

KENTUCKY BAR ASSOCIATION

CIVIL LITIGATION

BY-LAWS

Adopted at Annual Meeting  
KBA, Lexington, KY  
13 June 2001

# **KENTUCKY BAR ASSOCIATION CIVIL LITIGATION SECTION BY-LAWS**

## **ARTICLE 1: NAME AND PURPOSE**

1.1 The name of this organization shall be the CIVIL LITIGATION SECTION (“SECTION”) of the Kentucky Bar Association (“ASSOCIATION”).

1.2 The purpose of the Section shall be the following:

- 1.21 To improve the quality of all aspects and types of civil litigation by education, research, communication and liaison with interested groups.
- 1.22 To provide a medium for communication and cooperation between the Kentucky Academy of Trial Attorneys and the Kentucky Defense Council.
- 1.23 To communicate and cooperate with other sections of the Kentucky Bar Association respecting matters of civil litigation which affect them.
- 1.24 When practicable, to form a position on matters of public interest which affect civil litigation.
- 1.25 To review, research, and form positions on rules of civil practice.
- 1.26 To assist in formulation of guidelines for the specialty of civil litigations.
- 1.27 To give guidance regarding continuing legal education program[s] presented by the Association regarding civil litigation and to arrange for such programs when requested.
- 1.28 To promote the exchange of ideas within the Association on

matters of interest to civil litigation practitioners, both Plaintiffs and Defense.

## **ARTICLE 2: MEMBERSHIP**

2.1 Membership shall be open to all members of the Association.

2.2 The amount of annual membership dues shall be set annually by the Executive Committee. Dues shall be payable concurrently with annual Association dues.

## **ARTICLE 3: DIRECTORS**

3.1 The Board of Directors of the Section shall consist of seven (7) directors. The Section shall strive to obtain geographical representation on the Board from all seven judicial districts; however, the attainment of a Board of active participants shall prevail over the attainment of geographical distribution. The Board shall serve as a liaison with the Board of Governors and all other sections and committees of the Association.

3.2 Each Board member shall serve for a term of one year, commencing with the adjournment of the annual meeting of the Section at which elected, and ending with the adjournment of the next annual meeting of the Section or thereafter, until successors have been duly elected and qualified.

3.3 Each director shall have practiced law for at least five years preceding the date of said member's election to the Board of Directors; and shall certify that at the time of election, at least 50% of said member's practice is in the area of civil litigation.

3.4 The Board of Directors shall elect a Chairman and Chairman-Elect, and optionally a Secretary/Treasurer.

3.5 The immediate past Chairman shall be a non-moving, *ex officio* member of the Executive Committee.

## **ARTICLE 4: OFFICERS**

4.1 The officers of the Section shall be the Chairman, Vice Chairman, and at the option of the Board of Directors, a Secretary/Treasurer. Each office shall be for a term of two (2) years.

4.2 The officers shall be elected by the Board of Directors from the membership of the Board of Directors. The Section may reimburse one or more officers for tuition, travel and lodging for attending American Bar Association meetings and/or summits associated with Civil Litigation, to the extent that Section funds are available for this purpose.

4.3 The duties of the officers shall be:

4.31 Chairman: Chairman shall preside at meetings of the Section and the Executive Committee, and shall perform other duties at the pleasure of the Section membership or Executive Committee. The Chairman shall annually report of the Section's activities of the past year to the annual meetings of the Section and the Association.

4.32 Vice Chairman: Vice Chairman shall serve as Administrative Assistant to the Chairman, and shall act as Chairman in the Chairman's absence. The Vice-Chairman shall perform other duties assigned by the Section, the Board, the Executive Committee or the Chairman. The Vice-Chairman shall automatically succeed to the office of Chairman.

- 4.33 Secretary/Treasurer: The Secretary shall issue notices, keep the minutes, and be responsible for all incoming and outgoing correspondence of the Section. Treasurer shall maintain accurate records of the Section bank accounts, and report on the financial status of the Section at the regular meetings of the Section, Board or Executive. Should the Board of Directors elect, they may elect not to fill this optional officer, in which case, the Chairman will determine how these functions will be covered.
- 4.34 No officer shall be eligible for reappointment or re-election within two years to the same office. Other members of the Board shall be eligible for reappointment or re-election.

#### **ARTICLE 5: EXECUTIVE COMMITTEE**

5.1 The Executive Committee shall be comprised of the Chairman, Vice Chairman, Immediate Past Chairman, and if appointed the Secretary/Treasurer.

5.2 The Executive Committee by majority vote of the members in attendance and voting, may exercise the power of the Section during any period the Section and/or the Board are not meeting subject to such limitations as may be imposed by the Board.

5.3 The Executive Committee shall strive to communicate not less than quarterly at such times and place as designated by the Chairman. Communications may take the form of meetings or telephonic conferences and may be called by the Chairman or on written request of not less than two of its members. The time and place of the meetings or conference shall be announced at least two days in advance by notice either

by first class mail or by telephone to its members, stating the nature of the business to be discussed.

## **ARTICLE 6: MEETINGS**

6.1 The annual meeting of the Section shall be held at the Association's annual spring convention.

6.2 Special meetings of the Section may be called by the Chairman, a majority of the Executive Committee, or by the Secretary upon written request of not less than twenty (20) members of the Section. Time and place of special meetings shall be announced at least ten (10) days in advance by publication in the Kentucky Bench and Bar or by notice to the membership via first class mail. Notice of annual or special meetings shall be waived by attendance in person or at the meeting.

6.3 At all meetings of the Section, Board or Executive Committee, the members present shall constitute a quorum for the purpose of transacting business. Robert's Rules of Order, latest edition, shall govern the proceedings.

## **ARTICLE 7: COMMITTEES**

7.1 The Chairman, with concurrence of the majority of the Executive Committee present, may designate committees, appoint Section members to those committees, and define their duties.

7.2 The standing committees of the Civil Litigation Section shall be:

7.21 Executive Committee

7.22 Membership (which shall be appointed by the Executive Committee.)

7.23 Continuing Legal Education Committee.

7.3 Each Committee shall have a Chairman, Vice Chairman and such other members as may be necessary or appropriate to the business it conducts.

#### **ARTICLE 8: AMENDMENTS**

8.1 These By-Laws may be amended at the annual meeting of the Section by a majority vote of the members of the Section in attendance and voting; provided that notice of the substance of the proposed amendment shall have been published with notice of the meeting in the Kentucky Bench and Bar, or sent to all members of the section with notice of the meeting, via first class mail and e-mail. Modifications to the substance of such proposed amendments may be adjusted at the meeting. Modifications to proposed amendments may be proposed and adopted at any Section Meeting.

Adopted this the 13<sup>th</sup> day of June, 2001, by majority of the Civil Litigation Section members present and voting.