

**PROPOSED BYLAWS OF THE MILITARY and VETERANS' LAW SECTION
OF THE STATE BAR OF MICHIGAN**

**ARTICLE I
NAME AND PURPOSES**

Section 1. The Section shall be known as the Military and Veterans' Law Section of the State Bar of Michigan.

Section 2. The purposes of the Section shall be:

- (a) to provide a forum for the exchange of ideas among members engaged in the practice of law servicing current and former service members and their dependants, employers, educators, and the judiciary, with a view to:
 - (i) improve the practice of military law,
 - (ii) study the principles, regulations, statutes, and legal developments that affect the military community, and to
 - (iii) improve the quality of legal services provided to the military community.
- (b) to serve as a forum and vehicle for the dissemination of specialized knowledge to practitioners engaged in the practice of law in this area by fostering networking and communications among members.
- (c) to coordinate its activities with those of other sections of the State Bar of Michigan whose activities and practice areas are complementary to those of this Section.

To accomplish these goals, the Military and Veterans' Law Section of the State Bar of Michigan will sponsor meetings and conferences of educational value and support the publication of articles that relate to the purposes of the Section.

**ARTICLE II
MEMBERSHIP**

Section 1. Any active member of the State Bar of Michigan, upon request to the State Bar of Michigan and upon payment of dues for the current year, shall be enrolled as a member of the Section. Each applicant shall pay to the State Bar of Michigan the current section dues and shall thereafter pay annual dues on or before October 1 of each year. The amount of the annual dues will be determined by the council and may be changed upon the approval of a majority of the council.

Section 2. As provided in Article VII Section 5 of the Bylaws of the State Bar of Michigan, any newly admitted member of the State Bar of Michigan shall become a member without

payment of dues for the first two years of his or her admission to the State Bar of Michigan, upon submission of a written request to the State Bar of Michigan.

Section 3. As provided in Article VII, Section 6 of the Bylaws of the State Bar of Michigan, any law student affiliate member may become a member of the Military Law Section upon request to the State Bar. Law student affiliate memberships are free.

ARTICLE III ORGANIZATIONAL MEETING

Section 1. The organizational meeting of the Section shall be held any time after January 1 2014 at a time and place to be determined by the Acting Chairperson hereafter appointed.

Section 2. The Board of Commissioners of the State Bar of Michigan hereby appoints LTC John Wojcik as Acting Chairperson of the proposed Section, to serve in this capacity until the Bylaws of the Section are approved and the Council and Officers of the Section are duly elected as hereinafter provided.

Section 3. All active members of the State Bar of Michigan who have applied for membership in the Section and have paid dues or have otherwise qualified under Article III by November 19, 2013 shall receive written notice of the time and place of the organizational meeting and shall be eligible to vote at the meeting. An e-mail will qualify as written notice for this purpose.

Section 4. Voting at the organizational meeting shall be in person and not by proxy.

Section 5. At the organizational meeting, the members shall elect seven (7) members to serve as the first Council, and shall elect the 4 officers of the Section. A majority of those present and voting at the organizational meeting shall be sufficient to elect the first Council. In order to preserve continuity, the terms of three (3) members of the Council elected at the organizational meeting shall be for three (3) year and the terms of the other four (4) members of the Council elected shall be for four (4) years. Subsequent elections will be for 3 year terms.

Section 6. Once the first council has been elected, they will elect the four (4) officers. Those initial officers will serve two (2) year terms. Subsequent officers will serve three (3) year terms. If a council person is elected to an officer position at the organizational meeting, he or she may appoint a replacement to sit on the council.

Section 7. The Acting Chairperson may appoint an acting Secretary and acting Treasurer to assist in preparation for the initial meeting and to perform other functions for the Military and Veterans' Law Section.

ARTICLE IV ELECTION OF COUNCIL

Section 1. The Council of the Section shall have eleven (11) members, consisting of

- (a) the officers, ex officio, elected pursuant to Article V and
- (b) seven (7) members elected to three (3) year terms by the membership of the Section at the annual meeting.

Section 2. If any elected or ex officio member of the Council shall fail to attend three (3) successive meetings of the Council, the Council may declare the position vacant. If a position of the Council becomes vacant for any reason during the term of a member, including resignation or the inability to perform the duties of the position, the remaining members of the Council shall select a replacement, who shall succeed to the position.

Section 3. Prior to the annual meeting, the Chair shall appoint a nominating committee to propose nominations for the positions of Officers and members of the Council for election at the annual meeting. Other nominations may be made by members present at the annual meeting.

Section 4. Election of the Council shall be by voice vote of the members of the Section present at the annual meeting, unless voting by written ballot is requested and approved by a majority vote of the members present at the annual meeting or the outcome of the election by voice vote is indeterminable in which case voting by written ballot shall be required. The members of the Section present at the annual meeting of the Section constitutes a quorum for the transaction of business, and the action of the majority of the quorum constitutes action of the Section.

Section 5. Student members are eligible to hold Council and Officer positions.

ARTICLE V ELECTION OF OFFICERS

Section 1. The officers of the Section shall serve three-year terms, and shall consist of the following, elected by the members at the annual meeting:

- (a) a Chairperson,
- (b) a Chairperson-Elect,
- (c) a Secretary, and
- (d) a Treasurer.

Section 2. If any office becomes vacant during the period between annual meetings, the Council may select a replacement, who shall succeed to the full duties and responsibilities of the office.

Section 3. Subject to the approval of the members at the annual meeting, the Chairperson-Elect shall succeed to the office of Chair.

Section 4. Elections of the Officers shall be by voice vote of the council, unless voting by written ballot is requested and approved by a majority vote of the members present at the annual meeting or the outcome of the election by voice vote is indeterminable in which case voting by written ballot shall be required. The members of the Section present at the annual meeting of the Section constitutes a quorum for the transaction of business, and the action of the majority of the quorum constitutes action of the Section.

ARTICLE VI DUTIES OF OFFICERS

Section 1. Chairperson. The Chairperson shall

- (a) Preside at all meetings of the Council,
- (b) Prepare and present at each annual meeting of the Section a report of the activities of the Section for the preceding year,
- (c) Appoint the presidents and members of the committees of the Section, and
- (d) Perform such other duties as are customarily associated with the office of president, or as assigned by the Council.

Section 2. Chairperson-Elect. The Chairperson-Elect shall

- (a) Preside at all meetings of the Council in the absence of the Chairperson,
- (b) Assume and perform the duties of the Chairperson during the disability of or after the death or resignation of the Chairperson, and
- (c) Be responsible for the development and presentation of an educational program at the annual meeting.

Section 3. Secretary. The Secretary shall

- (a) Be the custodian of the books and records of the Section, apart from the financial documents,
- (b) Keep a record of the annual meeting of the Section, and the meetings of the Council, and
- (c) Preside at the meetings of the Council in the absence of the Chairperson and the Chairperson-Elect.

Section 4. Treasurer. The Treasurer shall

- (a) Keep a record of the money received and disbursed, and present a report at each meeting of the Council,
- (b) Present a financial report to the members at the annual meeting,
- (c) Prepare and present a proposed budget for the consideration of the Council, and
- (d) Preside at the meetings of the Council in the absence of the Chairperson, the Chairperson-Elect, and the Secretary.

**ARTICLE VII
DUTIES AND POWERS OF THE COUNCIL**

Section 1. The Council shall

- (a) Have general supervision and control of the affairs of the Section subject to the Supreme Court Rules Concerning the State Bar of Michigan and the Bylaws of the State Bar of Michigan and the Bylaws of the Section,
- (b) During the interim between meetings of the Section, have full power to do and perform all acts and functions, which the Section itself might do or perform,
- (c) Authorize all commitments or contracts, and shall authorize or approve the expenditure of all monies, and
- (d) Formulate and state the position of the Council on any matters relating to the Section's purposes.

Section 2. A majority of the members of the Council shall constitute a quorum for the transaction of business. A vote of the majority of those Council members present and voting shall be required for action by the Council.

Section 3. Between scheduled meetings of Council, the Chairperson of the Section may, and on the request of any member of the Council, shall

- (a) Schedule and convene a special meeting of the Council, or
- (b) When the calling of a formal Council meeting is not practical, submit in writing to each member of the Council any proposition on which the Council may be authorized to act. Members of the Council may vote on such proposition by communicating their vote to the Secretary by any prompt or convenient means. The Secretary shall retain a record of the proposition submitted, when, how, at whose request submitted, and the vote of each member thereon.

ARTICLE VIII COMMITTEES

Section 1. Membership of committees is open to any member of the Section. Officers and Council members may also serve on and act as chairpersons of committees. The Council shall determine the number of members of each committee. The council may create committees it determines are necessary and also abolish committees that it determines are no longer necessary.

Section 2. Any Law Student affiliate member may request to join and participate in any committee. Law Student affiliate members may serve as a committee chair.

Section 3. Any member of the Council may request to join and participate in any committee.

ARTICLE IX MEETINGS

Section 1. The Council shall meet not less than quarterly. A majority of the members of the Council shall constitute a quorum. A majority of those present and voting shall be sufficient to take action on any matter before the Council. Members may attend in person, by video or computer, or by telephone, however, to be counted as in attendance, everyone has to be able to hear everyone else.

Section 2. The annual meeting of the Section shall take place during and in the same venue as the annual meeting of the State Bar of Michigan. The members of the Section present at any annual meeting or special meeting of the Section constitutes a quorum for the transaction of business, and the action of the majority of the quorum constitutes action of the Section.

Section 3. Special meetings of the Council or Section may be called by the Chairperson.

ARTICLE X MISCELLANEOUS

Section 1. The fiscal year of the Section shall be the same as that of the State Bar of Michigan.

Section 2. All bills incurred by the Section, before being forwarded to the Treasurer or to the Executive Secretary of the State Bar of Michigan for payment, shall be approved by the President or by the Treasurer, or, if the Council shall direct, by both of them.

Section 3. No salary or compensation shall be paid for serving as a Section officer, member of the Council, or member of any committee.

Section 4. Any action of this Section must be approved by the Representative Assembly or the Board of Commissioners of the State Bar of Michigan before the same becomes effective as

the action of the State Bar of Michigan. Reports or recommendations of this Section or its committees may be released, announced, or published only as provided in the Bylaws of the State Bar of Michigan, Article VIII and Article IX.

ARTICLE XI AMENDMENTS

Section 1. Amendments to these Bylaws may be proposed by a majority vote of the Council, or by a petition signed by not less than five (5) members of the Section. The Council shall cause a complete and accurate text of the proposed amendments to be published in the *Michigan Bar Journal* or otherwise communicated to members of the Section not less than thirty (30) days before the annual meeting.

Section 2. Proposed Amendments shall be submitted to the membership at that annual meeting and shall be adopted upon a majority vote of those members present and voting.

Section 3. No amendment so adopted shall become effective until approved by the Board of Commissioners of the State Bar of Michigan.

CERTIFICATION

_____, Secretary of the Military Law Section, certifies that these bylaws were adopted by a majority vote of the members, a quorum being present, at the organizational meeting of the Military Law Section, held on _____, 2013.

_____, Secretary