

BYLAWS OF THE FAMILY LAW SECTION

ARTICLE I NAME AND PURPOSES

Section 1. Name. This section will be known as the Family Law Section of The Florida Bar.

Section 2. Purpose. The purposes of the section are to:

- (a) provide an organization within The Florida Bar open to all members having an interest in the field of family law;
- (b) provide a forum for discussion and exchange of ideas and concerns leading to the improvement of the practice and substance of family law throughout Florida;
- (c) assist the courts in establishing methods for the consistent, fair, and expeditious administration of justice in family law proceedings;
- (d) encourage attorneys and judicial officers to consider and promote the interests and the needs of families affected by family law proceedings;
- (e) advise and recommend substantive changes in the law to the Florida Legislature;
- (f) comment and make recommendations regarding the Florida Rules and Forms to the Supreme Court of Florida;
- (g) foster a high standard of ethical conduct, civility, and professionalism by all attorneys and judicial officers who participate in the family court system;
- (h) prepare and organize educational programs relating to family law; and
- (i) improve the quality of representation in family law proceedings.

ARTICLE II MEMBERSHIP AND DUES

Section 1. Types of Membership. There are 2 types of section membership: (1) active and (2) affiliate.

Section 2. Active Membership. Any member of The Florida Bar in good standing is eligible for active membership.

On application and payment of the section's annual dues, any active member who ceases to be a member in good standing of The Florida Bar will no longer be a member of the section, unless the member qualifies for affiliate membership.

Section 3. Affiliate Membership. Any person who meets at least 1 of the following requirements is eligible for affiliate membership on application and payment of the section's annual dues.

(a) students currently enrolled in an accredited law school;

(b) graduates of an accredited law school;

(c) professors of an accredited law school;

(d) any person having a master's or doctorate degree in social work, mental health, or other behavioral or social sciences; marital and family therapists; physicians certified to practice adult or child psychiatry; certified public accountants licensed to practice in any jurisdiction within the United States; appraisers; certified financial planners; actuaries; or vocational rehabilitation specialists, all of whom must be authorized to do business in the state of Florida, or any students or interns studying or working in any of these professions;

(e) any Florida Supreme Court certified mediator; or

(f) any Florida legal assistant or paralegal who is employed and supervised by a member of The Florida Bar or a law firm practicing in the state of Florida and who has satisfied at least 1 of the following minimum requirements:

(1) accreditation as a Florida Registered Paralegal; or

(2) successful completion of the certified legal assistant (CLA) examination of the National Association of Legal Assistants, Inc., or

(3) graduation from an ABA-approved program of study for legal assistants, or

(4) graduation from a course of study for legal assistants which is institutionally accredited and which requires not less than the equivalent of 60 semester hours of classroom study, or

(5) graduation from a course of study for legal assistants other than those set forth above, plus not less than 6 months of in-house training as a legal assistant in a law firm or legal office under the supervision of a member of The Florida Bar in good standing; or

(6) a bachelor's degree in any field, plus not less than 6 months of in-house training as a legal assistant in a law firm or legal office under the supervision of a member of The Florida Bar in good standing; or

(7) a minimum of 3 years of law related experienced under the supervision of a lawyer, including at least 6 months of in-house training as a legal assistant in a law firm or legal office under the supervision of a member of The Florida Bar in good standing; or

(8) two years of in-house training as a legal assistant in a law firm or legal office under the supervision of a member of The Florida Bar in good standing.

(g) any other person accepted for affiliate membership by the executive committee in its sole discretion

Affiliate members will be limited to one-third of the total section membership. Affiliate membership does not provide membership to The Florida Bar or any other section within The Florida Bar. Affiliates have all the privileges accorded to active members of the section except that affiliates may not vote in any executive council meeting or the section's annual meeting elections, be eligible to serve on executive council or executive committee hold office or participate in the selection of officers or member of the executive council. Affiliate members may be appointed as officers of substantive committees of the section as defined in Article VII. An affiliate member cannot be a member of the legislation committee unless designated as special advisor by the section chair.

Section 4. Annual Dues. The section's annual dues are determined by the executive council of the section subject to approval of the Board of Governors of The Florida Bar. Section membership is terminated if The Florida Bar fees or section dues are not timely paid and the member become delinquent. Annual dues will not be prorated. Each person who is admitted to The Florida Bar will be invited to become a member of the section. Upon acceptance, first-year members will be entitled to a waiver of the section dues as follows:

(a) **Florida Bar Admission Between June 30 and December 31.** The member will not be required to pay section dues until the June 30th following such member's admission to The Florida Bar if admitted between July 1 and December 31.

(b) **Florida Bar Admission Between January 1 and June 30.** The member will not be required to pay section dues until June 30th of the calendar year next succeeding the calendar year of the member's admission to The Florida Bar if admitted between January 1 and June 30 (e.g., if admitted to The Florida Bar on March 1, 2008, no section dues will be payable until the bar year beginning July 1, 2009).

ARTICLE III EXECUTIVE COUNCIL

Section 1. Executive Committee Officers. The executive committee officers are the chair, chair-elect, treasurer, secretary, and immediate past chair. The section chair may designate a member with special experience or knowledge relevant to a vote on a particular issue or group of issues. A majority of the executive committee members must approve this member unless the member is the chair of a committee, program, or ad hoc committee relevant to the issue or group of issues.

Section 2. Executive Council. The executive council consists of the executive committee officers and 32 other members elected by the section. The 32 members will be divided into 4 groups of 8 members with staggered terms. In addition, section trustees will be considered ex officio members of the executive council.

Section 3. Trustees. All past chairs of the section who are members of the section in good standing will be automatically appointed as trustees of the section and will be ex-officio members of the executive council each year. Trustees will not be considered council members for the purpose of determining a quorum. At all meetings of the executive council up to 3 trustees may cast votes on any proposal before the council. If more than 3 trustees are in attendance, the 3 trustees who most recently served as section chair will be permitted to vote.

Section 4. Elections. Executive committee officers and new executive council members will be elected at the section's annual meeting.

Section 5. Terms.

(a) Executive Committee Officers. The terms of officers will begin immediately after election at the section's annual meeting. At the time of election of executive committee officers, a new secretary will assume office; the prior secretary will become the treasurer; the treasurer will become the chair-elect; the present chair-elect will become the chair; the outgoing chair will become the immediate past chair and the immediate past chair will become a section trustee.

(b) Executive Council. At each section annual meeting an election will be held to re-elect or replace the 8 members whose terms are expiring as well as to fill any other open seats that may exist. A member's term begins on administration of the oath of office. A member's term ends on the administration of the oath of office at the 4th succeeding annual meeting of the Section or as otherwise set forth in these bylaws. A current executive council member who has served for 3 full, continuous terms is not eligible for re-election. A full term is defined as a full 4-year cycle (as opposed to a member being appointed to fill a vacancy and serving less than a full term in that seat).

(c) Unexpected Vacancies.

(1) *Unexpected Vacancy on Executive Council.* If a seat on the executive council becomes vacant for any reason, other than the expiration of the term, the seat will be filled for the balance of its term. The secretary notifies the vacancy to the section membership. Applicants for the vacancy must submit applications within 7 business days of the Section secretary providing notice of the vacancy. The Section secretary disseminates applications received by the deadline to the Executive Council for consideration, in advance of the vote to take place at its next meeting, virtual, or in-person. Voting to fill the unexpected vacancy at a mandatory meeting is by written ballot, to be collected and tallied by the Section secretary. Voting at virtual meetings is by email ballot, to be collected and tallied by the Section secretary. Email ballots are not collected and tallied using an email address subject to the Sunshine Laws. All votes, written ballots and email, are deleted or destroyed once the tally is complete. The chair may administer the oath to the new executive council member at that meeting or the next subsequent meeting.

(2) *Unexpected Vacancy on Executive Committee.*

(A) If there is an unexpected vacancy in the treasurer, chair-elect, or chair positions, the immediate past chair will fulfill the duties of that position for the remainder of the fiscal year. If the immediate past chair is unwilling or unable to fulfill the duties of that position, the remaining members of the executive committee will fulfill the duties of that position as directed by the chair or the acting chair, or the chair or acting chair may appoint a trustee to fill that position for the remainder of the bar year.

(B) If an unexpected vacancy in the secretary position occurs after August 1st, but before the fall meeting of the executive council, the Section secretary will immediately notice the position to the executive council of the Family Law Section by email message and post the vacancy and the application on the Family Law Section website. The notice will provide a 30-day period for applications to be completed and delivered to the Section chair and to the Section secretary. On the expiration of the 30-day period, the Section secretary will disseminate the applications to the members of the executive council for comments as directed by the Section chair. All written comments are shared with the executive committee and are deleted or destroyed once the nominee has been selected. The members of the executive council will have 5 days within which to submit comments. The executive committee will convene within 40 days of the notice of the vacancy to select the nominee for the secretary position. The nominating committee will take a verbal vote to select the nominee for the secretary position. Immediately on this selection, the Section secretary will post the selection to the Family Law Section website. The election of the new secretary takes place at the Section's fall meeting by acclamation at the Section luncheon the day committee meetings are held. The Section chair may administer the oath to the new secretary at the Section luncheon.

(C) If there is an unexpected vacancy in the secretary position after the fall meeting, the immediate past chair will fulfill the duties of the secretary for the remainder of the bar year. If the immediate past chair is unable or unwilling to fill this position, the remaining members of the executive committee will fulfill the duties of the secretary as directed by the Section chair, or the Section chair may appoint a trustee to fill that position for the remainder of the bar year.

ARTICLE IV

NOMINATING COMMITTEE FOR ELECTION OF EXECUTIVE COMMITTEE AND EXECUTIVE COUNCIL

Section 1. Nominating Committee. The nominating committee convenes in the spring of each year to select the slate for the upcoming bar year. The chair-elect appoints the section nominating committee (for the upcoming bar year). The nominating committee is chaired by the section chair. The committee consists of all current Section executive committee officers and one "Section member at-large" who must be an active executive council

member or Section trustee. The Section member at-large will be appointed to the nominating committee by the chair-elect. The Section member at-large may not be an executive council member whose position is up for renewal to executive council for the upcoming bar year and fulfilled all annual requirements of executive council members under Article VI, Section 2 for the prior and current bar year. Additionally, the appointed Section member at-large must have sufficient knowledge regarding the applicants' service to the Section and the corresponding criteria (as hereinafter defined) to facilitate consideration and selection of the slate of the nominees. The nominating committee reviews all applications and nominations for executive council and secretary and takes an initial verbal vote to determine the slate of nominees for executive council and secretary. The chair of the nominating committee has all the rights and privileges of every other member of the committee and may participate in all discussions as well as vote for the secretary and executive council positions; however, the chair is not required to vote and may choose not to vote. If the chair chooses not to vote and there is a tie or no majority, the committee continues to vote until 1 applicant receives the majority. The applicants with the most votes but no majority are the only applicants for the remaining voting procedure until a majority selection of a nominee is made.

A nominee must be an active member as defined in Article II to be eligible for a seat on the executive council. The nominating committee will publish the names of the nominees to the section at least 30 days prior to the section's annual meeting. An eligible nominee for the office of secretary must be a current elected member of the executive council and not a trustee.

The nominating committee considers certain criteria, including, but not limited to, the following in the selection of the slate of nominees: attendance record; leadership skills; length of service with the Section; diversity and inclusion factors enumerated within this Section's Diversity and Inclusion Mission Statement; and any other factors relevant to an applicant's ability to fulfill a leadership role within the Section.

Any Executive Council member seeking renewal for a successive term is ineligible for nomination if that member has failed to comply with the yearly service requirements set forth in Article VI, Section 2 (b) of the Bylaws.

Section 2. Election. The election and installation of the new executive council members is held at the Section's annual meeting and is governed by the current edition of Robert's Rules of Order Newly Revised.

ARTICLE V RESPONSIBILITIES AND POWERS OF EXECUTIVE COMMITTEE OFFICERS

Section 1. Attendance. Absent good cause, all members of the executive committee are required to attend all executive committee meetings.

Section 2. Responsibilities and Powers.

(a) Generally. The executive committee is responsible for the daily operations of the section between regular or special meetings of the executive council. The executive committee may conduct its business by correspondence, by email, by in-person, telephonic, or virtual meetings, as authorized by the chair. All actions of the executive committee are binding on the section and represent the position of the section and the executive council concerning all issues, including but not limited to the establishment of all legislative positions. It is the goal of the Section to maintain transparency in its operation. The Section recognizes that between meetings of the executive council, the executive committee conducts the daily operations of the Section. The executive committee regularly reports its actions to the executive council as directed by the Section chair.

(b) Responsibilities of the Chair. The chair presides at all meetings of the section, the executive council, and the executive committee. The chair also serves as the chair of the nominating committee. The chair appoints all committee chairs, officers, and members. The chair may create committees and appoint the chair, officers, and members of these committees. The chair may appoint special advisors, without voting rights, to committees. The chair reviews the executive council members' participation disclosure forms and contacts any members who are deficient in their duties. The chair prepares and presents a report on the work of the section for the past year to the Board of Governors of The Florida Bar and prepares a written report for inclusion in The Florida Bar *Journal* as designated by The Florida Bar. The chair performs other duties and acts as usually pertain to the office.

The chair must maintain impartiality while presiding during an executive council meeting and, as a result, is precluded from exercising the rights to make motions or speak in debate for or against a motion and is also precluded from voting except (i) when the vote is by ballot, or (ii) whenever the vote will affect the result. On a vote that is not by ballot, if a majority vote is required and there is a tie, the chair may only vote in the affirmative to cause the motion to prevail. If there is one more in the affirmative than in the negative, the chair can create a tie by voting in the negative to cause the motion to fail. If a two-thirds vote is required, the chair may vote to cause, or to block, attainment of the necessary two-thirds.

(c) Responsibilities of the Chair-Elect. The chair-elect is responsible for duties as designated by the chair of the section. On the death, resignation, disability of the chair, or on the chair's refusal to act, the chair-elect will perform the duties of the chair for the remainder of the chair's term or during so much of the term as the disability continues. The chair-elect serves as the chair of the section's Long Range Planning Committee. The chair-elect performs other duties and acts as usually pertain to the office.

(d) Responsibilities of the Treasurer. The treasurer keeps accurate records of all funds appropriated to and expended for the use of the section. The treasurer works with the chair-elect to prepare and submit a projected budget to the executive council and reports periodically on the section's present and projected financial condition, advising the executive council on the financial impact of any proposed action that might have a significant impact on the financial condition of the section. The treasurer

serves as the chair off the finance committee. The treasurer prepares other recommendations and special reports of financial affairs of the section as requested by the chair. The treasurer performs other duties and acts as usually pertain to the office.

(e) Responsibilities of the Secretary. The secretary is the custodian of all books, papers, documents, and other property of the section. The secretary keeps a true record of the proceedings of all meetings of the section, the executive council, and the executive committee in accordance with the current edition of Robert's Rules of Order Newly Revised. In conjunction with the chair, as authorized by the executive council, the secretary attends generally to the business of the section. The secretary is responsible for taking and reporting to the executive council the results of all email or virtual votes. The secretary maintains a record of member attendance at executive council meetings, as attendance is defined in the bylaws. The secretary performs other duties and acts as usually pertain to the office.

(f) Responsibilities of the Immediate Past Chair. The immediate past chair advises and assists the section chair and other section officers as requested.

Section 3. Voting. Absent disability or refusal to act, the entire executive committee, and, if appropriate, any special members appointed by the chair, will constitute a quorum for voting on any issue at executive committee meetings. In the event of disability or refusal to act by any member of the executive committee, the most recent trustee available will be contacted and will vote in that executive committee member's place. On the vote by 3 executive committee members finding there exists a disability or a refusal to act, the highest ranking executive committee officer so voting must immediately contact the most recent trustee as set forth above. The executive committee may vote by email or virtual means with proper notice including a deadline for return of ballots. The executive committee may take binding action by a majority of the votes received by the deadline. In the event of a tie, the Section chair may vote in accordance with Article V, Section 2(b) of these bylaws.

ARTICLE VI RESPONSIBILITIES AND POWERS OF THE EXECUTIVE COUNCIL

Section 1. Attendance. Members of the executive council will attend and participate in at least 2 of the 3 mandatory Family Law Section Meetings as describes in Article IX, Section 1. Executive council members must attend the entire executive council meeting for the times noticed on the agenda and participate in the entire meeting. Members will exercise their best efforts to attend and participate in all other scheduled meetings, including all email votes, of the executive council. An executive council member who is unable to attend an executive council meeting must submit a written request for an excused absence prior to the meeting. Absent emergent circumstances, the executive committee shall consider and determine any requests for an excused absence prior to the commencement of every executive council meeting. At the beginning of every executive council meeting, the secretary will announce the excused and unexcused absences and note them in the minutes of the meeting. The member may ask the executive council to reconsider a denial. The request must be in writing submitted within 15 days after notification of the denial. The

reconsideration must take place at the next mandatory meeting following the missed meeting.

Section 2. Responsibilities.

(a) Bylaws. At the beginning of each term of service on executive council, members receive, and confirm in writing, receipt and review of the current bylaws. Members are expected to be familiar with their duties and responsibilities. Members represent the section membership and promote the goals and activities of the section. Members participate in and provide leadership for the various section committees. The executive council member who is a member of a committee must report on the activity of that committee to the executive council if the chair of that committee is not present.

(b) Yearly Service Requirements.

(1) During each year of service on the executive council, each member must:

(A) attend and participate in at least 2 of the 3 mandatory Section meetings described in Article IX Section 1;

(B) actively serve on at least 1 Section committee at all times;

(C) provide mentoring services through The Florida Bar, a voluntary bar association or the Family Law Section, unless otherwise prohibited by applicable law, statute, rule, etc.; and

(D) timely and accurately complete and submit the Participation Disclosure form.

(2) In addition, a member should:

(A) write or edit an article for publication in The Florida Bar Journal, or the Commentator, or write an article for the FAMSEG online newsletter;

(B) lecture at, prepare materials for, participate in the planning of, or chair a Section continuing legal education program; or

(C) Volunteer at a Section event or otherwise substantially serve the Section.

(c) Participation Disclosure. The Section secretary distributes the participation disclosure form by email to the executive council on or before February 15th of each year. Each executive council member must timely submit a completed Participation Disclosure form accurately identifying compliance with the above requirements. The form must be submitted to the chair-elect and the Section administrator on or before March 15 of each year, and each executive council member maintains the participation disclosure form and proof of timely submission submitted during the term of office. The Section administrator keeps and maintains each executive council member's annual participation disclosure forms submitted for each year of the duration of each

executive council member's existing term. The Executive Committee is exempt from this requirement.

(d) Email Address. Each executive council member must maintain a current email address. The member must provide the email address to the bar, the section's secretary, and the section's administrator and notify them of any changes.

Section 3. Mandatory Meetings. The executive council has at least 3 mandatory meetings per bar year. The executive council may also have other mandatory, telephonic, or virtual meetings as determined by the chair. The secretary may call a meeting of the executive council when 3 executive council members submit a written request. Sixteen members constitute a quorum for the transaction of business at a meeting of the executive council. Unless otherwise stated in these bylaws, meetings of the section will be conducted in accordance with the current edition of Robert's Rules of Order Newly Revised.

Section 4. Conflicts of Interest. If an executive council member believes membership on other boards within the bar, the profession or the community creates a conflict of interest, that member may abstain from a vote or discussion.

Section 5. Email Voting. When deemed necessary by the executive committee, the executive council may vote on an issue by email or virtual meetings at the direction of the section chair. The executive council may take action binding the section by a majority of the votes received. The executive council may remove a member by 2/3rds vote. The executive council may vote by email or virtual means with proper notice including a deadline for return of ballots.

Section 6. Powers of Executive Council

(a) The executive council generally supervises and controls the affairs of the section subject to the provisions of the bylaws of the section and the rules established by the Board of Governors of The Florida Bar. It authorizes all commitments or contracts that will entail the payment of money for the use or benefit of the section. It can not authorize commitments or contracts that expend more money during any bar year than the section's opening fund balance added to the section's actual revenue for the year. The executive council may take action binding the section by a majority vote of those present and voting.

Section 7. Removal of Executive Council Members

(a) Presumption. There is a rebuttable presumption that any executive council member will be subject to removal from the executive council if the member:

- (1) violates Article VIII, Section 2 of the Bylaws;
- (2) fails to comply with Article VI, Section 2(c) of the Bylaws; or
- (3) is absent from 2 or more of the 3 live mandatory executive council meetings as set forth in Article IX Section 1 in a fiscal year.

(b) Burden to Rebut Presumption. The burden is on the member to show good cause to rebut the presumption of removal. Good cause may be shown by the demonstration of participation and compliance with other executive council duties during the current bar year or the two prior years of service. In addition, when presenting evidence of good cause to the executive council, the member may ask the executive council to reconsider the appropriateness of the absences leading to his or her removal, *ab initio*.

(c) Notice. If a member violates Article VIII, Section 2 of the Bylaws, fails to comply with Article VI, Section 2(c) of the Bylaws, or is absent from 2 or 3 of the 3 live mandatory executive council meetings as set forth in Article IX, Section 1 in a bar year, the chair-elect will submit a written notification by email to the member's Florida Bar email address of the intent to remove the member from the executive council and offer that member an opportunity to submit a written resignation or seek to rebut the presumption of removal by the submission of a written objection to removal. The chair-elect simultaneously emails the written notification to the remainder of the executive committee. Within 15 days of the transmittal of the email, the member may submit a written objection which must include all of the member's reasons why the member should not be removed.

(d) Resignation or Written Objection to Removal. If the member intends to object to removal from the executive council, the member must submit a written objection to removal to each member of the executive committee within 15 days of the written notification from the chair-elect of the intent to remove the member from the executive council. If the member does not submit a written resignation or a written objection to removal within the 15 day period, then the member is deemed to have resigned from the executive council effective the day after the last day allowed for the submission of the written objection to removal. If, in response to the notification from the chair-elect, the member submits a written resignation from the member's executive council membership within the 15 day period, the resignation is deemed to be effective on the submission of the member's resignation. In the event of the member's resignation, the member is not eligible for election to or membership on the executive council for the next succeeding bar year.

(e) Action by Executive Committee on Written Objection to Removal. If the member submits a timely written objection, the executive committee reviews the objection and the member's 2 most recent Participation Disclosure Forms and by majority vote determines whether the member is removed. The executive committee must make the determination within 15 days of the date of the member's submission of the written objection. The executive committee's determination is final. The chair-elect provides written notification of the executive committee's determination to the member within 5 days of the determination. If the executive committee removes the member from the executive council, the member is deemed removed from the executive council as of the date of the chair-elect's submission of the written notification of the executive committee's determination to the member. In the event of the member's removal, the member is not be eligible for election to or membership on the executive council for the next succeeding bar year.

(f) A violation of this provision by a legislation committee member or an executive council member results in an automatic removal of the member from the legislation committee or executive council. The vacant seat on the legislation committee results in the appointment of a legislation committee member by the chair of the Section. The vacant seat on executive council is filled pursuant to Article III, Section 5(c).

ARTICLE VII COMMITTEES

Section 1. Standing Committees. The standing committees have responsibility for the subject matter indicated by their names and responsibilities as the section chair may assign. The section's standing committees will be organized into operational and substantive committees as follows:

(a) Operational Committees.

- (1) Continuing Legal Education
- (2) Diversity and Inclusion
- (3) Finance
- (4) Legislation
- (5) Long Range Planning
- (6) Marital & Family Law Review Course
- (7) Membership
- (8) Nominating
- (9) Publications
- (10) Rules and Forms
- (11) Sponsorship
- (12) Technology

(b) Substantive Law Committees

- (1) Alternative Dispute Resolution
- (2) Appellate Committee
- (3) Children's Issues

- (4) Domestic Violence
- (5) Equitable Distribution
- (6) Non-Attorneys Professional Outreach Committee
- (7) Magistrates and Hearing Officers
- (8) Support Issues

On approval of the executive council, the substantive law committees may be expanded, merged, or retitled to suit the needs of the section. Any change is effective for 1 bar year only. Any of these committees may work jointly as the need arises.

Section 2. Committee Descriptions

(a) Finance Committee. The finance committee is chaired by the treasurer of the section. The committee is comprised of 11 members appointed by the section chair, to include the section chair, chair-elect, secretary, 2 executive council members-at-large, and 1 chair from each of the following standing committees: CLE, legislation, membership, sponsorship, and the Marital & Family Law Review Course.

(b) Long Range Planning Committee. The long range planning committee will be chaired by the chair-elect of the section. The committee will be comprised of 9 members, to include the 5 members of the executive committee, and 4 additional members of the executive council appointed by the section chair which will include 1 Trustee and 3 members-at-large.

(c) Marital & Family Law Review Course. The committee chair will serve as the liaison to the Florida Chapter of the American Academy of Matrimonial Lawyers (AAML) while the section is under contract with the AAML for the administration of this course. The committee is comprised of 4 board certified members, each of whom will serve a 4-year term. The secretary chooses a board certified lawyer to join the committee for a 4-year term to begin immediately. This appointed member will be the chair of the marital & family law review course committee when the Section secretary becomes the Section chair.

(d) Legislation Committee. The section chair appoints 30 members, a chair or chairs, committee officers, and an executive committee liaison. All members will be voting members. The attendance of 10 members will constitute a quorum at any meeting. The committee chair(s) and at least 1 of the vice chairs of the legislation committee are members of the executive council of the section at the time of their appointment. A trustee may not serve as chair of the committee unless the section chair deems it necessary and the appointment is approved by the executive committee.

(e) Sponsorship Committee. The sponsorship committee will be chaired by the chair-elect of the Section, unless the chair-elect is a member of the judiciary, in which case the Section chair appoints the chair of the sponsorship committee. The committee

will be comprised of at least 7 members appointed by the Section chair, to include the treasurer, 3 executive council members, 1 chair from the CLE committee, and 1 trustee

Section 3. Committee Appointments. The chair of the section appoints committee chairs, other officers and if appropriate, members to each standing committee, unless provided elsewhere in these bylaws. A section member may serve on one or more committees at the discretion of and assignment by the chair. Membership in the legislation committee, nominating committee, finance committee, marital and family law review course committee and long range planning committee will be limited as provided.

Section 4. Committee Chair Responsibilities. Each committee chair submits a report to the section chair and the section chair-elect by April 1st of each year commenting upon committee officers' and members' attendance, initiative, efforts, and extraordinary services to the committee, or otherwise designating members who may have leadership potential. The report must also include members who failed to attend committee meetings, complete assignments, or meaningfully participate in committee and subcommittee activities. The outgoing chair of the standing committees deliver the permanent committee files and records, if any, to the incoming committee chair and confer in order to ensure continuity of purpose.

Section 5. Standing Committees. Standing committees will meet at least 3 times per bar year concurrent with the meetings of the section. All committee chairs or co-chairs will contact members of their committee within a reasonable time of the member joining the committee to provide orientation on the administration and purpose of the committee. The committee chairs will timely provide an agenda for each meeting to each member of their committees. The chairs of the committees will attend the executive council meetings to report on their committees, or designate an executive council member who serves on their committee to report. All committees will make and maintain written minutes of all meetings and the committee chair and secretary of each committee will ensure that a copy of the minutes from each meeting are provided to the executive council and each member of the committee.

ARTICLE VIII

SECTION ADVOCACY, CONFIDENTIALITY, AND PRIVILEGE POLICIES

Section 1. General Purpose. The section may be involved in various advocacy activities, including legislative, judicial or administrative action that is significant to the judiciary, the administration of justice, the legal rights of the public, or the interest of the section or its programs or functions. This advocacy may include, but it is not limited to, lobbying activities; legislative assistance; appellate involvement, including filing *amicus curiae* briefs; commenting on rules and forms of the Supreme Court of Florida; and providing comments and assistance to The Florida Bar and other sections of The Florida Bar. Involvement that is consistent with the policies outlined in these bylaws and the policies promulgated by The Florida Bar is accepted as an appropriate section activity.

Section 2. Action on Behalf of the Section. All executive council members, legislation committee members, or section members must comply with the appropriate procedures and receive prior consent and approval of the executive council or the appropriate executive

committee officer before communicating, contacting, advancing, or opposing any position on behalf of the section and before communicating with an individual in that regard. For example, no direct contact with a legislator on behalf of the section can occur without the prior approval of the legislation committee chair, lobbyist and section chair. A section member is not prevented from communicating with any individual, but the section member must not represent that the member is speaking on behalf of the section and disclose to the individual that the member is acting only on an individual basis.

A violation of this provision by a legislation committee member or an executive council member results in an automatic removal of the member from the legislation committee or executive council. The vacant seat on the legislation committee results in the appointment of a legislation committee member by the chair of the Section. The vacant seat on executive council is filled pursuant to Article III, Section 5(c).

Section 3. Legislative Standing Positions. The section, by majority vote of the executive council members present and voting, must find that a proposed legislative position is within the scope of the policy outlined in Article I of these bylaws and the contents of this article. The section, by majority vote of the executive council members present and voting, must approve the substance of the proposed legislative position. No legislative position may be taken contrary to a legislative position of the Board of Governors of The Florida Bar or that is divisive as defined by The Florida Bar. The chair or the chair's designee must immediately notify the executive director of the bar of the section's proposal for a legislative position. The notification must be in writing using the approved form. The legislative position request must be reviewed by the board at its regularly scheduled meeting. All position requests must be approved by the board.

Section 4. Section Lobbyist. On approval of the executive council of the section and affirmation by The Florida Bar Board of Governors, the section may retain a lobbyist to assist in advancing its legislative positions. The section must submit the contract and any other requested information to the board, if required. The section lobbyist will communicate all proposed legislative developments to the legislation committee chair, the section chair, the executive committee liaison to the legislation committee, and all others as directed by the section chair.

Section 5. Other Professionals. On approval of the executive council of the section and affirmation by The Florida Bar Board of Governors, if required, the section may retain other professionals to assist in advancing its general purpose. The section must submit the contract and any other requested information to the board, if required. Any professional hired by the section will communicate all proposed actions to the appropriate committee chair, the section chair, the executive committee, and all others as directed by the section chair.

Section 6. Budget for Advocacy Activities. The section must not budget or spend more for advocacy activities in Sections 4 and 5 above than the amount budgeted or received as voluntary dues from section members.

Section 7. Confidential and Privileged Information. From time to time, Section committees or executive council may enter into executive session. Matters discussed and information gained in executive session are confidential, and may be privileged under

Florida law, and are not to be shared with anyone outside the confines of the executive session without the consent of the committee, chair of committee, executive committee, or executive council. Additionally, the Section may consult with professionals retained to provide advice and direction on the Section's advocacy activities. These professionals may provide advice to the Section in furtherance of its advocacy activities outside of executive session. Notwithstanding, any advice or consultation provided by a professional retained by the Section in furtherance of its advocacy activities is confidential and privileged in nature and must not be shared with anyone without the consent and approval of executive council or executive committee. The disclosure of confidential and privileged information by any Section member is a breach of trust and results in automatic removal of the member from all committees within the Section for that bar year and in the event of an executive council member, removal for the remainder of the member's term.

ARTICLE IX MEETINGS OF SECTION

Section 1. Meetings. The section will hold a minimum of 3 mandatory meetings per year, to be held on a virtual platform, if necessary. One will be in June in conjunction with The Florida Bar Annual Convention, 1 will occur in January or February to coincide with the annual Marital & Family Law Review Course (even if the review course is no longer provided), and 1 will occur at a time between The Florida Bar Annual Convention and the marital & family law review course, or prior to November 30 of each year if the review course is no longer provided.

Section 2. Actions of the Section. All standing committees and the executive council will meet during all mandatory meetings.

ARTICLE X MISCELLANEOUS PROVISIONS

Section 1. Bar Year. The bar year of the section will be the same as the fiscal year of The Florida Bar.

Section 2. Dues. All dues and other money of the section will be deposited with The Florida Bar, subject to the fiscal arrangements fixed by the Board of Governors regarding income and disbursements of sections.

Section 3. Expenditures. Expenditures from dues and other funds of the section, whether current or accumulated, will be made at the recommendation or request of the executive council.

Section 4. Compensation. No salary or compensation will be paid to any officer, executive council member, or member of a committee, but the executive council may authorize payment of reasonable out-of-pocket expenses resulting from the performance of Section services.

Section 5. Policy. The section may not take action contrary to the policies of The Florida Bar established by its Board of Governors.

Section 6. Robert's Rules of Order. Unless otherwise stated in these Bylaws, meetings of the Section will be conducted in accordance with the rules contained in the current edition of Robert's Rules of Order Newly Revised, which govern the Section in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and any special rules of order the Section may adopt.

Section 7. Advertising and Sponsorship. Except as required by contract, the Section will not accept advertising or sponsorship which is in competition with Section CLE family law programming or events, or in opposition to Section standing positions or the integration rule as adopted by The Florida Bar.

ARTICLE XI AMENDMENTS

Section 1. Bylaw Amendments. These bylaws may be amended at any meeting of the section by a majority vote of the active members of the section present and voting, or by a two-thirds vote of the executive council members at any regular or special meeting of the council, if the council meeting has a quorum.

Section 2. Notice. Notice of the proposed amendment must be provided at least 10 days prior to the meeting. Notice may be posted on the section website or distributed by any means calculated to provide notice to the section membership.

Section 3. Board of Governors Approval. No amendment will be adopted or effective until approved by the Board of Governors of The Florida Bar.