

BYLAWS OF THE FAMILY LAW SECTION OF THE UTAH STATE BAR

ARTICLE 1

Purpose

1.1 Creation. The Family Law Section of the Utah State Bar (the "Section") is established pursuant to Article X, Section 1 of the Bylaws of the Utah State Bar.

1.2 Purpose. The purpose of the Section shall be to seek the participation of all interested members of the Bar and of local associations in order to:

- (1) provide the opportunity and forum for the interchange of ideas in the area of family law by sponsoring various programs and seminars and other forms of continuing legal education;
- (2) assist the judiciary in family law-related projects as may benefit to the members, the legal profession and the public;
- (3) undertake such other services or projects as may be of benefit to the member, the legal profession and the public;
- (4) promote the sound development of ethical and professional practices and procedure;

1.3 Limitations. These Bylaws have been adopted subject to applicable Utah statutes and the Bylaws of the Bar.

1.4 Office. The principal office of the Section shall be maintained in the offices of the Bar. The operating office of the Section shall be that of the Chair during his/her term of office.

1.5 Fiscal Year. The fiscal year of the Section shall coincide with that of the Utah State Bar.

ARTICLE 2

Membership

2.1 Enrollment. Any member in good standing of the Bar may be enrolled as a member of the Section by notifying the Bar of such desire and by the payment in advance of annual Section dues in the amount approved by the Executive Committee of the Section and the Board of Commissioners of the Utah State Bar.

2.2 Membership. Members enrolled as provided in Section 2.1 shall constitute the Membership of the Section.

2.3 Associate Membership. The members of the section may include persons who are members of the Legal Assistants Division of the Utah State Bar, and shall be known as "Associate Members." It is the policy of this Section to involve Associate Members for the limited purpose of advancing the Section's principal objectives that are set out in Section 1.2 a-d of these Bylaws. As a specific condition for membership in the Section, Associate Members shall take all precautions to assure that they do not hold themselves out as being members of the Utah State Bar, and will follow all guidelines and directives from the Section Chair in connection with the implementation of this requirement. Membership as an Associate Member shall be at the absolute and sole discretion of a majority of the members of the Executive Committee. Associate Members may not hold office in the Section, but are otherwise entitled to all of the privileges and benefits of the Section membership.

2.4 Dues. Dues in the amount approved by the Executive Committee and the Board of Commissioners of the Bar shall be paid annually in advance; provided, however, that additional monies may be raised by the Executive Committee as needed to operate the Section.

ARTICLE 3

Meeting of the Section's Membership

3.1 Annual Meeting. Commencing with the year 2002, the Annual Meeting of the Section shall be held in conjunction with the Annual Seminar, unless a different time is previously determined by vote of the Executive Committee.

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

3.3 Controlling Vote. Action of the Section shall be by majority vote of the members present at any duly notice meeting of the Section. Other acts of the Section shall be by majority vote of the Executive Committee.

3.4 Agenda. Among the business to be transacted at the annual meeting by the Membership shall be the appointment of officers and Executive Committee members.

3.5 Special Meetings. Special meetings of the Section Membership may be called by the Chair at such time and place as the Executive Committee may determine. Reasonable notice of any such meeting shall be given to the Membership.

ARTICLE 4

The Executive Committee

4.1 Powers. The Executive Committee shall be vested with the powers and duties necessary for the administration of the affairs of the Section.

4.2 Composition. The Executive Committee shall be composed of the following:

- (1) A District Court Commissioner
- (2) A District Court Judge
- (3) A Juvenile Court Judge
- (4) A representative from the Utah Attorney General's Office
- (5) A representative from the Legal Aid Society of Salt Lake
- (6) A practitioner specializing in Juvenile Court
- (7) A practitioner specializing in mediation
- (8) A Guardian Ad Litem
- (9) A representative from or liaison to the First Judicial District
- (10) A representative from or liaison to the Second Judicial District
- (11) A representative from or liaison to the Fourth Judicial District
- (12) A representative from or liaison to the Fifth Judicial District
- (13) A representative from or liaison to the Sixth, Seventh and Eighth Judicial District
- (14) and, fifteen, at large members appointed by the Executive Committee.

4.3 Appointment. At the Annual Meeting, the Executive Committee shall appoint appropriate persons to fill the vacancies in the positions set forth in Section 4.2, subject to ratification by a vote of a majority of the persons present. Persons appointed to the Executive Committee shall serve at the pleasure of a majority of the Committee, and continuing membership shall be reviewed at the annual meeting.

4.4 Terms. Each member shall serve a five year term. At the conclusion of their terms, a member may be reappointed for an additional five year term consistent with the terms of appointment set forth in section 4.3 above.

4.5 Eligibility for Membership. No person shall be eligible for appointment as an Officer of the Section or a member of the Executive Committee unless he or she shall have been a member of the Section throughout the year in which an appointment is made. Any person who is appointed to the Executive Committee by virtue of either the position that person holds or the district in which that person practices, and that position or district thereafter changes, that person shall no longer be eligible to serve as a member of the Executive Committee, in that capacity. Members appointed to special projects committees shall serve until the special project is completed, or for a term defined by the Executive Committee.

4.6 Controlling Vote. Action of the Executive Committee shall be by majority vote of the Executive Committee members present and voting by proxy. A member of the Executive Committee may vote by written proxy by instructing the Secretary in writing of the manner in which such vote is to be cast.

4.7 Meetings. The annual meeting of the Executive Committee shall be held in conjunction with the annual meeting of the Section. Special meetings shall be held at the time and place as may be designated by the Chair, or by any Officer of the Section. A meeting is not essential to action by the Executive Committee, provided response to any proposed action is elicited from all members of the Executive Committee and a majority of the members have approved said action.

4.8 Political and Other Public Positions. Political and other public position of the Section may be authorized by the Executive Committee without a vote of the Section Membership at large.

4.9 Vacancies. The Executive Committee, during the interim between annual meetings of the Section, may fill vacancies in its own membership or in the Office of Chair-elect or Secretary-Treasurer, and in the event of a vacancy in both the office of Chair and Chair-Elect, then in the office of Chair. Members of the Committee and officers so selected shall serve until the close of the next annual meeting of the Section.

ARTICLE 5

Officers

5.1 Officers. The officers of the Section shall be the Chair, the Chair-Elect and the Secretary-Treasurer.

5.2 Chair. The Chair shall preside at all meeting of the Section and of the Executive Committee. The Chair shall formulate and present at the Annual Meeting of the Bar a report of the work of the Section for the past year. The Chair shall perform such other duties as usually pertain to, or are required by this office, or as may be delegated by the Executive Committee.

5.3 Chair-Elect. In the absence of the Chair, the Chair-Elect shall perform the duties of the chair. Upon the death, resignation, or during the disability of the Chair, or upon his/her refusal to act, the Chair-Elect shall perform the duties of the Chair for the remainder of the Chair's term, except in case of the Chair's disability, and then only during so much of the term as the disability continues.

5.4 Secretary. The Secretary shall be the custodian of all books, papers, documents and other property of the Section. The Secretary-Treasurer shall keep a true record of the proceedings of all meeting of the Section and of the Executive Committee, whether assembled or acting under submission. In conjunction with the Chair and as authorized by the Committee, the Secretary-Treasurer shall attend generally to the business of the Section.

ARTICLE 6

Appointment of Officers

6.1 Appointed Offices. Each year the Executive Committee shall appoint a Chair-Elect and a Secretary-Treasurer to serve one-year terms.

6.2 Chair and Chair Elect. The Chair-Elect shall automatically succeed to the Office of the Chair. In the event the office of Chair-Elect shall be vacant at the end of a Chair's term, then a new Chair shall be appointed in the same manner as set forth in Section 6.1 herein above. The Secretary shall automatically succeed to the office of the Chair-Elect. In the event the office of Secretary shall be vacant at the end of Chair-Elect's term, then a new Chair-Elect shall be appointed in the same manner as set forth in Section 6.1 herein above. The Chair shall serve on the Executive Committee in an Ex-Officio capacity for a period of one year following service as the Chair.

6.3 Term of Office. The term of office shall begin with the adjournment of the Annual Meeting following election, and shall end following the Annual Meeting at which a successor has been duly appointed.

ARTICLE 7

Committees

7.1 Standing Committees. The standing committees of the Section shall be the Newsletter Committee, the CLE Committee, the Annual Seminar Committee, and the Legislative Affairs Committee.

7.2 Newsletter Committee. The members of the Newsletter Committee shall be appointed by the Executive Committee. The Newsletter Committee shall be responsible for publishing "Utah Family Law", the Section's newsletter, and shall endeavor to do so four times per year.

7.3 CLE Committee. The members of the CLE Committee shall be appointed by the Executive Committee. The CLE Committee shall be responsible for planning the Continuing Legal Education program of the Section, with the exception of the Annual Seminar, and conducting monthly CLE luncheons, as deemed appropriate.

7.4 Annual Seminar Committee. The members of the Annual Seminar Committee shall be appointed by the Executive Committee. The Annual Seminar Committee shall be responsible for planning and conducting the Annual Seminar of the Section, a one-day CLE program in the month of May.

7.5 Legislative Affairs Committee. Legislative Affairs Committee. The members of the Legislative Affairs Committee shall be appointed by the Executive Committee. The Legislative Affairs Committee shall be responsible for monitoring proposed legislation affecting Utah Family Law, reporting to the Executive Committee, and representing the Family Law Section to the legislature.

7.6 Special Committees. The Executive Committee may appoint special committees to perform such duties and exercise such powers as the Executive Committee may direct.

7.7 Committee Membership. The Executive Committee may appoint persons to the above committees who are not members of the Executive Committee and, in special circumstances, persons who are not members of the bar.

ARTICLE 8

Amendments

These Bylaws may be amended at any meeting of the Section by a majority vote of the members of the Section present and voting, provided that such proposed amendment shall first have been approved by a majority of the Executive Committee and provided further, that no amendment so adopted shall become effective until approved by the Board of Commissioners of the Utah State Bar.

ARTICLE 9

Miscellaneous

9.1 Approval of Expenditures. All bills incurred by the Section, before being forwarded to the Utah State Bar for payment, shall be approved by the Chair or the Chair's designee.

Adopted by the Executive Committee of the Family Law Section on the date of _____,

Chair

Approved by the Board of Commissioners of the Utah State Bar on the date of _____.

By: _____