

**BY-LAWS OF
SECTION OF YOUNG LAWYERS
MARYLAND STATE BAR ASSOCIATION, INC.**

As approved June 12, 2008

ARTICLE I

Name and Objectives

This Section shall be known as the Section of Young Lawyers. This Section is formed to foster the discussion and interchange of ideas relative to the duties, responsibilities and problems of the younger members of the legal profession, to aid and promote their advancement, to encourage their interest and participation in activities of the Maryland State Bar Association, to provide opportunities for its members to meet socially, to further the purpose and objectives of the Association, and to undertake such further activities as shall be requested by the Board of Governors of the Association.

ARTICLE II

Membership

All members in good standing of the Maryland State Bar Association who prior to the commencement of the Bar year have not reached the age of 38 years or, regardless of age, who having been admitted to the Bar for a period of less than five years. All members shall be enrolled for a period of not less than five years.

ARTICLE III

Officers and Section Council

Section 1. OFFICERS.

The officers of this Section shall consist of a Chair, Chair-Elect, Secretary and Treasurer.

Section 2. DUTIES.

The duties of the officers shall be as follows:

a. *Chair* - The Chair shall be the chief executive officer of the Section and shall preside at all meetings of the Section and the Section Council. The Chair shall appoint all Committee Chairs and Committee members, and with the advice and consent of the Section Council the Chair may create special Committees. The Chair shall be responsible for all reports to be submitted to the Association, to the Board of Governors and to the Section. The Chair shall perform such other duties as may be prescribed by the Section Council from time to time.

b. *Chair-elect* - In the absence or disability of the Chair the Chair-elect shall perform the duties of the Chair. The Chair-elect shall perform such other duties as may be prescribed by the Chair or Section Council from time to time. The Chair-elect shall succeed to the office of Chair immediately following the expiration of the term of office of the outgoing Chair.

c. *Secretary* - The Secretary shall keep a record of the proceedings of all meetings of the Section and of the Section Council, and shall maintain rosters of the membership of the Section and of

the Committees established by the Chair or the Section Council. The Secretary shall perform such other duties as may be assigned by the Chair or by the Section Council.

d. *Treasurer* - The Treasurer shall perform the duties usually pertaining to such office consistent with the policies of the Association and subject to the direction of the Chair, and shall perform such other duties as may be assigned by the Chair. The Treasurer shall maintain appropriate accounts of the funds of the Section, shall maintain an accounting of the expenditures by the Section, and shall prepare the annual budget for submission to the Association.

Section 3. SECTION COUNCIL.

a. *Composition* - The Section Council shall be comprised of (1) the members of the Executive Committee as defined in Section 4 of this Article, (2) one member representing each Judicial Circuit of Maryland, to be appointed by the Chair, (3) the Chairs and Co-Chairs of the Standing Committees, to be appointed by the Chair, (4) the Young Lawyer Governors as defined in Article VII, Section 4 of these By-Laws, and (5) the ABA Delegate to be appointed by the Chair-Elect.

b. *Eligibility* - Members of the Section Council shall be members of the Section in good standing. Each Section Council member appointed to represent a Judicial Circuit or alternate shall be from such Judicial Circuit. A member shall be considered to be from the Judicial Circuit where his or her principal office is located, except that if such office is outside the State, then his or her place of residence shall determine. Each representative may designate an alternate to attend all meetings in the representative's absence and act with all the rights and powers of said representative. Each Judicial Circuit shall have one vote only on Section Council.

Section 4. EXECUTIVE COMMITTEE. There shall be an Executive Committee of the Section Council comprised of (1) the officers of the Section Council, (2) the immediate past Chair and (3) one at large member appointed by the Chair. The Executive Committee shall be empowered to take action on behalf of the Section Council where necessary. Any action taken by the Executive Committee shall be subject to ratification by the full Section Council at its next regular meeting.

ARTICLE IV

Duties and Powers of the Section Council

Section 1. GENERAL.

The Section Council shall have general supervision and control of the affairs of the Section, subject to the provisions of the By-Laws of the Maryland State Bar Association and these By-Laws.

Section 2. VACANCIES.

The Section Council during the interim between annual meetings of the Section may fill a vacancy which may occur as to any office of Section Council position, except the office of Chair, which shall automatically be filled by the Chair-elect, and except for the Chairs and Co-Chairs of the seven (7) standing Committees, which vacancies shall be filled by appointment of the Section Chair. Officers so designated shall serve until the close of the next annual meeting of the Section. If a Section Council

position has been filled by appointment, and one year of the term remains at the next annual Section meeting, the position will then be filled for the balance of the term by election as provided herein. Any required assumption of the duties of the Chair by the Chair-elect shall not affect the normal succession of the Chair-elect to the office of Section Chair.

Section 3. TRANSACTION OF BUSINESS.

All binding action of the Section Council shall be by a majority vote of the Section Council members present and voting. In the event of a tie vote, the vote of the Chair or Acting Chair shall control. A quorum of ten (10) Council members shall be required for the transaction of business. All meetings of the Section Council shall be open to the entire membership.

ARTICLE V

Committees

Section 1. STANDING COMMITTEES.

The Standing Committees of the Section to be appointed annually by the Chair shall be: Membership Committee, Nominating Committee, Activities Committee, Publications Committee, Education Committee, Policy Committee, Public Service Committee, Technology Committee, and Pro Bono Committee.

Section 2. DUTIES.

The duties of each Committee shall be as follows:

a. *Membership Committee* - The Membership Committee shall conduct a continuing campaign to obtain new members of the Association who will qualify as members of this Section.

b. *Nominating Committee* - The Nominating Committee shall consist of the Chair of the Committee, the Chair-elect of the Section, two members from Section Council to be chosen by Section Council at the September meeting, and three members appointed by the Nominating Committee Chair who are not members of Section Council. No more than two (2) members of the Nominating Committee shall be members, associates, counsel, of counsel or employed by the same firm within the past five (5) years. The Chair of the Section shall not be a member of the Nominating Committee. The Committee shall be appointed not later than October 1. No member of the Nominating Committee may be a candidate for any position being considered by the Committee, nor may a member of the Nominating Committee endorse a candidate or publicly campaign for a candidate. The Nominating Committee shall be responsible for the fulfillment of those responsibilities set forth in Article VII, Sections 1 and 4 of these By-Laws, and for fulfilling such other duties as the Chair of Section Council may direct, or as may otherwise be stated in these By-Laws.

c. *Activities Committee* - The Activities Committee shall be responsible for the planning and preparation of the programs of all Section meetings as well as all social functions or other events of the Section. The Activities Committee shall engage in a continuing study with regard to projects for the Section. The Committee shall evaluate the effectiveness and feasibility of the programs and activities of the Section and the existing organization of the Section. The Chair of the Activities Committee shall report at each annual meeting of the Section on all activities of the Section.

d. *Publications Committee* - The Publications Committee shall be responsible for compiling, editing and disseminating all publications of the Section Council including The Advocate.

e. *Education Committee* - The Education Committee shall be responsible for maintaining and updating the Young Lawyers' Handbook; conducting seminars and other educational programs for Young Lawyers; and generally, addressing itself to the resolution of the practice problems being experienced by Young Lawyers.

f. *Policy Committee* - The Policy Committee shall be responsible for the maintenance and updating of the Section's Long Range Plan, for the review of any proposed amendments to these By-Laws, and for any other policy matter that may arise.

g. *Public Service Committee* - The Public Service Committee shall be responsible for encouraging, initiating and/or coordinating projects undertaken by the Section of service to the public.

h. *Disaster Relief Committee* - The Disaster Relief Committee shall, pursuant to the American Bar Association Young Lawyers Division (ABA/YLD) Disaster Assistance program, be responsible for coordinating local assistance to the ABA/YLD in its efforts, and to provide local attorneys to assist victims of natural disasters with their rights under the Federal Emergency Management Act (FEMA).

i. *Pro Bono Committee*- The Pro Bono Committee shall be responsible for promoting pro bono opportunities in Maryland, sponsoring pro bono projects, seeking expanded opportunities to render pro bono service in every area of specialty, and recognizing young lawyers who perform pro bono service.

j. *Technology Committee*- The Technology Committee shall be responsible for coordinating and resolving all computer and technology related issues of Section Council, designing and implementing technology policies for the section, acting as liaison to any technology Committee or Task Force of the Board of Governors, and updating and maintenance of the YLS website.

k. *Special Projects Committee* - The Special Projects Committee shall be responsible for any and all special projects assigned by the Chair and the Section Council.

Section 3. SPECIAL COMMITTEES.

The Chair of the Section shall appoint the Chair and members of such other Committees as a majority of the Section Council may feel desirable and necessary in connection with the affairs of the Section. All such Committees shall, unless reappointed, be dissolved at the annual meeting.

Section 4. COMMITTEE REPORTS.

The Chair of each Committee shall submit in writing, an annual report of the activities of the Committee at the annual meeting of the Section.

Section 5. COMMITTEE CHAIR.

Each Committee Chair shall appoint a Vice Chair to act in his or her place when necessary in the Chair's absence or disability. Each Committee Chair shall have the power to form or appoint such subcommittees as he or she deems advisable, with the approval of the Chair of the Section.

ARTICLE VI

Meetings

Section 1. TIME & PLACE.

The regular annual meeting shall be held each year at the same time and place as the annual meeting of the Association. Mid-Year meetings shall be held at the same time and place as the Mid-Year meetings of the Association.

Section 2. ORDER OF BUSINESS.

The order of business at regular meetings shall be as follows:

- a. Report of Officers.
- b. Report of Committees.
- c. Report of Circuit Representatives.
- d. Report of Young Lawyers' Governors.
- e. Report of ABA Delegate.
- f. Old business.
- g. New business.

Section 3. PROCEDURE.

Except as provided in these By-Laws, Roberts Rules of Order shall govern all meetings.

Section 4. GENERAL MEMBERSHIP MEETINGS.

Ten (10) members of the Section shall constitute a quorum for the transaction of business at a general membership meeting.

Section 5. ATTENDANCE.

If any member of the Section Council, whether elected or appointed, shall fail to attend two successive regular meetings of the Section Council, or shall fail to attend three regular meetings within any six month period, and such failure has not been excused for cause by the Chair, then the Chair may declare such member to have automatically resigned, and the vacancy created thereby shall be filled in accordance with the provisions of Article IV, Section 2 of these By-Laws.

ARTICLE VII

Election of Officers and Young Lawyers' Governors

Section 1. OFFICERS.

The Chair-elect, Secretary and Treasurer shall be elected by the general membership at the annual meeting of the Section. They shall hold office until adjournment of the next annual meeting of the Section or until their successors are elected and qualified. No officer shall serve in any one office for more than two successive years, with the exceptions of the Chair-elect who shall serve only one year in that office.

1. *Notice Required* - The Nominating Committee shall give notice by publication in the November and December issues of the Bar Bulletin and the Winter issue of The Advocate that:

- it will accept applications for the officer positions;
- where applications should be sent; and
- the deadline for filing applications.

2. *Deadline for Applications* - All applications must be received at the Association headquarters no later than the close of business on January 15. If the Association headquarters are closed on January 15, the applications shall be received by the Association headquarters prior to the close of business on the next day that the Association headquarters is open for business.

3. *Eligibility* - Any member of the Section, who will be a member of the Section at the commencement of the upcoming bar year and who will be a member of the Section throughout the term being sought (hereinafter referred to as a “Qualifying Young Lawyer”), may submit his or her application for consideration by the Nominating Committee. No member may submit his or her name for more than one office.

4. *Interview Required* - The Nominating Committee shall interview the applicants for the Officer positions and shall select one Qualifying Young Lawyer as the Nomination Slate for each position to be filled. If there is not at least one application from a Qualifying Young Lawyer for each officer position, the Nominating Committee shall select a Qualifying Young Lawyer as the Nomination Slate for such officer position even if such Qualifying Young Lawyer did not file an application.

5. *Publication of Nomination Slate* - The Nominating Committee shall give Notice of the Nomination Slate to the general membership by publication in the February issue of The Bar Bulletin and the Spring issue of The Advocate. Such notice shall include the name of each nominee and the procedure and deadline for submission of a Petition of nomination to run against the Nomination Slate.

6. *Petition Against Nomination Slate* - At any time after the determination of the Nomination Slate but prior to the last Friday in March, any Qualifying Young Lawyer may submit to the Nominating Committee a petition of nomination which shall be signed by not less than twenty-five (25) members of the Young Lawyers’ Section and received by the Association headquarters prior to the close of business on the last Friday in March. The Nominating Committee shall promptly verify that petitioner is a Qualifying Young Lawyer and that the petition bears the signature of twenty-five (25) current members of the Section.

7. *Uncontested Election* - In the event that no Qualifying Young Lawyer has submitted a Petition, the Nomination Slate shall be elected.

8. *Contested Election* - In the event a petition has been submitted, notice of the contested election and the procedure for obtaining Absentee ballots shall be published in the April Issue of The Bar

Bulletin and the Summer issue of The Advocate. The election shall be held at the Annual Meeting in June.

- i. Ballots - In addition to fulfilling the requirements of Article IX of these By-Laws, each ballots shall contain the names of the candidates for which there is a contested election, listed in alphabetical order in vertical arrangement, which shall make no provision for write-in voting, an asterisk indicating those candidates nominated by the Nominating Committee to serve in such position, and adequate instructions to the voters. The asterisk shall be explained at the bottom of each ballot by the following: "Indicates that this Candidate was nominated to serve in this position, upon an application and interview process by the Nominating Committee of the Section."
- ii. Biographical Information - Each candidate shall have the opportunity to provide a brief (not to exceed 100 words) statement concerning, without limitation, his/her background, reason for seeking such position, etc.

Section 2. YOUNG LAWYERS' GOVERNORS.

The following procedure will be utilized for the election of the Young Lawyers' representatives to the Board of Governors (hereinafter referred to as the "Young Lawyers' Governors" as provided in the By-Laws of the Maryland State Bar Association):

1. *Notice Required* - The Nominating Committee, prior to October 1, shall give notice by mailing and publication to the Section membership that:

- it will accept applications to fill the expiring terms of the Young Lawyers' Governors;
- where applications should be sent;
- the deadline for filing applications;
- and the number of positions available.

2. *Deadline for Applications* - All applications must be received at the Association headquarters no later than the close of business on November 15. If the Association headquarters are closed on November 15, the applications shall be received by the Association headquarters prior to the close of business on the next day that the Association headquarters is open for business.

3. *Eligibility* - Any Qualifying Young Lawyer may submit their application for consideration by the Nominating Committee.

4. *Interview Required* - The Nominating Committee shall interview the applicants for the Young Lawyers' Governors positions to be filled and shall select one Qualifying Young Lawyer as a candidate for each position to be filled. If there is not at least one application from a Qualifying Young Lawyer, the Nominating Committee shall select a Qualifying Young Lawyer as the candidate for such position even if such Qualifying Young Lawyer did not file a petition.

5. *Publication of Nomination Slate* - The Chair of the Nominating Committee shall present the Nomination Slate of Young Lawyers' Governors to the Section Membership by providing notice by publication in the December issue of the Maryland Bar Bulletin, any publication of the Section and by direct mail to the Section members. Such notice by mail shall be sufficient if mailed by third class mail

to the members' addresses as provided to the Client Security Trust Fund as published in the Maryland Lawyers' Manual not later than January 1. Such notice shall include the name of each candidate and the procedure and deadline for the submission of a Petition of nomination to run against the Nominations Slate.

6. *Petition Against Nomination Slate* - At any time after the determination of the Nomination Slate but prior to February 15, any Qualifying Young Lawyer may submit to the Nominating Committee a petition of nomination, which shall be signed by not less than twenty-five (25) members of the Young Lawyers' Section and received by the Association headquarters prior to the close of business on the 15th day of February. If the Association headquarters are closed on February 15, the petition shall be received by the Association headquarters prior to the close of business on the next day that the Association headquarters is open for business. The Association shall promptly verify that petitioner is a Qualifying Young Lawyer and that the petition bears the signature of twenty-five current members of the Section.

7. *Uncontested Election* - In the event that no Qualifying Young Lawyer has submitted a petition to run against the Nomination Slate, the Nomination Slate shall be elected.

~~7.8.~~ *Contested Election* - In the event a petition has been submitted, the election shall be as prescribed by Article III of the Regulations Governing the Nomination and Election of District Governors of the Association with the following modifications:

~~8.9.~~ *Ballots* - Ballots shall contain the names of the candidates for which there is a contested election, listed in alphabetical order in vertical arrangement, which shall make no provision for write-in voting, an asterisk indicating those candidates nominated by the Nominating Committee to serve in such position, and adequate instructions to the voters. The asterisk shall be explained at the bottom of each ballot by the following: "Indicates that this Candidate was nominated to serve in this position, upon an application and interview process by the Nominating Committee of the Section."

~~9.10.~~ *Biographical Information* - Biographical information provided by a candidate, shall, in addition to the ballot, indicate by an asterisk those candidates nominated by the Nominating Committee to serve in such position.

~~10.11.~~ *Vacancy in Unexpired Term* - Should any position of Young Lawyers' Governor become vacant during its term, the Chair of the Section shall appoint a Qualifying Young Lawyer to serve in that Position during the remainder of the term.

ARTICLE VIII

Amendments

Section 1. TIMING.

These By-Laws may be amended at any open meeting of the Section Council including the mid-year meeting and annual meeting of the State Bar. In the event that a meeting is canceled, the vote on the By-Law amendment shall occur at the next regularly scheduled meeting of the Section Council with the exception of the December meeting.

Section 2. AMENDMENTS PROPOSED BY MEMBERS.

Any member of the Section may propose an Amendment to these By-Laws.

1. *Form* - All proposed Amendments shall be submitted in writing to either the Secretary or the Chair, and shall include the following:
 - The existing text of the relevant Article and Section of the By-Laws.
 - A copy of the proposed Amendment in which stricken material has been lined through or enclosed in brackets and new material has been underlined or highlighted.
 - And the proposed text as it would appear if adopted.
2. *Timing* - The proposed Amendment shall be delivered by the Secretary or Chair to the Chair of the Policy Committee within ten (10) business days after receipt thereof or at the next Section Council meeting, whichever is first.
3. *Report of Policy Committee* - At the next Section Council meeting following receipt of the proposed Amendment by the Chair of the Policy Committee, excluding the December meeting, the Policy Committee shall make one of the following recommendations with regard to the proposed Amendment:
 - iii. Adopt as submitted;
 - iv. Adopt with modifications;
 - v. Reject; or
 - vi. Return to the Policy Committee for further study to be reported upon at the next Section Council meeting other than the December meeting. No proposed Amendment shall be sent back for further study more than one time.

Section 3. AMENDMENTS PROPOSED BY THE POLICY COMMITTEE.

The Policy Committee can propose an Amendment to these By-Laws at any regularly scheduled Section Council meeting. Said proposal shall include the items required by Section 2(1) of this Article.

Section 4. APPROVAL OF AMENDMENTS.

Upon Section Council approval of the proposed Amendment as recommended by the Policy Committee, the Secretary shall cause to be mailed, to the Section membership, the substance of the proposed Amendment, notice of the meeting at which the proposed Amendment will be voted upon, the procedure for obtaining a copy of the full text of the proposed Amendment, and the procedure for obtaining an absentee ballot. The Secretary shall cause said notice to be mailed sixty (60) days prior to the scheduled meeting. The vote upon the proposed Amendment shall take place at any open meeting of section Council including the mid-year and annual meeting of the State Bar.. In the event that a meeting is canceled, the vote on the proposed Amendment shall occur at the next regularly scheduled meeting of the Section Council with the exception of the December meeting.

Section 5. EFFECTIVE DATE.

Unless otherwise specified in the proposed Amendment, a proposed Amendment shall become effective immediately upon the adjournment of the meeting at which said proposed Amendment receives two-thirds of the votes cast at said meeting including verified absentee ballots.

ARTICLE IX

Absentee Ballots

Section 1. PROCEDURE.

Absentee Ballots shall be available for any By-Law vote and for any contested election of Officers. No proxy voting will be allowed on any matter. Any member wishing to vote by Absentee ballot shall contact the Association headquarters in writing to request an Absentee ballot. The ballot shall consist of the following:

- The matter or position to be voted upon;
- A blank inner envelope; and
- An outer envelope with space for the members name and address on the outside as well as a signature line for said member.

Section 2. DEADLINE AND VERIFICATION.

Each voter shall be directed to mark the ballot, to seal it inside the ballot envelope and, after signing and completing the necessary information contained on the envelope, to mail it to the Chair of the Nominating Committee, c/o the Association. All Absentee ballots shall be received at the Association headquarters by close of business at least one week prior to the meeting at which the vote is to take place. Upon receipt of an Absentee ballot, the Association staff shall verify that the member is in good standing and entitled to vote. Following verification, the outer envelope will be removed and all valid Absentee ballots shall be counted at the meeting at which the vote is to take place.

ARTICLE X

Effective Date

The original By-Laws became effective upon their approval by the Board of Governors of the Maryland State Bar Association. Any Amendment to these By-Laws shall become effective upon their approval pursuant to Article VIII.