

Notice and Objection Procedure to KBA Budgetary Expenditures

Adopted by KBA Board of Governors January 14, 2011

1. Statement of Policy. The purpose of the Kentucky Bar Association ("KBA") is to engage in those activities enumerated in the Rules creating and controlling the Kentucky Bar Association (the "Rules") and the policies of the KBA Board of Governors (the "Board"). If any member has a reasonable belief that any actual or proposed expenditure is not within such purposes of, or limitations on the KBA, it is the policy of the KBA to provide a means by which the member may register his or her objection thereto with the Executive Director of the KBA for resolution as described below. No member exercising rights under this policy shall suffer any discrimination or retaliatory treatment as a result of exercising such rights.

2. Members May Object. A member may object to a proposed or actual expenditure by the KBA as not within the purposes or limitations set out in the Rules, Bylaws, or Policies. This member may seek refund of a pro rata portion of his or her dues expended for non-chargeable expenditures, plus interest, by filing a written objection with the Executive Director. The objection must be made on the KBA Dues Claim Form, addressed to the Executive Director of the KBA, 514 West Main St., Frankfort, KY 40601, and postmarked not later than Sixty (60) days after the approval of the annual budget by the Kentucky Supreme Court or June 30th of each year, whichever shall first occur. The KBA Dues Claim Form may be obtained at the Kentucky Bar Center or from the KBA Web site at <http://www.kybar.org/useofdues>.

3. Executive Director's Duty Upon Receipt of Objection. Upon receipt of a member's written objection on an official KBA Dues Claim Form, the Executive Director shall within Twenty one (21) days review such written objection together with the allocation of dues monies to be spent on the activity or action and, in consultation with the KBA Executive Committee, shall have the discretion to resolve the objection, including refunding a pro rata portion of the member's dues, plus interest, or notify the member of hearing before the KBA Budget Review Panel no sooner than thirty (30) days, nor more than sixty (60) days thereafter.

4. Budget Review Panel. The Budget Review Panel ("Panel") shall consist of three (3) KBA members in good standing, selected from the Budget Committee by the KBA President-Elect to conduct a hearing on the member's objection.

5. Panel Hearing Procedure and Appeal. The Executive Director shall provide written notice of the date, time and place of hearing of the member's objection. Failure to appear at the designated hearing shall result in an immediate dismissal of the objection. The Panel shall conduct a hearing of the member's objection and provide a written decision within thirty (30) days thereof. The written decision shall be final within twenty (20) days after mailing the same to member's last known address as set forth in the records of the KBA unless a written appeal is presented to the Executive Director for consideration by the Board of Governors specifying the exact factual and/or legal basis therefore. The appeal shall be considered by the Board of

Governors based solely upon the written record of the Panel. The Executive Director shall notify the member of the decision.

6. Appeal of Board. In the event the member wishes to appeal the actions of the Board, the member shall notify the Executive Director within 20 days. Thereupon, the Special Conflicts Committee will choose three members of the Bar, none from the district of the appealing member, and none of whom have served or are serving on the Board, to consider the appeal of the claim. That group of three will reach a decision on the record within 30 days.

7. Payment to Objecting Member. Any refund of a pro rata share of the member's dues shall be for the convenience of the KBA, and shall not be construed as an admission that the activity or action to which the member objected was or would not have been within the purposes or limitations of the Rules or By Laws, or was a non-chargeable expenditure.

8. Notice of Policy and Protest Procedure. This notice shall be published in conjunction with any publication or description of the KBA's budget and financial statements.