

BYLAWS OF THE CITY, COUNTY AND LOCAL GOVERNMENT LAW SECTION

ARTICLE I NAME AND PURPOSE

Section 1. Name. The name is "City, County and Local Government Law Section, The Florida Bar."

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

- (a) provide an organization within The Florida Bar open to all members in good standing having an interest in local government law; and
- (b) serve the public and The Florida Bar as a forum for research and discussion in the development of local government law.

ARTICLE II MEMBERSHIP

Section 1. Eligibility. Any member in good standing of The Florida Bar interested in the purposes of this section is eligible for membership upon payment of this section's annual dues. Any member who ceases to be a member of The Florida Bar in good standing shall no longer be a member of this section.

Section 2. Administrative Year. The administrative year of the section runs concurrently with the administrative year of The Florida Bar.

Section 3. Annual Dues. The annual dues are an amount fixed by the Executive Council and approved by the Board of Governors of The Florida Bar for all members, including affiliate members. There is no proration of annual dues. Annual dues are payable in advance of each membership year or as otherwise payable in conjunction with The Florida Bar dues. Any member or affiliate member whose dues are in arrears for a period of three months, after notice and a reasonable time in which to pay, ceases to be a member of the section.

Section 4. Section Expenses. The City, County and Local Government Law Section reimburses The Florida Bar for expenses incurred by The Florida Bar in administering membership for this section.

Section 5. Affiliate Membership.

(a) **Eligibility.** The Executive Council may enroll persons who have shown interest in and contribute to the section's activities as affiliate members of the section on request and payment of the prescribed dues ("affiliates"). The number of affiliates must not exceed 1/3 of the section membership.

(b) **Definitions.** "Affiliate" or "affiliate member" means any Florida Bar Registered Paralegal, legal assistant, or paralegal certified by the National Association

of Legal Assistants and located in the State of Florida, or any member in good standing of Paralegal Association of Florida, Inc.

(c) Rights and Privileges. Affiliate members may not vote, hold any section office, or serve as an Executive Council member or committee chair.

ARTICLE III OFFICERS

Section 1. Selection of Officers.

(a) Officers. The officers of this section are a Chair, Chair-Elect, and a Secretary-Treasurer, except as otherwise provided. The Chair-Elect automatically succeeds to the position of Chair at the end of the Chair's term and the Secretary-Treasurer automatically succeeds to the position of Chair-Elect at the end of the Chair-Elect's term, except as otherwise provided herein in the case of vacancy.

(b) Selection of Secretary-Treasurer. The Secretary-Treasurer is selected as follows, except as otherwise provided, in the case of vacancy:

(1) The Chair appoints a nominating committee of 3 members of the Executive Council to nominate 1 active member of the Executive Council for the office of secretary-treasurer.

(2) The nominating committee submits the nominee for approval by the Executive Council before the annual meeting. Approval is by a majority of votes cast. In the event the nominee does not receive a majority of votes, the nominating committee (or, in its absence, the Chair) nominates another candidate to be subject to the council's approval. The meeting will not adjourn until a nominee is approved.

(3) Other nominations for the position of Secretary-Treasurer may be made by submission of a petition signed by 15 members in good standing of the section to the Secretary-Treasurer at least 15 days prior to the date of the annual meeting. On receipt of a completed petition, the Secretary-Treasurer promptly notifies the other officers of the section, any other nominee for the position, the Section Administrator, and the members of the nominating committee. No other form of nomination is permitted.

(4) The Secretary-Treasurer is elected from the nominees by majority vote of the general membership present at the annual meeting pursuant to a balloting procedure to be determined by the Executive Council. In the event of a tie, the winner is selected by a coin toss.

(c) Separating Offices. The Executive Council may, by action duly taken before the submission of the nominating committee's nominee, separate the offices of Secretary and Treasurer, in which case the order of succession of the officers is Chair, Chair-Elect, Secretary, and Treasurer. The separation continues unless the Executive Council reverses this action. Reversal takes effect the year following the action. If the

offices are separated, the selection process prescribed above for the Secretary-Treasurer applies to the positions of Secretary and Treasurer in the first year following the separation. Unless the offices are recombined, the Treasurer is selected by that method and that officer automatically succeeds to the position of Secretary.

Section 2. Duties of Officers.

(a) Chair. The Chair presides at all meetings of the section and Executive Council. The Chair appoints 4 at-large members of the Executive Council; appoints the membership of all committees and committee chairs; subject to the review of the Executive Counsel prepares all reports to be submitted to The Florida Bar or to the Board of Governors of The Florida Bar; and performs other duties as provided by these bylaws and as customarily pertain to the office of the Chair. The Chair is an ex officio, non-voting member of each committee of the section.

(b) Chair Elect. The Chair-Elect is the program chair of the Annual Local Government Law In Florida seminar, assists the Chair, and performs other duties as are provided for in these bylaws or assigned by the Chair. The Chair-Elect presides at meetings in the absence of the Chair. The Chair-Elect is an ex officio, non-voting member of each committee of the section.

(c) Secretary-Treasurer. In coordination with the Section Administrator and The Florida Bar, The Secretary- Treasurer:

- (1) accounts for all funds of this section;
- (2) oversees the approval of all disbursements and preparation of financial statements;
- (3) maintains the permanent files and records of the section;
- (4) maintains various committee reports and reporting them to the Executive Council at the annual meeting, except such services as are performed by The Florida Bar;
- (5) manages the membership program of the section;
- (6) serves as chair of the Membership Committee, if active.

In the event the positions of Secretary and Treasurer are separate, items (1) and (2) of this paragraph are the responsibility of the Treasurer and items (3) through (6) are the responsibility of the Secretary. The original minutes of any Executive Council meeting are to be filed with The Florida Bar.

Section 3. Terms of Office. The terms of office of all officers, except as otherwise provided in these bylaws, begin at the conclusion of the election at the annual meeting and end at the conclusion of the election at the next annual meeting.

Section 4. Vacancies. In the event of a vacancy in any office, automatic succession of each next junior officer occurs until all vacancies are filled. The vacancy created in the office of the Secretary-Treasurer or Treasurer, if the positions are separated, are filled by appointment by the Chair of an active member of the Executive Council, subject to the approval of the Executive Council. Succession or appointment is for the remainder of the term filled. If a vacancy occurs during the second half of a term of office, the Executive Committee, with the approval of the Executive Council, may elect to leave the position vacant. However, the position of Chair may not be left vacant. If all the offices become vacant, the Executive Council, by majority vote of the members then present, elects new officers from the members of the Executive Council to serve for the remainder of the vacant terms.

ARTICLE IV EXECUTIVE COUNCIL

Section 1. Governing Body. The Executive Council is the governing body of the section.

Section 2. Membership. The Executive Council is composed of:

- (a) the officers of the section;
- (b) the immediate past Chair of the section;
- (c) one member for each of the 5 state judicial districts who is a resident of that district as determined by the member's official Bar address and serves a 3-year term;
- (d) six at-large members who serve 1-year terms; and
- (e) all other past Chairs, who are non-voting ex officio members of the Executive Council.

Section 3. Selection. The nominating committee established under these bylaws nominates members in good standing of the section to fill 2 of the at-large positions and to fill the positions of those members representing districts whose terms are expiring that year. The Chair appoints the other 4 at-large positions. The nominating committee submits nominees to the Executive Council for approval at the same time and in the same manner as prescribed for the nomination of the Secretary-Treasurer, the nominees may be submitted as a slate. No other form of nomination is permitted. The election of the members of the Executive Council is by majority vote of the general membership present at the annual meeting pursuant to a balloting procedure to be determined by the Executive Council. The nominees may be presented as a slate.

Section 4. Vacancies. In the event a council member's position becomes vacant, other than through the regular expiration of their 3 or 1-year term, by reason of death, disability, removal or otherwise, the vacant position is filled by the Chair of the section for the unexpired term by a qualified member of the section.

Section 5. Executive Committee. The Chair, Chair-Elect, and Secretary-Treasurer comprise the Executive Committee of the Executive Council. The Executive Committee

has the authority to take action on behalf of the Executive Council when action is required between meetings of the Executive Council. The Executive Committee must notify the Executive Council at the next Executive Council meeting of all action taken during the interim period between meetings of the Executive Council. Unless modified or reversed by the Executive Council at their meeting, actions of the executive committee are final.

Section 6. Removal. The Executive Council may remove any currently serving officer or member of the Executive Council or revoke the membership of any active member of the section by a vote of two-thirds of the members of the Executive Council. A vote on removal may occur only after notice of at least 14 days to all members of the Executive Council and the member proposed for removal.

ARTICLE V COMMITTEES

Section 1. Appointment Authority. The Chair has the authority to appoint committees deemed necessary, which are immediately reported to the Executive Council of the section, and are effective until disapproved by the Executive Council at its next meeting following the appointment.

Section 2. Reports. The chair of each committee must submit a written report of that committee's activities during the preceding year to the Secretary-Treasurer prior to the annual meeting of the section. The report or reports of all committees of this section are not published except by approval of the Executive Council.

ARTICLE VI MEETINGS

Section 1. The Section. The annual meeting of this section is held at the time of the Annual City, County and Local Government Law in Florida seminar each year, or at another appropriate time and place determined by the Executive Council. The notice to all members as to the time and place of the annual meeting must be given at least 45 days in advance. Notice is be provided by electronic mail or other method approved by the Executive Council. The members of the section present in person at any annual meeting constitutes a quorum, and a majority vote of those present is binding. The business of the annual meeting is limited to the agenda prepared by the section Chair in conjunction with the Section Administrator.

Section 2. Executive Council. The Executive Council holds an organizational meeting during the annual convention of The Florida Bar, or at another appropriate time and place determined by the Executive Council. The Executive Council holds at least 1 regular meeting between each annual meeting. The date and location of each regular meeting is fixed by the Chair and written notice of the date and location is given to each member of the Executive Council at least 14 days prior. Special meetings of the Executive Council may be held at times and places as the Chair may call by written notice to each member of the Executive Council at least 14 days prior. Members of the Executive Council may participate in meetings by telephone or by other electronic means deemed appropriate by the Chair. The business of the Executive Council may be conducted between meetings by correspondence to the extent authorized by the Chair. Meetings may be conducted on

reasonable notice telephonically or by other electronic means deemed appropriate by the Chair. Those council members in attendance at a meeting of the Executive Council constitute a quorum and a majority vote of those participating is binding.

Section 3. Annual Meeting. The program of the annual meeting provides adequate time for the business meeting of the section and the chair prepares the agenda for the business meeting.

ARTICLE VII AMENDMENTS

The bylaws may be amended at any annual meeting of the section by a majority vote of the members of the section present and voting. No amendment becomes effective until approved by the Board of Governors of The Florida Bar.

ARTICLE VIII MISCELLANEOUS

Section 1. Action of The Florida Bar. No action of this section is represented or construed as the action of The Florida Bar until it has been approved by the Board of Governors of The Florida Bar.

Section 2. Financial Obligations. Before payment, any financial obligations must be approved in the manner specified by the Executive Council.

Section 3. Compensation and Expenses. No salary or other compensation is paid to any member of this section for performance of services to the section, but the chair may authorize the payment of reasonable expenses resulting from the performance of the services.

Section 4. Policies. No action of this section may be contrary to the policies of The Florida Bar as established by its board of governors.