

BYLAWS OF THE MILITARY AND VETERANS LAW SECTION
OF THE STATE BAR OF TEXAS

ARTICLE I: Name and Purpose

Section 1: Name

This Section shall be known as the Military and Veterans Law Section of the State Bar of Texas.

Section 2: Purpose

The purpose of this Section is to promote the objectives of the State Bar of Texas with respect to Military and Veterans Law and to establish and maintain liaison between the State Bar of Texas and the Armed Forces and veterans of the United States, in order to better serve the legal needs of the members of the Armed Forces and veterans of the United States.

ARTICLE II: Membership

Section 1: Members

Any member in good standing of the State Bar of Texas is eligible to be a member of this section.

Section 2: Associate Members

a. Any member in good standing of the Bar of another State or Territory of the United States or of the District of Columbia or Puerto Rico:

(1) Who is residing in Texas, AND

(2) Who is either

(a) in a regular or reserve component of the Armed Forces of the United States on active duty, in active service, or in an active status (as those terms are defined in Title 10, United States Code), OR

(b) eligible for retired pay based on service in the regular or reserve components of the Armed Forces of the United States, OR

(c) employed as a civilian attorney within the State of Texas by the Armed Forces of the United States or any federal agency

is eligible to be an Associate Member of this Section.

b. Any person enrolled as a student in good standing at any law school located in Texas, who presents the written recommendation of a member of this Section for such associate membership, is eligible to be an Associate Member of this Section and shall be exempt from the payment of annual dues during such period.

c. Any member in good standing of the State Bar of Texas who has been licensed for less than two years is eligible to be an Associate Member of this Section and shall be exempt from the payment of annual dues during such period.

d. An Associate Member of this Section shall have the same privileges as a Member of this Section except those of voting and of holding elective office.

Section 3: Honorary Members

a. Any member in good standing of the Bar of any State or Territory of the United States or of the District of Columbia or Puerto Rico:

(1) who is the Dean of a law school within Texas; OR

(2) who is the Staff Judge Advocate or the equivalent at a military installation in Texas; OR

(3) who is deserving of special recognition based on meritorious service or noteworthy contribution to mission of the Military Law Section (for a term not to exceed one year, ending with the expiration of the State Bar Year in which such recognition is bestowed),

is eligible to be an Honorary Member of this Section, upon the approval of the Council of this Section. An attorney who is an Honorary Member pursuant to subsections (1) through (2) of this paragraph may serve as an Honorary Member only while occupying the position(s) enumerated in subsections (1) through (2).

b. An Honorary Member of this Section who is also a member of the State Bar of Texas shall have the same privileges as a Member of this Section; otherwise, an Honorary Member shall have the same privileges as a Member of this Section, except those of voting and of holding elective office.

c. An Honorary Member of this section shall be exempt from the payment of annual dues.

Section 4: Enrollment

Any person eligible to be a Member or Associate Member of this Section shall be enrolled as such upon request made to the Secretary-Treasurer of this Section accompanied by (1) payment of the prescribed annual membership dues for that category of membership, and (2) such documentation showing membership eligibility as the Secretary-Treasurer may, in his or her discretion, require.

Section 5: Disenrollment

Any Member or Associate Member of this Section who fails to pay to the Secretary-Treasurer of this Section the prescribed annual membership dues within ninety days after the annual due date thereof shall be disenrolled by the Secretary-Treasurer as a Member or Associate Member of this Section.

ARTICLE III: Dues

Section 1: Amount

The annual membership dues payable by each Member and Associate Member of this Section shall be \$15.00.

Section 2: Due Date

Then annual due date for payment of the annual membership dues of this Section shall be the first day of the fiscal year of the State Bar of Texas.

Section 3: Revision of Dues

The establishment or any revision in the dues of this Section requires approval by the State Bar Board of Directors.

Section 4: Deposit of Dues

Section dues must be deposited into either a branch of the State Bar of Texas banking depository or an alternative banking depository. If an alternative banking depository is used, the banking depository shall be instructed to provide directly to the State Bar a duplicate of the bank statements, canceled checks and deposit slips, and to state that any expenses incurred in providing duplicates to the State Bar shall be borne by this Section.

ARTICLE IV: Meetings

Section 1: Annual Meeting

The Annual Meeting of this Section shall be held during the Annual Meeting of the State Bar of Texas or such other place and time chosen by the Council, as permitted by applicable State bar rules.

Section 2: Other Meetings

Other meetings of this Section may be held at such times and places and with such programs as shall be determined by the Chair or the Council of this Section.

Section 3: Quorum

The Members of this Section who are present at any meeting of this Section shall constitute a quorum for the transaction of business.

Section 4: Majority Vote

Upon any matter calling for a determination or vote by the Members of this Section, the vote of a majority of those Members present and voting at a meeting of this Section shall be binding.

Section 5: Notice

No meeting of this Section other than the Annual Meeting may be held except upon ten days prior written notice to all Members of this Section.

ARTICLE V: Officers

Section 1: Designation

The Officers of this Section shall consist of a Chair; a Chair-Elect; a Vice Chair; a Secretary-Treasurer; and a Historian.

Section 2: Term

Officers of this Section shall be elected at each Annual Meeting of this Section and shall hold office for a term of one year beginning at the close of the Annual Meeting at which elected and ending at the close of the next Annual Meeting. This provision shall not apply, however, to the office of historian, who shall be appointed or reappointed annually by the Chair at the Annual Meeting, taking into consideration the desirability of maintaining continuity in said office for purposes of effectively carrying out its duties.

Section 3: Succession of Chairman-Elect [Chair-Elect]

The Chair-Elect of this Section shall, upon completion of his or her term as such, succeed to the office of Chair of this Section for a term of one year.

Section 4: Removal

Any officer who is disenrolled as a Member of this Section for failure to pay the prescribed annual membership dues or who fails to attend two successive meetings of the Council shall be removed as an officer.

Section 5: Vacancies

If any vacancy shall occur among the Officers of this Section, whether by death, resignation, removal, or otherwise, such vacancy shall be filled as follows:

- a. Chair: Upon the occurrence of a vacancy in the Office of Chair, the Chair-Elect shall succeed to such Office for the remainder of the unexpired portion of the term thereof;

- provided, that such succession shall not affect the right of the Chair-Elect to serve his or her subsequent term of one year as Chair.
- b. Chair-Elect: Upon the occurrence of a vacancy in the Office of [Chair-Elect, such office shall remain vacant until the next Annual Meeting of this Section.
 - c. Vice Chair: Upon the occurrence of a vacancy in the Office of Vice Chair, such office shall remain vacant until the next Annual Meeting of this Section.
 - d. Secretary-Treasurer: Upon the occurrence of a vacancy in the Office of Secretary-Treasurer, the Council shall fill such Vacancy by selection and appointment of a successor to serve until the next Annual Meeting of this Section.
 - e. Historian: Upon the occurrence of a vacancy in the Office of Historian, the Chair shall immediately fill such vacancy by selection and appointment of a successor to serve until the next Annual Meeting of this Section.

Section 6: Duties

- a. Chair: The Chair shall be the Chief Executive Officer of this Section; shall preside over all meetings of this Section or of the Council; shall represent this Section in dealing with the State Bar of Texas and/or any other organizations or persons; shall formulate and present an Annual Report to the State Bar of Texas on the work of this Section; shall perform such other duties as may be authorized or directed by the membership or the Council of this Section; and shall take all other actions and exercise all other prerogatives pertaining to the Office of the Chair.
- b. Chair-Elect: The Chair-Elect shall be the [Chair's deputy; shall preside over all meetings of this Section or of the Council in the absence of the Chair; and shall perform such other duties as may be authorized or directed by the Chair or the Council of this Section. The Chair-Elect shall also serve as the Chair of the Nominations Committee.
- c. Vice Chair: The Vice Chair shall preside over all meetings of this Section or of the Council in the absence of both the Chair and the Chair-Elect; and shall perform such other duties as may be authorized or directed by the Chair or the Council of this Section.
- d. Secretary-Treasurer: The Secretary-Treasurer shall be the custodian of all records and monies of this Section; shall be the recorder of the proceedings of all meetings of this Section or of the Council; shall be responsible for the conduct of all financial affairs of this Section and shall render an accounting thereof at each meeting of this Section or of the Council; and shall perform such other duties as may be authorized or directed by the Chair or the Council of this Section. The monies of this Section shall be maintained by the Secretary-Treasurer in a separate bank account in the name of and for the use and benefit of this Section and shall not be disbursed without the prior approval of the [Chair. The Secretary-Treasurer will comply with State Bar accounting department reporting requirements.
- e. Historian: The Historian shall collect and maintain all historical data pertaining to meetings, seminars, and other activities of this Section which shall include but not be

limited to reports, minutes, announcements, pictures, seminar materials, pamphlets, etc. The Historian shall be charged with the responsibility of compiling, assembling and displaying some or all such materials at the Annual Meeting [or other meeting] of this Section and on such other occasions as desired by the Council. The Historian shall perform such other duties as may be authorized or directed by the Chair or the Council of this Section.

Section 7: Compensation

No Officer of this Section shall receive any compensation from this Section for his services.

ARTICLE VI: Council

Section 1: Members

The following persons shall be Members of the Council of this Section: all Officers of this Section; all former Chairs of this Section; and six other Elected Members who shall be elected as hereinafter provided.

Section 2: Term of Elected Members

Three Elected Members of the Council shall be elected at each Annual Meeting of this Section held during an even-numbered year and three Elected Members of the Council shall be elected at each Annual Meeting of this Section held during an odd-numbered year; each Elected Member of the Council shall hold Office for a term of two years beginning at the close of the Annual Meeting at which elected and ending at the close of the second Annual Meeting thereof.

Section 3: Ex-Officio Members

The following persons shall be Ex-Officio Members of the Council: the President of the State Bar of Texas; the President-Elect of the State Bar of Texas; and the State Bar of Texas Board Advisors for the Military Law Section. An Ex-Officio Member of the Council shall have the same privileges as a Member thereof except that of voting.

Section 4: Associate Members

The Council may select and appoint, in such numbers as may be determined by the Council, Associates Members of this Section to serve as Associate Members of the Council. An Associate Member of the Council shall serve as such at the pleasure of the Council and shall have the same privileges as a Member thereof except that of voting.

Section 5: Removal

- a. Officers and Elected Council Members: Any officer or Elected council Member who disenrolled as a Member of this Section for failure to pay the prescribed membership dues or who fails to attend two successive meetings of the Council without just cause shall be removed as a Member of the Council.
- b. Former Chair: Any former [Chair who was disenrolled as a Member of this Section for failure to pay the prescribed membership dues shall be removed as a member of the Council.

Section 6: Vacancies

If any vacancy shall occur among the Elected Members of the Council, whether by death, resignation, removal or otherwise, the Council shall fill such vacancy by selection and appointment of a successor to serve until the next Annual meeting of this Section. At such next Annual Meeting, a successor shall be selected to fill any unexpired portion of the term of the vacated Council position.

Section 7: Meetings

- a. Annual Meeting: The Council shall hold an Annual Meeting immediately prior to the Annual Meeting of this Section.
- b. Other Meetings: The Council shall hold not less than two other meetings per year, in addition to its Annual Meeting, such other meetings to be held at such times and places as shall be determined by the Chair of this Section.

Section 8: Quorum

The members of the Council who are present at any meeting of the Council shall constitute a quorum for the transaction of business.

Section 9: Majority Vote

Upon any matter calling for a determination or vote by the Council, the vote of a majority of those Members of the Council present and voting at a meeting of the Council shall be binding.

Section 10: Notice

No meeting of the Council may be held except upon ten days prior written notice to all members of the Council. **E-mail shall be considered written notice.**

Section 11: Action without Meeting

Any action calling for a determination or vote by the Council may be taken without a meeting of the Council if a majority of the Members of the Council shall consent in writing to such action being taken.

Section 12: Duties

The Council shall have the general authority and responsibility for the conduct of the affairs of this Section, subject to the provisions of these Bylaws and the State Bar Rules, State Bar Act and State Bar Board Policy Manual.

Section 13: Compensation

No member, Ex-Officio Member, or Associate Member of the council shall receive any compensation from this Section for his or her services.

ARTICLE VII: Elections

Section 1: Nomination

- a. Nominating Committee: At the meeting of the council immediately preceding each Annual Meeting of the Council, the Chair of this Section shall appoint a Nominating Committee consisting of not less than three former Chairs or former Elected Council Members of this Section; prior to each Annual Meeting of this Section, such Nominating Committee shall make itself available to Members of this Section, to receive recommendations as to nominees for election to all Officers or Elected Council Members positions of this Section to be filled by election at such Annual Meeting; and , at each Annual Meeting of this Section such Nominating committee shall report to the Members of this Section its recommendation as to nominees for election to all Officer and Elected Council Member positions to be filled by election at such Annual Meeting of this Section.
- b. Nominations from Floor: After receipt of the recommendation of the Nominating committee, other nominations may be made from the floor of each Annual Meeting of this Section for election of any Member of this Section to any Officer or Elected Council Member position to be filled by election at such Annual Meeting of this Section.

Section 2: Election

Election of Officers and Elected Council Members shall be by secret written ballot of the Members of this Section present at each Annual Meeting of this Section, provided, that such requirement of secret written ballot may be dispensed with in case of any person elected by acclamation upon the unanimous vote of all Members of the Section present and voting at an Annual Meeting of this Section.

Section 3: Re- Election

No Officer or Elected Council Member who has served a full elective term may be reelected to succeed himself, except for the Secretary-Treasurer who may serve no more than three (3) consecutive terms.

Section 4: Dual Office Holding

No person may hold more than one elective position at the same time in this Section.

ARTICLE VIII: Miscellaneous

Section 1: Effective Date of Bylaws

These Bylaws shall become effective after adoption by a vote of the Members of this Section at an Annual Meeting of this Section and upon approval by the Board of Directors of the State Bar of Texas.

Section 2: Amendment of Bylaws

These Bylaws may be amended by a vote of the Members of this Section at an Annual Meeting of this Section. No amendment approved by the Members of this Section shall become effective until also approved by the Board of Directors of the State Bar of Texas.

Section 3: Imputation to State Bar

No recommendation or action of this Section or of the Council of this Section shall be deemed as or referred to as a recommendation of or action of the State Bar of Texas and until such has been submitted to and approved by the Board of Directors of the State Bar of Texas, the General Assembly of the State Bar of Texas in annual convention, or a duly authorized referendum of the State Bar of Texas.

Section 4: Social and Political Advocacy

No positions may be taken by this Section or its members in the name of this Section that advocates or advances a political or social policy position.

Section 5: Financial Report

The Secretary-Treasurer, in coordination with the Chair, will submit to the Executive Director of the State Bar of Texas by July 15th of each year a complete financial report for the preceding fiscal year ending May 31st and a Section budget for the current fiscal year

Section 6: Investments

The provisions regarding Investments, of the State Bar of Texas Board of Directors Policy Manual are adopted by reference and attached hereto as Appendix I.

Approved on the 20th day of September, 2013, by the State Bar Board of Directors.