BYLAWS OF THE GOVERNMENTAL PRACTICE SECTION _INDIANA STATE BAR ASSOCIATION_

ARTICLE I

NAME, DIVISIONS AND PURPOSE

<u>Section 1.</u> Name. The Section shall be known as the "Governmental Practice Section" of the Indiana State Bar Association.

<u>Section 2.</u> <u>Divisions</u>. The Section shall consist of Divisions to be designated respectively as follows:

- (a) Planning and Development Law Division
- (b) Administrative Law Division
- (c) Municipal Corporation Law Division

<u>Section 3. Purpose</u>. The purpose of the Section shall be to promote the objects of the Association within the legal fields covered by the Divisions and to promote and increase dialogue between legal practitioners within the fields covered by such Divisions. In the furtherance of the purpose of the Section, each Division shall consider all matters of legal interest relating to the various subjects covered by such Division.

ARTICLE II

MEMBERSHIP

<u>Section 1.</u> <u>Member</u>. Any member in good standing of the Association shall be eligible for membership in the Section and any Division.

Section 2. Admission. 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 by these Bylaws.

<u>Section 3. Roster.</u> The Secretary of the Section shall establish and maintain at the principal office of the Association a roster of all members, which shall include the name and address of each member.

<u>Section 4.</u> <u>Division Designation</u>. Any member of the Section may, by indication on the appropriate forms provided by the Section Secretary, become a member of a Division or Divisions,

such status to continue for so long as such member remains a member in good standing of the Section and Division.

ARTICLE III

MEETINGS

- Section 1. Section Regular. The Section shall have two regular meetings to be held at the same general time and place as the Annual Meeting and Spring Meeting of the Association and such meetings shall be referred to as the Annual or Spring Meeting, respectively. At the Annual and Spring Meeting each Division Chairmen shall report to the Section of their Division's activities.
- <u>Section 2. Division Regular</u>. Each Division shall have a regular meeting to be held at the same general time and place as the Spring Meeting of the Association.
- <u>Section 3.</u> <u>Other Section Meetings</u>. The Section may have such other meetings as it deems appropriate.
- <u>Section 4. Other Division Meetings</u>. Each Division may have such other meetings as it deems appropriate.
- Section 5. <u>Quorum</u>. The members present at any meeting shall constitute a quorum for the transaction of business.
- Section 6. <u>Binding Action</u>. All binding action of the Section shall be by majority vote of the Section members present and voting.

ARTICLE IV

OFFICERS AND COUNCIL

- <u>Section 1.</u> <u>Section Officers</u>. The Officers of the Section shall be the Chairman, Chairman-Elect, Secretary and Treasurer.
- <u>Section 2. Council.</u> There shall be a Council consisting of the Officers of the Section, the immediate Past Chairman of the Section, and the Chairman of each of the Divisions of the Section.
- <u>Section 3.</u> <u>Past Section Chairmen.</u> Past Chairmen of the Section, who are not otherwise members of the Council, shall become honorary members of the Council. As such they shall be given notice of and shall have the right to attend any and all meetings of the Council and may participate in any discussion, but shall not have a voting right at any such meeting.

<u>Section 4. Division</u>. Each Division shall have a Chairman.

ARTICLE V

NOMINATION AND ELECTION

- <u>Section 1.</u> <u>First Section Officers</u>. The first Section officers shall be appointed by the President of the Association and shall serve until their successors are duly elected and qualified.
- <u>Section 2.</u> <u>First Division Chairmen</u>. The first Division Chairmen shall be appointed by the first Section Chairman with the approval of the President of the Association and shall serve until their successors are duly appointed and qualified.
- <u>Section 3.</u> <u>Subsequent Section Officers</u>. At the Annual Meeting in 1986 and at Annual Meetings in even-numbered years thereafter the Section Officers shall be elected pursuant to the nomination and election procedures established in this Article. The Chairman-Elect shall automatically succeed to the office of Chairman at the Annual Meetings in even-numbered years.
- <u>Section 4.</u> <u>Section Nominating Committee</u>. The Chairman of the Section and each Division Chairman shall constitute the Section nominating committee. The Section Nominating Committee shall nominate one candidate for each of the offices of Chairman-Elect, Secretary and Treasurer.
- <u>Section 5.</u> <u>Nominating Committee Reports.</u> The Section Nominating Committee shall submit a report of its candidates to the Section at the Annual Meeting in even-numbered years of the Section.
- <u>Section 6. Other Nominations</u>. Any Section member may with a second nominate a Section member for the office of Chairman-Elect, Secretary or Treasurer at the Annual Meeting in even-numbered years of the Section.
- <u>Section 7.</u> <u>Appointment of Division Chairmen.</u> The Section Chairman shall appoint the Chairmen of each Division at the Spring Meeting in odd-numbered years and they shall serve at his pleasure.
- <u>Section 8. Section Elections</u>. Whenever 2 or more persons are nominated for a Section office, election shall be by a majority vote of the Section members present and voting, in a secret ballot, except that unopposed candidates may be elected by voice vote.
- <u>Section 9.</u> <u>Restrictions on Office</u>. No two Section level offices may be held by the same person. No person may be simultaneously a Section Chairman and a Division Chairman.

ARTICLE VI

VACANCIES

- <u>Section 1.</u> <u>Definition</u>. Resignation or expulsion, delinquency in dues in the Association or Section, death or written notice of incapacity, of a Section Officer, Division Chairman, Committee Chairman or Committee Member shall create a vacancy in that office.
- <u>Section 2.</u> <u>Section Chairman</u>. In the event of a vacancy in the office of Section Chairman, the Chairman-Elect shall automatically become Chairman, and shall serve for the remainder of the

vacated term, plus the duration of his own term as Chairman. A new Chairman-Elect shall be appointed by the Chairman.

- <u>Section 3.</u> <u>Section Secretary or Treasurer</u>. Vacancies in the offices of Section Secretary or Treasurer shall be filled by the Chairman for the unexpired term of such office.
- <u>Section 4. Division Chairman</u>. In the event of a vacancy in the office of Division Chairman, the Section Chairman shall appoint a new Chairman.
- <u>Section 5.</u> <u>Section Committees</u>. Section Committee vacancies shall be filled by the Section Chairman for the unexpired term of such office.
- <u>Section 6.</u> <u>Division Committees</u>. Division Committee vacancies shall be filled by the Division Chairman of such Division for the unexpired term of such office.

ARTICLE VII

DUTIES OF SECTION OFFICERS

Section 1. Chairman. The Chairman 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 the presiding officer. He shall prepare and present an annual written report of the work of the Section to the Board of Governors of the Association and the House of Delegates of the Association. He shall prepare and present such interim reports to the Board of Governors of the Association as may be determined by the Council.

<u>Section 2. Chairman-Elect</u>. The Chairman-Elect shall preside at all Section meetings in the absence of the Chairman. He shall supervise all appointed committees, keeping in touch throughout the year with the Committee Chairmen to determine that the committees are functioning, to encourage the committees in their work and to keep abreast of committee activities.

Section 3. <u>Secretary</u>. The Secretary shall be the custodian of all books, documents, papers and other property of the Section, except money. He shall keep a true record of the proceedings of all meetings of the Section and Council. He shall establish and maintain a roster of all members of the Section, with the assistance of the Treasurer.

Section 4. Treasurer. The Treasurer shall supervise the handling of all Section funds in accordance with the procedure established by the Association. The dues of this Section shall be billed and collected by the Association, and all collected dues and other funds of the Section shall be deposited and maintained by the Association. No disbursement of the funds of the Section shall be made without authorization from either the Chairman or Chairman-Elect of the Section or Executive Director of the Association or his designated assistant. The Association shall keep accurate and current records of all funds of the Section.

ARTICLE VIII

DUTIES OF DIVISION OFFICERS

Section 1. Chairman. The Chairman shall preside at all meetings of the Division, shall be a member of the Council, shall have such other powers, and shall perform such other duties as usually pertain to the office of a Division presiding officer, and shall be responsible for the work, plans, and activities of the Division. Each Division Chairman is authorized to constitute such committees as he, with the concurrence of the Section Chairman, may deem appropriate. The Division Chairman may utilize the services of Division participants in implementing the program and committee work of his Division. He shall prepare and present an annual written report of the work of the Division to the Section at the Annual Section Meeting. He shall prepare and present such interim reports as may be determined by the Council.

ARTICLE IX

DUTIES OF COUNCIL

Section 1. Section Policy. The Council shall determine and control policy of the Section, except that any policy determination made, and any action voted to be taken, must be approved by 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.

<u>Section 2</u>. <u>Quorum</u>. A quorum for the transaction of business of the Council shall be three (3) Council members.

<u>Section 3. Voting.</u> All binding action of the Council shall be my majority vote of the Council members present and voting on the question, provided a quorum is present.

ARTICLE X

DIVISIONS

<u>Section 1. Policy</u>. The three (3) Divisions shall effectuate the purposes of the Section and shall create and insure a continuing body, having staggered every other year appointments, with duties and responsibilities as provided herein. Each Division shall provide a forum for discussion of subjects of interest within their field of law.

<u>Section 2.</u> <u>Membership</u>. Each Division shall have five (5) or more members. Membership of each Division shall be confirmed by the Section Secretary within thirty (30) days after registration.

<u>Section 3.</u> <u>Law School Representatives</u>. The Division Chairman, with the approval of the Section Chairman, may appoint a representative of each of the four (4) law schools in Indiana to act in an advisory capacity for each Division. Said advisor need not be a member of either this Section or of the Indiana State Bar Association.

ARTICLE XI

COMMITTEES

- <u>Section 1. Nominating.</u> There shall be a Nominating Committee as provided in Article V.
- <u>Section 2. Section</u>. There shall be such other committees of the Section as may be appointed by the Chairman, with the approval of a majority of the Council, having such powers and duties as may be designated from time to time by the Council as are deemed necessary to carry out the activities of the Section.
- <u>Section 3. Division</u>. There shall be such other committees of the Divisions appointed by the Division Chairman, with the approval of the Section Chairman, and having such powers and duties as may be designated from time to time by the Section Chairman, as are deemed necessary to carry out the activities of the Division as further provided in Article X.

ARTICLE XII

Dues

- <u>Section 1.</u> <u>Membership</u>. Payment of annual dues shall be a prerequisite for membership in this Section.
- <u>Section 2. Delinquency</u>. Membership in the Section shall terminate in accordance with procedures established for termination of delinquent members of the Association.
 - Section 3. Amount. The amount of annual dues shall be established by the Council.
- <u>Section 4</u>. <u>Payment</u>. Dues shall be paid to the principal office of the Association, to be maintained on behalf of the Section in accordance with Article VII, Section 4.

ARTICLE XIII

RESIGNATION

- <u>Section 1. Section</u>. A member may resign from Section membership at any time by written resignation directed to the Section Secretary, with a copy to the Executive Director of the Association.
- <u>Section 2.</u> <u>Association Membership</u>. Termination of membership in the Association shall automatically terminate membership in the Section and all Divisions.
- <u>Section 3. Division</u>. A member may resign from Division membership at any time by written resignation directed to the Section Secretary, with a copy to the Executive Director of the Association.

ARTICLE XIV

AMENDMENT OF BYLAWS

Section 1. Amendment. These Bylaws may be amended at any regular Meeting of the Section called with thirty (30) days advance written notice, which notice and the nature of the proposed amendment shall be mailed to all Section members. A two-thirds majority vote of the members of the Section present and voting at such meeting shall be required to amend these Bylaws and no such amendment shall be effective until reviewed and approved by the Board of Governors and House of Delegates of the Association.

ARTICLE XV

ADOPTION OF BYLAWS

<u>Section 1.</u> <u>Operation</u>. These Bylaws became effective upon their approval by the Board of Governors and House of Delegates of the Association.

<u>Section 2.</u> <u>No Conflict</u>. Nothing in these Bylaws shall conflict with the Bylaws of the Association.

<u>Section 3. Divisions</u>. The Divisions may establish such Bylaws as each such Division shall deem appropriate, so long as such Division Bylaws do not conflict with the Bylaws of the Section as may be amended from time to time as hereinabove provided.

Effective this	day of	, 1985.	
		Section Chairman	

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