BYLAWS
OF THE
ALTERNATE DISPUTE RESOLUTION SECTION
STATE BAR OF NEVADA

Section 1

NAME AND PURPOSES

1.1  NAME. This Section shall be known as the "Alternate Dispute Resolution Section, State Bar of Nevada". and hereinafter shall be designated as "the ADR Section".

1.2  PURPOSE. The general purposes of the ADR Section shall be (1) to increase the knowledge of active members of the Section and the State Bar in all areas of ADR; (2) to study existing and future methods for improving the prompt and effective resolution of disputes; (3) to encourage and sponsor publication of videos, computer, audio and written materials. and publications on ADR; (4) to conduct, assist and encourage public and professional ADR educational programs; and (5) to recommend changes in the administration of ADR in accordance with the policies of the State Bar of Nevada.

Section 2

MEMBERSHIP

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

2.2  TERM. The term of membership in the Section shall be for a period of one (1) year, commencing on the last day of the annual State Bar meeting.

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

2.4  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 each enrollment. Such fees shall be prescribed by the Board of Governors and shall be paid into the treasury of the State Bar along with all other funds generated by this Section, to be used for the purposes of defraying costs and expenses of this Section or such other purposes as the Board of Governors may designate. Within the meaning of this Section, the time intervening between successive annual meetings is deemed to be one (1) year.
2.5 DELINQUENCY. Any member of the Section whose annual dues shall be more than six (6) months past due shall thereupon cease to be a member of this Section.

Section 3

COMMITTEES

The Council of this Section is authorized to establish, or to empower the Chairperson 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 in writing the area of its proposed activities.

Section 4

MEETINGS OF THE MEMBERSHIP

4.1 ANNUAL MEETING. The Section shall hold an annual meeting of the members either in conjunction with the annual meeting of the State Bar, or as otherwise set by the Council. The Section may 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 the members present.

4.4 VOTING ELIGIBILITY. Any member of the State Bar and Section whose good standing can be certified by official State Bar records for thirty 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 Chairperson or Council.

4.6 MAIL VOTING. The Council may direct that a matter be submitted to the members of the Section for vote by mail. 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.
Section 5

OFFICERS

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

5.2 CHAIRPERSON. The Chairperson, or the Vice-Chairperson, in the absence of the Chairperson, shall a) preside at all meetings of the Section and of the Council; b) appoint the Chairperson and members of all committees of the Section who are to hold office during that term as chairperson; c) plan and superintend the program of the Section during that term, subject to the directions and approval of the Council; d) superintend the performance of all activities of the Section; e) keep the Council duly informed and carry out its decisions; f) perform such other duties and acts as usually pertain to this office or as may be designated by the Council; and g) make an annual written report to the Board of Governors which shall be available at the Annual Meeting of the State Bar.

5.3 VICE-CHAIRPERSON. The Vice-Chairperson shall aid the Chairperson in the performance of the responsibilities of office in the manner and to the extent the Chairperson may request, and shall perform such further duties and have such further powers as usually pertain to this office, or as may be designated by the Chairperson or the Council.

In case of death, resignation, or disability of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson for the remainder of the Chair's term of disability, as the case may be.

5.4 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; 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; keep a true record of the proceedings of all meetings of the Section and of the Council, whether assembled or acting under submission; and, in conjunction with the Chairperson, as authorized by the Council, attend generally to the business of the Section.

5.5 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; monitor all accounts, reports, and other documents prepared as to 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; report on the Section's present and projected financial condition at each meeting of the Section Council; advise the officers and Council as to the financial impact of any proposed action by the officers, Council or Section which, in the judgment of the budget officer, would have a significant impact on the financial
condition of the Section: at least once a year; prepare and submit 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 Section budget shall be effective only upon approval by the Board of Governors: submit to the Section, at the annual meeting, a report on the Section's financial affairs and financial condition: and prepare such other recommendations and special reports on financial affairs of the Section as may be requested by the Chairperson of the Section.

Section 6

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 persons:

a. The officers, consisting of a chairperson, a vice chairperson, a secretary and Budget Officer, who shall serve one year terms;

b. The last retiring Chairperson;

c. Four (4) members-at-large who shall serve three (3) 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 the third year).

d. A member of the Board of Governors, appointed by it as an "ex officio" member who shall serve for such term as designated by the Board of Governors.

6.3 **CONTROLLING VOTE.** Action of the Council shall be by majority vote of those members present. A quorum consisting of a majority of the Council members shall be required to conduct its business.

6.4 **MEETINGS.** The Council shall hold at least one regular meeting each year at the time and place as provided in Section 4.1 to dispatch any necessary business. The Chairperson 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 Chairperson may, and upon request of three (3) members of the Council shall, submit in writing 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 or by telephone vote, confirmed in writing, to the Secretary, who shall record the proposition either by written ballot or by telephone vote, confirmed in writing, 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 mail. 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.

Section 7

**SUCCESION OF OFFICERS AND VACANCIES**

8.1 **OFFICERS AND COUNCIL.** Between annual meetings of the Section, the Council may fill vacancies in its own membership, or in the offices of Vice-Chairperson, Secretary of Budget Officer. Members of the Council and officers so elected 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 at the time. The Board of Governors shall by appointment fill any vacancy of its ex officio member. Officers and Council members may succeed themselves.

8.2 **ABSENTEEISM.** If any officer or member of the Council shall fail to attend two successive meetings of the Council, his office shall be automatically vacated, unless excused upon good cause accepted by members of the Council.

8.3 **RETIRING CHAIRPERSON.** At the end of his term of office, the retiring Chairperson shall become a member of the Council for term of one (1) year.