

**STATE BAR OF ARIZONA
FAMILY LAW SECTION BYLAWS**

ARTICLE I: IDENTIFICATION

1.1 NAME. This Section shall be known as the "Family Law Section", and shall be hereinafter designated simply as the "Section".

1.2 PURPOSE. The general purposes of the Section shall be the promotion of the objectives of the State Bar of Arizona (State Bar) within the particular field of family law.. To that end, it shall be the purpose of the Section:

To study and act in all areas of family law, such as establishing seminars, reviewing legislative matters relating to family law and making recommendations within the judicial system relating to family law.

1.3 LIMITATIONS. In addition to these bylaws, the Section must adhere to the Rules of the Arizona Supreme Court and the State Bar Board of Governor's bylaws and policies.

ARTICLE II: MEMBERSHIP

2.1 ENROLLMENT. Any member in good standing of the State Bar shall, upon request to the Executive Director of the State Bar, be enrolled as a member of the Section by the payment of annual section dues.

2.2 THE MEMBERSHIP. Members so enrolled and whose dues are paid pursuant to the provisions of this article shall constitute the membership of the Section.

2.3 DUES. Dues for membership in the Section shall be in an amount set by the Section and approved by the Board of Governors, payable upon enrollment and thereafter annually in advance each year, at the beginning of the State Bar's fiscal year succeeding such enrollment.

2.4 DELINQUENCY. Any member of the Section whose annual dues shall be more than (3) three months past due shall thereupon cease to be a member of the Section.

ARTICLE III: COMMITTEES

3.1 COMMITTEES. The Council of the Section is authorized to establish, or to empower the Chair of the Section to establish, such committees as it may deem necessary and desirable to promote effectively the activities of the Section within the jurisdiction of the Section and with the approval of the Board of Governors. In establishing a new committee, the Council shall state the area of its proposed activities.

ARTICLE IV: MEETINGS OF THE MEMBERSHIP

4.1 ANNUAL MEETING. The Section shall hold an annual meeting of members in conjunction with the annual meeting of the State Bar. The Section may, upon approval of the Board of Governors, hold other meetings of members throughout the year.

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

4.3 CONTROLLING VOTE. Action of the Section shall be by majority vote of members present.

4.4 VOTING ELIGIBILITY. Any member of the State Bar, who is also a member of the Section, and whose good standing can be certified by official State Bar records for thirty (30) days prior to the time of voting shall be eligible to vote.

4.5 AGENDA. Among the matters of business to be transacted at the annual meeting of the membership shall be the election of officers and Council members. The agenda shall consist of other matters as decided by the Chair or Council. The agenda shall be provided to the membership no later than five (5) days prior to the annual meeting by e-mail, online community, or both.

4.6 E-MAIL VOTING. The Council may direct that a matter be submitted to the members of the Section for vote by e-mail, online community, or both. In that event, binding action of the Section shall be by a majority of the votes received from members in accordance with rules fixed by the council.

ARTICLE V: OFFICERS

5.1 OFFICERS. The officers of the Section shall be the Chair, the Chair-Elect, the Vice Chair, the Secretary, and the Budget Officer.

5.2 CHAIR. The Chair, or successively, the Chair-Elect and the Vice Chair, in the absence of the Chair, shall preside at all meetings of the Section and of the Council. The Chair shall appoint the chair and members of all committees of the Section who are to hold office during their term as Chair. The Chair shall plan and superintend the program of the Section during their term, subject to the directions and approval of the Council. The Chair shall superintend the performance of all activities of the Section. The Chair shall keep the Council duly informed and carry out its decisions. The Chair shall perform such other duties and acts as usually pertain to the office or as may be designated by the Council.

5.2 CHAIR-ELECT. The Chair-Elect shall, on consultation with the Chair, arrange for the appointment of the chairs and members of all committees who are to hold office during their coming term as Chair. The Chair-Elect shall aid the Chair in the performance of the Chair's responsibilities in such manner and to such extent as the Chair may request. The Chair-Elect shall

perform such further duties and have such further powers as usually pertain to their office or as may be designated by the Council or the Chair. In case of the death, resignation, or disability of the Chair, the Chair-Elect shall perform the duties of the Chair for the remainder of the Chair's term or disability, as the case may be.

5.4 VICE CHAIR. The Vice Chair shall aid the Chair in the performance of their responsibilities in the manner and to the extent the Chair may request.

5.5 SECRETARY. The Secretary shall consult with and assist all the officers of the Section as to the work of the Section generally in the manner and to the extent they may request. The Secretary shall be the liaison between the Section and the State Bar staff regarding the retention and maintenance of books, papers, documents, and other property pertaining to the work of the Section in the custody of the State Bar. The Secretary shall keep a true record of the proceedings of all meetings of the Section and of the Council, whether assembled or acting under submission. The Secretary in conjunction with the Chair, as authorized by the council, shall attend generally to the business of the Section.

5.6 BUDGET OFFICER. The Budget Officer shall keep an accurate record of all monies appropriated to it by the Board of Governors and expended by the State Bar for the purposes of the Section. The Budget Officer shall monitor all account reports, and other documents prepared as to the Section funds, revenues, and expenditures, and seek to make certain that all such accounts, reports, and other documents are at all times, accurate and correct. The Budget Officer shall report on the Section's present and projected financial condition at each meeting of the Section Council. The Budget Officer shall advise the officers and Council as to the financial impact of any proposed action by the officers, Council or Section which, in their judgement, would have a significant impact on the financial condition of the Section. At least once each year, the Budget Officer shall prepare a projected budget to the Council for approval or modification at the time of the annual meeting, or such other time as may be expressly fixed by the Council. The Budget Officer shall submit to the Section, at the annual meeting, a report on the Section's financial affairs and financial condition. The Budget Officer shall prepare such other recommendations and special reports on financial affairs of the Section as may be requested by the Chair of the Section.

ARTICLE VI: THE COUNCIL

6.1 POWERS. The Council shall be vested with the powers and duties necessary for the administration of the affairs of the Section. The policy of the Council shall be consistent with the policies set by the Board of Governors. It shall especially authorize all commitments which entail the payment of money, and shall authorize the expenditure of all monies appropriated by the State Bar for the use or benefit of the Section. It shall not, however, authorize commitments which entail the payment of more money during any fiscal year than the amount appropriated to the Section for the fiscal year. No action of any Section committee shall be effective until approved by the Council or by the Section.

6.2 COMPOSITION. The Council shall be composed of the following:

- a. Voting Members:
 - (i) the Officers;
 - (ii) the immediate past Chair;
 - (iii) fifteen Members-at-Large, not to include any current Officer, elected to that Council by the Section membership for three-year terms (at any one time, one-third of these members shall be serving the first year of their terms, one-third shall be serving third year).
 - (iv) Two section members of the Young Lawyers Division (YLD) to be nominated at the discretion of the council. The YLD members shall serve staggered two (2) year terms.

- b. Non-voting Members:
 - (i) The Presiding Family Law Judge, or a designated representative, from each county.

 - (ii) A Judge of the Court of the Appeals from each division.

6.3 CONTROLLING VOTE: Action of the Council shall be by majority vote of those members present personally. A quorum consisting of twelve (12) of the Council members shall be required to conduct its business. Members may provide a written proxy to another member who will be personally present to exercise a vote.

6.4 MEETINGS: The Council shall hold at least one regular meeting each year at the time and place of the annual meeting of the State Bar to dispatch any necessary business. The Chair may, and upon request of three (3) members of the Council shall, call special meetings of the Council between annual meetings.

6.5 POLL OF COUNCIL: In urgent matters requiring immediate attention, the Chair may, or upon request of three (3) members of the Council shall, submit in writing (which may include e-mail or by the online community) to each of the members of the Council, a proposition upon which the Council may be authorized to act, and the members of the Council may vote upon the proposition either by written ballot (which may include e-mail) to the Secretary, who shall record the proposition and votes in the matter.

6.6 COUNCIL AUTHORITY Between meetings of the Section, the Council shall have full power to do and perform all acts and functions which the Section itself might perform. Any such action taken by the Council shall be reported to the Section at its next meeting.

6.7 NO COMPENSATION: No salary or compensation for services shall be paid to or by any officer, member of the Council, or member of any committee, except as may be specifically authorized by the Board of Governors.

6.8 REFERENDUM: The Council may direct that a matter be submitted to the members of the Section for vote by e-mail or online community. In such event, binding action of the Section shall be a majority of the votes received in accordance with rules fixed by the council and as conducted and certified by the Secretary.

ARTICLE VII: ELECTIONS

7.1 ELECTIVE OFFICERS: At each annual meeting of the Section, the membership shall elect:

- (i) a Chair-elect and a Vice Chair to serve a term of one (1) year;
- (ii) a third of the total number of Members-at-Large of the Council and representative from the Young Lawyers Division to serve a term of two (2) years;
- (iii) a Secretary and a Budget Officer for a one-year term; and
- (iv) Officers or Council members to fill vacancies in any office or upon the Council as provided in Article VIII.

7.2 CHAIR: The Chair-Elect shall automatically succeed to the office of Chair. They shall serve no more than two (2) non-consecutive one-year terms and thereafter may not again accede to that office. In the event the office of Chair-Elect shall be vacant, then a Chair shall be elected in the manner set forth in Section 7.4.

7.3 ELIGIBILITY FOR OFFICE: Any member of the State Bar, who is also a member of the Section, and whose good standing can be certified by official State Bar records for thirty (30) days prior to the time of election shall be eligible for office.

7.4 NOMINATIONS AND VOTING: By January 1st of each year the Chair, after consultation with the council, shall appoint a Nominating Committee of five (5) members of the Section who are not candidates for office. At least one (1) of the nominees shall not be either a present or former officer or current Council member of the Section. The Chair will promptly thereafter announce the names and addresses of the members of the Committee to the Section Members by e-mail, or online community, or both. The Chair may appoint a member to fill any vacancy which may arise thereafter in the Nominating Committee. The Nominating Committee shall make and report one nomination for each position which is to be filled by elections as provided in these bylaws. The report shall identify each nominee and shall include a brief statement of their qualifications. The Committee shall submit its report to the Chair within enough time to allow it published on the online community or e-mailed to the Section Members not later than ninety (90) days prior to the opening assembly of the annual meeting.

One or more additional nominations may be made for any office by a petition signed by not less than five (5) members of the Section. The petition should state that the member nominated has agreed to the nomination. The petition must be sent to the Chair of the Section and must be received no later than sixty (60) days prior to the opening assembly of the annual meeting. Any nomination made by petition shall be made known immediately to the Nomination Committee, the other candidates and; the Council. The Executive Director shall notify the Section Members by e-mail of the online community, or both, a notice of all contested Section elections no later than thirty (30) days prior to the opening assembly annual meeting.

In the event of the nomination of more than one person for any of the positions to be filled by election at the annual meeting, ballots in such form as may be approved by the Section Council shall be delivered to the Section Members by e-mail, online community, or both, at the time of notice of the contested Section election. Members enrolled in the Section after the ballots have been mailed are not eligible to vote. Such ballot shall be accompanied by a brief statement of the qualifications of each person nominated to an office for which more than one name had been placed in nomination. The Section Council shall prescribe the method of return of these ballots which shall insure the receipt of all valid votes by the Secretary of the Section no later than 12:00 noon on the day of the opening assembly of the annual meeting. Election shall be by a plurality of the votes cast in the manner proscribed.

In the event that only one person is nominated for each position to be filled, election shall be by voice vote at a business session of the Section at the annual meeting.

7.5 TERMS OF OFFICE: The term of office shall begin with the adjournment of the annual meeting following the election and shall end following the annual meeting at which a successor has been duly elected. If at the close of any term of office a successor has not been elected, then the term shall be extended until a successor shall have been elected.

ARTICLE VIII: SUCCESSION OF OFFICERS AND VACANCIES

8.1 CHAIR-ELECT: Unless as the Chair-Elect refuses or is disqualified, automatically becomes the Chair for a term of one year at the end of the annual meeting following the election.

8.2 OFFICERS AND COUNCIL: Between annual meetings of the Section, the Council may fill vacancies on the Council, or in the offices of Vice Chair, Secretary, or Budget Officer. Members of the Council and officers filling such vacancies shall serve until the next annual meeting of the Section, at which time the membership of the Section shall elect officers or Council members to fill any unexpired terms existing..

8.3 ABSENTEEISM: If any officer or member of the Council fails to attend two successive meetings of the Council, or three (3) meetings in any year, such office may be deemed abandoned and filled as set forth in these Bylaws, unless excused upon good cause accepted by the majority of the members of the Council.

8.4 IMMEDIATE PAST CHAIR: At the end of their term of office the immediate past Chair shall become a member of the Council for a term of one year.

8.5 SUCCESSION: No Council Member-at-Large may serve more than two successive terms as a Member-at-Large.

8.6

ARTICLE IX: REPRESENTATION OF STATE BAR'S POSITION

9.1 A Section cannot take any action, including taking a position, in any manner that could be deemed an action or position of the State Bar. Any such action or position by the Section must be approved by the Board of Governors of the State Bar, as the Board of Governors is the single governing body on behalf of the State Bar. Any proposed resolution or proposed action by the Section shall be reported by the Chair or their representative to the Board of Governors with a recommendation for action to the Board of Governors. .

ARTICLE X: AMENDMENTS

10.1 Changes to these bylaws may be proposed at any annual meeting of the Section by a majority vote of the members of the Section eligible to vote. Proposed amendments shall first have been approved by a majority of the Council before presentation at the annual meeting of the Section. Amendments shall become effective upon approval by the Board of Governors.

Proposed Revisions 4-25-18
Reviewed by General Counsel
Approved by Board of Governors 9-21-18