

BY-LAWS  
STATE BAR OF TEXAS  
CRIMINAL JUSTICE SECTION

ARTICLE I

Name and Purpose

Section 1. This Section shall be known as the Criminal Justice Section of the State Bar of Texas.

Section 2. The purpose of this Section shall be to promote the objectives of the State Bar of Texas within the field of Criminal Justice.

ARTICLE II

Membership

Section 1. Any member in good standing of the State Bar of Texas, upon request to the Secretary-Treasurer of this Section, and upon the payment of membership dues, shall be enrolled as a member of this Section. Persons so enrolled shall constitute the membership of this Section.

Section 2. The membership dues shall be Ten Dollars per annum and shall be payable concurrently with State Bar dues or not later than the deadline for State Bar dues.

Section 3. Each member shall remain in good standing from year to year subject to the payment of dues, and if a member does not pay within 60 days from the deadline for payment of State Bar dues his name shall be stricken from the membership roll.

ARTICLE III

Officers and Council

Section 1. The officers of this Section shall be a Chairman, Chairman-Elect, 1st Vice-Chairman, 2nd Vice-Chairman, Secretary-Treasurer and Assistant Secretary-Treasurer. The officers and other members of the Council shall at the time of their election equally represent the criminal defense bar, the judiciary with criminal jurisdiction and the prosecution.

Section 2. There shall be a council, which shall consist of the Chairman, Chairman-Elect, 1st Vice-Chairman, 2nd Vice-Chairman, Secretary-Treasurer, Assistant Secretary-Treasurer and the immediate past Chairman, a non-voting ex officio member, together with nine other members to be elected by the Section as hereinafter provided.

Section 3. The Chairman, Chairman-Elect, 1st Vice-Chairman, 2nd Vice-Chairman, Secretary-Treasurer, and Assistant Secretary-Treasurer shall be nominated and elected, in a manner hereinafter provided, at each annual

meeting of this Section, to hold office for a term beginning at the close of the annual meeting at which they shall have been elected, and ending at the close of the next succeeding annual meeting of the Section, and until their successors shall have been elected and qualified.

Section 4. At the annual meeting of the Section three members of the Council shall be nominated and elected to serve for three years. ("Year" as herein used, meaning a term beginning at the close of the annual meeting and ending at the close of the next succeeding annual meeting.)

Section 5. If any elected member of the Council shall fail to attend two successive meetings of the Council, without good cause, the office held by such member shall be automatically vacated, and the Council shall fill the vacancy for the unexpired term.

#### ARTICLE IV

##### Nomination and Election of Officers and Council

Section 1. Elections. Elections shall be conducted at the annual meeting of the Section.

Section 2. Nominations. At least 60 days before the annual meeting of the Section, the Chairman shall appoint a Nominating Committee of three members of the Section, which committee shall make and report nominations to the Section for Chairman, Chairman-Elect, 1st Vice-Chairman, 2nd Vice-Chairman, Secretary-Treasurer, Assistant Secretary-Treasurer, and for members of the Council, to succeed those whose terms will expire at the close of the next annual meeting, and to fill vacancies then existing for unexpired terms. At least 30 days before the date set for the election, the Council shall give written notice to the entire membership of the Section of the persons nominated by the Nominating Committee. Other nominations for the same offices may be made from the floor.

Section 3. Voting. All elections shall be by majority vote of the Section members in attendance and voting at the annual meeting of the Section.

#### ARTICLE V

##### Duties of Officers

Section 1. Chairman. The Chairman shall preside at all meetings of the Section and of the Council. He shall formulate and present at each annual meeting of the State Bar of Texas, a report of work of the Section for the preceding year. He shall perform such other duties and acts as usually pertain to his office.

Section 2. Chairman-Elect. The Chairman-Elect, upon the death, resignation or during the disability of the Chairman or upon his refusal to

act, the Chairman-Elect shall perform the duties of the Chairman for the remainder of the Chairman's term except in case of the Chairman's disability and then only during so much of the term as the disability continues.

Section 3. 1st Vice-Chairman. Upon the death, resignation or during the disability of the Chairman-Elect, or upon his refusal to act, the 1st Vice-Chairman shall perform the duties of the Chairman-Elect for the remainder of the Chairman-Elect's term except in case of the Chairman-Elect's disability and then only during so much of the term as the disability continues.

Section 4. 2nd Vice-Chairman. Upon the death, resignation or during the disability of the 1st Vice-Chairman, or upon his refusal to act, the 2nd Vice-Chairman shall perform the duties of the Chairman-Elect for the remainder of the 1st Vice-Chairman's term except in case of the 1st Vice-Chairman's disability and then only during so much of the term as the disability continues.

Section 5. Secretary-Treasurer. The Secretary-Treasurer shall be the custodian of all books, papers, documents, money and other property of the Section. He shall keep a true record of the proceedings of all meetings of the Section and of the Council, whether assembled or acting under submission. With the Chairman, he shall prepare a summary or digest of the annual proceedings of the Section for publication in the Texas Bar Journal. He, in conjunction with the Chairman, as authorized by the Council, shall attend generally to the balance of the Section.

Section 6. Assistant Secretary-Treasurer. The Assistant Secretary-Treasurer shall be authorized to sign checks and perform all duties of the Secretary-Treasurer upon request and as delegated.

Upon the death, resignation or during the disability of the Secretary-Treasurer, or upon his refusal to act, the Assistant Secretary-Treasurer shall perform the duties of the Secretary-Treasurer for the remainder of the Secretary-Treasurer's term except in case of the Secretary-Treasurer's disability and then only during so much of the term as the disability continues.

## ARTICLE VI

### Duties and Powers of the Council

Section 1. The Council shall have general supervision and control of the affairs of the Section subject to the provisions of the Constitution, and By-Laws, rules, and policies, of the State Bar of Texas and the By-Laws of this Section.

Section 2. The Chairman may appoint committees from Section members to perform such duties and exercise such powers as the Chairman or Council may direct, subject to the limitations of these By-Laws, Constitution, the rules, and policies, of the State Bar of Texas.

Section 3. The Council, during the interim between annual meetings of the Section, may fill vacancies in its own membership or in the offices of the section Secretary-Treasurer or in the event of a vacancy in both the office of Chairman and Vice-Chairman, then in the office of Chairman. Members of the Council and officers so selected shall serve until the close of the next annual meeting of the Section.

Section 4. All binding action of the Council including adoption of any section legislative position(s) shall be by a majority vote of the council members present.

Section 5. The Chairman of the Section may, and upon the request of any member of the Council shall, submit or cause to be submitted in writing, to each of the members of the Council, any proposition upon which the Council may be authorized to act, and the members of the Council may vote thereon, in writing over their respective signatures, to the Secretary-Treasurer who shall record upon his minutes each proposition so submitted, when, who, at whose request same was submitted, and the vote of each member of Council thereon, and keep on file such written and signed votes. If the votes of a majority of the members of Council so recorded shall be in favor of such proposition or if such majority shall be against such proposition, such majority vote shall constitute the binding action of the Council.

Section 6. In the event a proposition is in the best interest of the Section and time is of the essence, the Chairman of the Section may utilize electronic and/or telephonic technology to determine each Council members' vote so long as the proposition and the member's votes are reduced to writing and submitted to the Secretary-Treasurer to be recorded in the minutes, and copies are sent to each Council member within ten (10) days of the date of final vote on the proposition.

## ARTICLE VII

### Meetings

Section 1. The annual meeting of the Section shall be held during the annual meeting of the State Bar of Texas, in the same city or place as such annual meeting of the Texas State Bar, with such program and order of business as may be arranged by the Council.

Section 2. Special meetings of the Section may be called by the Chairman upon approval of Council, at such time and place as the Council may determine.

Section 3. The members of the Section present at any meeting shall constitute a quorum for the transaction of business.

Section 4. All binding action of the Section shall be by a majority vote of the members present.

Section 5. The Council shall meet annually during the annual meeting of the State Bar of Texas.

Section 6. Special meetings of the Council may be called by the Chairman at such place and time as he may designate.

## ARTICLE VIII

### Miscellaneous Provisions

Section 1. No salary or compensation shall be paid to any officer.

Section 2. No action, policy determination, or recommendation of this Section or committee thereof, shall be deemed to be, or be referred to as, the action of the State Bar of Texas, and shall comply with the provisions of the Constitution, By-Laws, rules and policies prior to submission of the same to, and approval by, the Board of Directors of the State Bar of Texas, or the General Assembly of the State Bar of Texas. Any resolution adopted or action taken by this Section may, on request of this Section, be reported by the Chairman to the annual meeting of the State Bar of Texas for action thereon.

Section 3. These By-Laws may be amended at any annual meeting of this Section. All amendments must be approved by a majority vote of the members of the Section present and voting, and shall not become effective until approved by the Board of Directors of the State Bar of Texas.

Section 4. These By-Laws shall become effective upon approval by the board of Directors of the State Bar of Texas.

Section 5. As used herein unless otherwise expressly provided, the past, present or future tense shall each include the other; the masculine, feminine, or neuter gender shall each include the other; and the singular and plural number shall each include the other.

