

BYLAWS  
OF THE  
PUBLIC LAWYERS SECTION  
STATE BAR OF NEVADA

Section 1

NAME

1.0 This Section of the State Bar of Nevada shall be known as the PUBLIC LAWYERS SECTION OF THE STATE BAR OF NEVADA.

Section 2

PURPOSES

2.0 The purpose of the Section shall be:

(a) To stimulate the interest of public lawyers of the State Bar of Nevada in the activities, objectives and purposes of the State Bar of Nevada;

(b) To encourage study and the interchange of thoughts and materials pertaining to the problems, duties and responsibilities of members of the legal profession practicing in the public sector;

(c) To provide public lawyers with a more effective means to participate in activities directed toward improving the administration of justice and promotion issues of importance to public lawyers;

(d) To promote cooperation and fellowship among public lawyers and to correlate the activities of public lawyers in the State Bar of Nevada;

(e) To assist law students and new members of the Bar in preparing for and establishing themselves in the practice of law as public lawyers;

(f) To perform and carry on such activities as may be assigned to the Section by the Board of Governors of the State Bar of Nevada.

Section 3

MEMBERSHIP

3.0 All active and inactive members of the State Bar of Nevada who are duly elected or employed to serve a federal, state, or local government office or agency or whose income from the practice of law is solely from government

sources or from a non-profit legal aid office shall be members of the Public Lawyers Section upon the payment of annual Section dues to the State Bar of Nevada. Any former public lawyer, as defined in this section, who has retired from the full-time practice of law shall be considered for membership upon payment of the annual dues. Such dues 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 Article, the time intervening between successive annual meetings is deemed to be one (1) year.

3.1 Any member of the State Bar of Nevada who does not meet the requirements of paragraph 3.0 may make written application for membership to the Membership Committee, stating the nature of the applicant's public law practice. The Membership committee shall recommend to the Council that the application be granted or denied. The Council shall consider the application at its next regular meeting after receiving the recommendation and vote to grant or deny the application.

#### Section 4

### COMMITTEES

4.0 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 5

### MEETINGS OF THE MEMBERSHIP

5.0 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, upon approval of the Board of Governors, hold other meetings of members throughout the year.

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

5.2 CONTROLLING VOTE. Action of the Section shall be by majority vote of the members present.

5.3 VOTING ELIGIBILITY. Any member of the State Bar and Section whose good standing can be certified by official State Bar records for thirty (30) days prior to the time of voting shall be eligible to vote.

5.4 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.

5.5 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 6

### OFFICERS

6.0 OFFICERS. The officers of the Section shall be the Chairperson, Vice-Chairperson, and Secretary.

6.1 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.

6.2 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, shall succeed to the office of Chairperson upon completion of the Chairperson's term of office or upon the incapacity or resignation of the Chairperson, 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.

6.3 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 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.

## Section 7

### THE EXECUTIVE COUNCIL

7.0 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 of 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.

7.1 COMPOSITION. The Council shall be composed of the following persons:

(a) The officers identified in Section 6 above, who shall serve one year terms;

(b) Four (4) members-at-large, one of whom will be the immediate past Chairperson, who shall serve one (1) year terms;

(c) 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;

(d) All Council members shall serve the foregoing fixed terms unless sooner removed at the pleasure of the Board of Governors.

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

7.3 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.

7.4 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 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 and votes in the matter.

7.5 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.

7.6 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.

7.7 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 8

### SELECTION OF OFFICERS AND EXECUTIVE COUNCIL

8.0 APPOINTMENT. The officers and the other members of the Council which shall consist of seven (7) members shall be appointed by a majority vote of the Board of Governors of the State Bar. Such nomination and appointment shall occur at the first Board of Governors meeting after the new officers of the State Bar have taken office. The Board of Governors may in its discretion appoint to the Council and as officers persons nominated by the Section. Nominations for Council members may be made by the Council acting as a nomination committee or by a petition signed by at least ten (10) members of the Section. Petitions for such nomination shall be submitted to the Council at or before the Annual Meeting of the State Bar and the Council shall transmit such nomination together with those nominations recommended by the nominating committee to the Board of Governors on or before July 1 of each year. The Council shall recommend Section officers to the Board of Governors from among those individuals recommended for appointment to the Council.

8.1 ELIGIBILITY FOR OFFICE. Any member of the State Bar and the Section whose good standing can be certified by official State Bar records for thirty (30) days prior to the time of election shall be eligible for office.

8.2 TERM OF OFFICE. The term of office shall commence on the day the nomination is approved by the board of Governors and shall continue until the Board approves a successor. All Committee members shall serve the foregoing fixed terms unless sooner removed at the pleasure of the Board of Governors.

## Section 9

### SUCCESSION OF OFFICERS AND VACANCIES

9.0 OFFICERS AND COUNCIL. Between annual meetings of the Section, the Council may fill vacancies in its own membership, or in the office of Vice-Chairperson or Secretary. 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.

9.1 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.

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

## Section 10

### CONTINUING LEGAL EDUCATION PROJECTS

10.0 All education projects of the Section for which CLE credits will be sought must be submitted to the Continuing Legal Education Committee for approval. The Continuing Legal Education Committee will administer and coordinate all such projects with the Section. Net profits or losses of such projects will be divided with the Section. Net profits or losses of such projects will be divided in a manner considered appropriate by the Continuing Legal Education Committee.

## Section 11

### REPRESENTATION OF STATE BAR'S POSITION

11.0 Any action by this Section must be approved by the Board of Governors of the State Bar before action can be effective as the action of the State Bar. Any resolution adopted or action taken by the Section shall be reported by the Chairperson or representative to the Board of Governors for action by the State Bar.

## Section 12

### AMENDMENT TO BYLAWS

12.0 These Bylaws may be amended at any annual meeting of the Section by a majority vote of the members of the Section present and voting, providing such proposed amendment shall first have been approved by a majority of the Council. They shall become effective upon approval by the Board of Governors, and may be amended or repealed at any time by the Board of Governors on its own motion.

## Section 13

### ANNUAL REPORT

13.0 The Section Chairperson shall make an annual written report to the Board of Governors which shall be available at the Annual Meeting of the State Bar.