the Council.

## ARTICLE XII SECTION ACTION

No person or group shall publicly speak or act for the Section unless authorized to do so by the Council: provided, however, a Section officer may speak and act pursuant to the powers and duties invested in said officer in these Bylaws.

ARTICLE XIII  
EFFECTIVE

These Bylaws shall become effective upon approval by the Board of Governors of the Association and by ratification by the Section.

ARTICLE XIV  
AMENDMENT

These Bylaws may be amended at regular meetings of the Section called in accordance with Article III by majority vote of the members of the Section present and voting, provided that notice of the proposed amendment is provided in the notice of the meeting and the amendment is concurred in by the Board of Governors of the Association.

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