

December 2015

Subject to Further Ratification

MARYLAND STATE BAR ASSOCIATION (MBSA)

VETERANS & MILITARY LAW SECTION BY-LAWS

OFFICERS & COUNCIL

There shall be the following officers: Chair, Chair- Elect, a Secretary, and a Treasurer. In addition, there shall be a Section Council composed of the Section's officers and twelve (12) other members who are elected. Each region of the State is to be represented on the Section Council whenever possible. Each former chair shall be an ex-officio member of the Section Council without voting power.

NOMINATIONS, ELECTIONS, & ELIGIBILITY

The Chair shall appoint a Nominating Committee. The Nominating Committee will submit to the Section Council nominations for Chair, Chair-Elect, Secretary, Treasurer, and the Section Council Member positions that are to be filled that year. Any member of the Section in good standing thirty (30) days prior to the election is eligible for election to an office, or to the Section Council. Additional nominations for any position to be filled by election may be made from the floor by any member of the Section. In the event that there is more than one nominee for any position, the vote would be by written ballot. Any dispute as to the eligibility of a nominee would be resolved by a majority of the Section Council members present.

TERMS OF OFFICERS, CHAIR, & COUNCIL MEMBERS

Officers shall serve for a term of one (1) year. The term is measured from the close of the annual MSBA meeting to the close of the next succeeding MSBA annual meeting, or until the officer's successor is duly elected and qualified.

The Chair's term begins at the close of the annual MSBA meeting held one year after that person's election.

Elected Council Members shall serve a term of two (2) years. The term begins at the close of the annual MSBA meeting and ends at the close of the annual MSBA meeting held two years later, or when their successors are duly elected and qualified. Any vacancy arising in the office of Chair, Chair- Elect, Secretary, Treasurer, or as a member of the Section Council, would be filled by the Section Council for the unexpired balance of the term. If any Council member fails to attend two successive meetings of the Council without having been excused for cause by the Chair, that member's position would become vacant. Unless the Section Council passes a resolution excusing the absences at the next Section Committee meeting the position automatically shall become vacant.

DUTIES AND POWERS OF OFFICERS.

The Chair shall preside at all meetings of the members of the Council and will formulate and present at each annual meeting of the MSBA a report of the work of the Committee for the then closing year. Further duties include: (1) appointing the committee Chairs and members of the committees of the Section for terms co-extensive with that of the Section Chair; (2) planning and superintending the program of the Section at the annual meeting of MSBA during the Chair's term, subject to the direction and approval of the Council; (3) superintending the

performance of all activities of the Section; (4) keeping an accurate record of all monies appropriated to and expended for the use of the Section; and (5) performing such other duties and acts as usually pertain to the Chair's office or as may be designated by the Council.

The Chair- Elect shall perform the duties that the Chair assigns. Additionally if the Chair dies, resigns, or refuses to carry out the duties of the office, the Vice-Chair shall exercise the powers and perform the duties of the chair for the rest of the Chair's term. Finally, if the Chair is disabled or is absent the Chair- Elect shall exercise the powers and perform the duties of the Chair as long as the Chair is disabled or absent.

The Secretary shall: (1) serve as the custodian of all books, papers, documents and other property of the Section, except money; (2) keep a true record of the action taken at all meetings of the members and of the Council; and (3) in conjunction with the Chair and other officers, the Secretary shall attend generally to the business of the Section.

The Treasurer shall perform duties usually pertaining to that office, consistent with the policies of the MSBA and subject to the direction of the Chair, and perform other duties assigned to the Treasurer by the Chair or Section Council. In addition, the Treasurer shall maintain appropriate accounts of the funds of the Section, subject to any regulations or operating procedures imposed by MSBA.

DUTIES AND POWERS OF COUNCIL

The Council shall provide general supervision and control the affairs of the Section, subject to the Constitution and By-Laws of the MSBA and By-Laws of the Section. The Section Council's authorization is required for all contracts by which the Section promises to pay money and for

the expenditure of moneys appropriated by the MSBA for the use or benefit of the Section.

However, the Section Council is not allowed to authorize Section promises to pay more money during a fiscal year than the amount appropriated to the Section for that fiscal year.

One half plus one of the full members of the Section Council constitutes a quorum for the transaction of all business. Any action of the Section Council may be taken by a majority of those present and voting at a meeting. The Chair may poll the Section Council by mail, telephone or telegram. A vote of a majority of the entire Section Council so taken is as effective as if the members of the Council had met to act upon the matter. Additionally, the Council may authorize the Chair to appoint committees from Section members to perform those duties and to exercise those powers which the Section Council may direct, subject to the limitations of the Section's by-laws and of the by-laws of MSBA. Furthermore, the Council is authorized to act on behalf of, and to bind, the Section on any and all matters arising between annual meetings of the Section.

COMMITTEES

The Chair will appoint standing and special committees of the Section relating to matters within the scope of the Section's activities. The Committees shall have the powers, duties and observed procedures that the Section Council from time to time determined. All reports of standing or special committees would be transmitted to the Section Chair by the Committee Chair, or other authorized members, of the committee. However, no report would be made public in whole or in part unless and until approved by the Council and authorized and approved by the Board of Governors of MSBA.

MISCELLANEOUS

The fiscal year of the Section is the same as that of MSBA. All bills incurred by the Committee, before being forwarded to the Treasurer of MSBA for payment, would be approved by the Chair, or by the Treasurer, or, if the Council so directs, by both. Additionally, no salary or compensation is paid to any officer, council member or member of a committee.

AMENDMENTS

By-Laws may be amended by a majority vote of the members of the Section present and voting.