

KENTUCKY BAR ASSOCIATION CRIMINAL LAW SECTION

BY-LAWS

ARTICLE I: NAME AND PURPOSE

1.1 **Name.** This Section shall be known as the “Criminal Law Section” and shall be referred to subsequently as the “Section.”

1.2 **Purpose.** The purposes of the Section shall be as follows:

1.21 To promote the interests of the Kentucky Bar Association (the “Association”), the practice of criminal law, and the legal profession.

1.22 To keep the criminal law practitioners of Kentucky informed about current criminal law, trends, topics and proposed and enacted legislation and rules of criminal procedure.

1.23 To keep the public informed about the criminal justice system and its fair administration.

1.24 To improve the quality of all aspects and types of criminal law practice through education, research, communication, and to serve as a liaison with interested groups. To suggest criminal law articles for the Bench and Bar and provide those articles as approved by the Association’s Publication Committee.

1.25 To communicate and cooperate with the other sections of the Kentucky Bar Association respecting matters of criminal law and practice which affects them.

1.26 When practicable, and in accordance with the Association’s Legislative Policy, to form a position on matters of public interest which affect criminal law practice.

1.27 To review, research, and propose changes to rules of criminal law.

1.28 To assist in the formulation of guidelines for the specialty of criminal law.

1.29 To give guidance regarding continuing legal education programs, including District bar programs and the Annual Convention presented by the Association concerning criminal law, and to arrange for such programs as requested.

1.30 To promote the exchange of ideas within the Association on matters of interest to criminal law practitioners.

ARTICLE II: MEMBERSHIP

2.1 **Members.** All members of the Association are eligible for membership in this Section. The membership of the Section shall consist of those members whose dues for the Section have been paid, as provided for in this Article. Any member of the Association in good standing shall be enrolled as a member of the Section upon the filing of an application of the Association and the payment of the annual Section dues.

2.2 **Dues.** A member of the Section shall pay dues as set annually by a majority of the members of the Section in attendance at the Annual Meeting.

ARTICLE III: SECTION MEETINGS

3.1 **Annual Meeting.** The Section shall meet during the Annual Convention of the Association, with the current Chair presiding over the meeting. The Chair shall give the membership at least sixty (60) days notice of the date, time, place, and tentative agenda for the Annual Meeting.

3.2 **Special Meeting.** The Section may hold other meetings of its membership during the year. The Chair shall give the membership at least fifteen (15) days notice of date, time, place and agenda for the special meeting.

3.3 **Executive Committee Meeting.** The Section's Executive Committee shall consist of the Chair, Chair-Elect, Vice Chair, and CLE Liaison. The Executive Committee can meet at the call of the Chair and make decisions for the Section in between Section meetings including the expenditure of Section funds and other Section business.

3.4 **Quorum.** The members of the Section present at a meeting of the membership shall constitute a quorum for the transaction of business.

3.5 **Agenda.** During the Annual Meeting, the Section shall set dues, elect officers, recommend By-Laws or amendments to By-Laws, make recommendations for changes to the Kentucky Supreme Court Rules of Criminal Procedure, discuss suggestions for articles for the **Bench and Bar** and for programs for the Kentucky Law Update and next Annual Convention, and initiate planning for Section activities for the fiscal year beginning July 1, immediately following the Annual Meeting. Amendments to By-Laws may be adopted only by majority of Section members present and voting at the meeting, subject to the approval of the Board of Governors of the Association and the Supreme Court, pursuant to SCR 3.090. The agenda for the Annual Meeting of the Section shall consist of the election of officers and other such matters as the Chair of the Section deems appropriate. The Agenda of a

special meeting of the Membership shall consist of those matters that the Chair of the Section deems appropriate.

3.6 **Approval.** All Section programs and the time and place of all meetings shall be approved, in advance, by the Executive Director of the Association in accordance with Section 11 of the Association By-Laws. The Section Chair must file an Association Activity Approval Form to request the Executive Director's approval prior to undertaking any Section activity or program. Financial arrangements for section activities shall not be made with a vendor without the prior written approval of the Executive Director. Utilization of the Association's tax exempt status is required in arranging Section activities.

ARTICLE IV: OFFICERS

4.1 **Officers.** The officers of the Section shall be the Chair, Chair-Elect, Vice Chair, and CLE Liaison. The officers are to be elected every year, at the Annual Meeting, by a majority of Section members present, with the exception that the Chair-Elect for the current year shall automatically serve as the Section Chair for the following Association year.

4.2 **Terms.** The terms of the officers are one Association year, July 1 through June 30. At the conclusion of the Association year, the Chair-Elect for the current year shall begin a new term as the Section Chair for the following Association year, with said new term taking effect on July 1.

4.3 **Chair.** The Chair shall preside at all meetings of the members of the Section. The Chair shall appoint the chairs and members of any committees of the Section who are to hold office during the Association year. The Chair shall plan and supervise the activities of the Section. The Chair shall keep the Section Officers and Section members informed of the activities of the Section. The Chair shall perform such other duties and acts as usually pertain to that office.

4.4 **Chair-Elect.** The Chair-Elect shall aid the Chair in the performance of the responsibilities of the Chair in such manner and to such extent as the Chair may request. The Chair-Elect shall preside at meetings of the Section in the absence of the Chair. The Chair-Elect shall serve as the liaison to the Association's Bench and Bar magazine, to facilitate communication and the exchange of ideas between the Section and the Association's Bench and Bar magazine staff, and to ensure the timely suggestion of articles approved by the Association's Publication Committee. The Chair-Elect shall perform such duties and have such powers as usually pertain to the office or as may be designated by the Chair. In case of death, resignation, or disability of the Chair, the Chair-Elect shall perform the duties of the Chair for the remainder of the Chair's terms or disability.

4.5 **Vice Chair.** The Vice Chair shall consult with and assist all the officers of the Section in the work of the Section in the manner and to the extent requested.

The Vice Chair shall be the liaison between the Section and the Association staff with respect to the retention and maintenance of books, records, papers, documents, and information in any form and other property pertaining to the work of the Section. The Vice Chair shall keep a true record of the proceedings of all meetings of the Section and shall submit copies of all minutes to the CLE Section Liaison of the Association. The Vice Chair shall keep or arrange for and oversee the keeping of an accurate record of all income and expenditures of the Section. The Vice Chair shall submit to the Section, at the Annual Meeting, a report on the Section's financial affairs and financial condition. Section authorization of all expenditures shall be included in the minutes for documentation to the Director of Accounting of the Association for all expenditures approved by the Section.

4.6 **CLE Liaison**. The CLE Liaison shall foster communication between the Section and the CLE Association staff; recruiting speakers and facilitating the creation of seminar materials pertaining to the area of criminal law, as needed, for Association Seminars, including the Association's Annual Convention and the Association Kentucky Law Update seminars.

ARTICLE V: REQUIRED SECTION FILINGS

5.1 **Annual Report**. The Section shall annually file with the Association Board of Governors, on or before the Annual Meeting, a report of Section activities which shall outline the activities and expenditures of the Section for the current fiscal year ending June 30th. The Section Chair shall ensure that the Annual Report is filed on a timely basis.

5.2 **Forecast Report**. The incoming Section Chair shall submit to the Association Board of Directors, on or before August 1st following his/her election as Chair, an outline of the Section's proposed activities, expenditures, and meetings for the ensuing fiscal year.

ARTICLE VI: AMENDMENTS

6.1 **Amendments**. These By-Laws may be amended at any Annual Meeting of the Section by a majority vote of the members of the Section present and voting. Written notice of an intention to amend these By-Laws must be given to the Membership no later than forty-five (45) days prior to the opening of the Annual Meeting. Amendments shall become effective upon approval by the Board of Governors of the Association.

Adopted this the 12th day of June 2003, by the majority of the Criminal Law Section members present and voting.

Edward C. Monahan, Chairperson