

BURLINGTON COUNTY BAR ASSOCIATION BY-LAWS

ARTICLE I – NAME

This Association shall be known as the “Burlington County Bar Association.”

ARTICLE II – MEMBERSHIP

1. CLASSES OF MEMBERSHIP

The membership of this Association shall consist of the following six classes with the following rights and privileges:

A. Active Member

Any member of the Bar of the Supreme Court of New Jersey in good standing may be granted active member status.

B. Member Emeritus

(1) Criteria

Any member of the Association in good standing who has been a member of the Bar of New Jersey for forty (40) or more years and who has made a significant contribution to the legal profession and this Association may be granted member emeritus status by the Board of Trustees.

(2) Rights and Privileges

Members emeritus shall have all rights and privileges of active members.

C. Associate Member

(1) Criteria

A member in good standing of a bar of another state may be admitted as an associate member.

(2) Rights and Privileges

Associate members may serve as members of committees, but may not serve as committee chairpersons or as officers or trustees. They shall not have voting rights except as specifically provided herein.

D. Affiliated Member

(1) Criteria

An individual employed as a paralegal may be granted affiliated membership. It is recognized that a paralegal is an individual, qualified through education, training or work experience, to perform substantive legal work that requires knowledge of legal concepts and is customarily, but not exclusively, performed by an attorney. This individual may be retained or employed by a lawyer, law office, governmental agency or other entity or may be authorized by administrative, statutory or court authority to perform this work under the direction of an attorney.

(2) Rights and Privileges

Affiliated members may serve as members of committees, but may not serve as committee chairpersons or as trustees or officers. They shall not have voting rights except as specifically provided herein.

E. Inactive Member

(1) Criteria

Any active or associate member who has voluntarily ceased to practice law, while nonetheless retaining the privilege or license to do so, may be granted inactive membership.

(2) Rights and Privileges

Inactive members shall have no voting rights, and may not serve as members of committees or as officers or trustees. Inactive members may attend meetings but must pay for all meals attended.

F. Law Student / Law Clerk Member

(1) Criteria

A New Jersey resident who is currently enrolled in law school, or any law school graduate employed as a law clerk to a Superior Court Judge sitting in Burlington County, may be admitted as a law student / law clerk member.

(2) Rights and Privileges

Law student / law clerk members shall have no voting rights, may serve on committees but may not serve as chairpersons of committees or as officers or trustees.

2. MEMBERSHIP APPLICATION

Prospective members shall complete a written application form and forward it to the Executive Director, who shall report the names of all eligible prospective members to the Board of Trustees for approval by majority vote of those present and voting at the next meeting thereafter.

3. TERMINATION OF MEMBERSHIP

Membership in the Association shall be terminated in any one of the following ways:

A. By written resignation submitted to the Executive Director.

B. By resignation, disbarment or suspension from the Bar of New Jersey.

C. By default in the payment of dues for one fiscal year and the Board of Trustees has, by majority vote, terminated the member's membership. In such cases, the Board may, by majority vote, reinstate the member in good standing upon payment of \$50 in lieu of back dues, which \$50 payment may be suspended at the discretion of the Board of Trustees for good cause shown, together with all current dues, unless said dues are remitted or compromised pursuant to Article III(3).

There shall be no pro-rata refund of dues upon termination.

ARTICLE III – DUES

1. DUES FOR EACH CLASS OF MEMBERSHIP

A. Active, Associate, Affiliated, and Law Student / Law Clerk Members

Each active member, associate member, affiliated member and law student member shall be required to pay dues for the fiscal year (June 1 – May 31) in accordance with the fee schedule established from time to time by the Board of Trustees.

Time spent on active duty in the military service of the United States shall not be counted in determining the years of admission in cases where the member did not practice law as part of his or her duties

B. Members Emeritus and Inactive Members

Effective June 1, 2013, each member emeritus shall be required to pay dues for the fiscal year (June 1 – May 31) in accordance with the fee schedule established from time to time by the Board of Trustees. The dues for members emeritus shall be less

than the dues for active members. All members of the Association who have already been granted emeritus status as of May 31, 2013 shall continue to be exempt from the payment of dues.

Each member emeritus in good standing who has been a member of the Bar of New Jersey for fifty (50) years shall be exempt from the payment of dues.

Each inactive member shall be exempt from the payment of dues.

2. TIME OF PAYMENT

Dues shall be paid on or before the first day of June of each year in advance. A member accepted in March, April, or May of any year shall not be required to pay for the balance of the fiscal year.

3. REMISSION / COMPROMISE OF DUES

The Board of Trustees may, by majority vote, remit or compromise any part or all dues of any member in cases of financial exigency warranting such action.

4. DEFAULT IN PAYMENT OF DUES

A member shall be in default if dues are not received by September 1 of the fiscal year. When any member of the Association shall be in default in the payment of their annual dues, the Treasurer or Executive Director shall notify the member in writing of the default. In the event that the default shall continue for a period of thirty days after such notice, the member shall, without further notice, be considered suspended, and during suspension, shall not be entitled to any of the privileges of a member of the Association. Any members so suspended may be reinstated as to all privileges either (a) upon payment of all arrearages and current dues, or (b) upon application to and approval of the Board of Trustees upon such terms as the Board shall determine.

ARTICLE IV – OFFICERS AND TRUSTEES

1. COMPOSITION

A. Officers

The officers of this Association shall be the President, President-Elect, Vice President, Treasurer and Secretary.

B. Voting Members of the Board of Trustees; Young Lawyer Trustees

The voting Board of Trustees of this Association shall be composed of the

officers and the Immediate Past President and, in addition, at least eleven but no more than fourteen trustees, two of whom referred to as “Young Lawyer Trustees”, shall have been under 35 years of age or actively engaged in the practice of law in New Jersey for a period of less than five years when elected.

C. Non-Voting Members of the Board of Trustees; State Bar Trustee

The Trustee of the New Jersey State Bar Association from Burlington County shall be an ex-officio member of the Board of Trustees without vote.

2. NOMINATION

The President, in consultation with the Board of Trustees, shall appoint a Nominating Committee consisting of the President-Elect as chair, Immediate-Past President, Vice President, Treasurer, Secretary, and up to six other active and/or emeritus members to nominate officers and trustees for election at the May meeting of the membership. The President-Elect through the Executive Director shall cause a solicitation of nominations to be published in The Straight Word or otherwise communicated to the membership prior to the meeting of the Nominating Committee.

The Nominating Committee shall render its report on or before the April Board of Trustees meeting. Copies of its report shall be mailed or electronically mailed to the membership in advance of the April Board meeting when any additional nominations for any office shall be made; thereafter, nominations shall be closed. If additional nominations are received at the April meeting, their names shall be submitted in writing by way of regular mail and/or electronic mail to the membership in advance of the May Meeting.

3. ELECTION

There shall be elected each year three or four trustees, the President-Elect, Vice President, Treasurer, Secretary and one Young Lawyer Trustee. This election shall occur at the Annual Meeting and shall be by voice vote, if there is no contest, and by written ballot in the event of a contest. The nominee to any office receiving the highest number of votes shall be declared elected.

4. TERMS OF OFFICE

A. Officers

The President-Elect shall assume the office of the President, and all officers elected at the annual meeting shall assume their respective offices, upon being installed, and shall serve for a period of one year and until successors are installed.

B. Trustees

The non-Young Lawyer trustees shall be elected to hold office for three years

and until their successors are installed. The two Young Lawyer Trustees shall be elected to hold office for two years and until their successors are installed.

5. VACANCY

The Board of Trustees may fill any vacancy (except the offices of President and Immediate Past President) until the next election is held. The President-Elect shall assume the office of President in the event of any vacancy therein during the unexpired term of the President, and in such case shall also retain the office of President during the following term in accordance with Article IV(4)(A). A vacancy in the Immediate Past President position will not be filled.

6. DUTIES

A. Officers

(1) **President.** The President, or if absent, the President-Elect, shall preside at all meetings of the Association and shall perform the duties generally appertaining to said office. The President shall be, ex officio, chairperson of the Board of Trustees.

(2) **President-Elect.** The President-Elect shall perform such duties as are delegated by the President and shall perform the duties of President in the President's absence.

(3) **Vice President.** The Vice President shall perform such duties as are delegated by the President.

(4) **Treasurer.** The Treasurer shall collect and disburse all funds of the Association. The Treasurer shall keep regular accounts and shall report at each regular Board meeting. The Treasurer may designate these duties to the Executive Director as needed.

(5) **Secretary.** The Secretary shall keep a record of the proceedings of all meetings and other Association matters, keep a roll of the members, issue notices of all meetings, conduct the correspondence of the Association and notify members of their election to office, admittance and suspension. The Secretary may delegate these duties to the Executive Director as needed.

B. Board of Trustees

The Board of Trustees shall have charge of the affairs and property of the Association and shall perform all acts imposed by the By-Laws. They shall hold monthly meetings at least ten times per year. Meetings must be held in February and April of each year. A synopsis of matters discussed at each meeting shall be published in The Straight Word. The Board shall be authorized to engage an Executive Director

and other employees to perform such duties as may be necessary for the efficient operation of the Association.

7. QUORUM

Seven Board of Trustee voting members shall constitute a quorum at any meeting of the Board of Trustees.

8. REMOVAL OF OFFICERS AND TRUSTEES

Any officer or trustee who has three or more unexcused absences from monthly Board of Trustee meetings within a fiscal year (June 1 to May 31) may be subject to removal from their position by a majority vote of the Board of Trustees. All officers and trustees who plan on missing a monthly Board of Trustee meeting must notify the Executive Director at least twenty-four (24) hours in advance, except in case of emergency, of the scheduled meeting time to explain their anticipated non-appearance. The Board of Trustees shall decide by a majority vote whether an absence should be deemed unexcused. Any vacancy created by this removal shall be filled in accordance with Article IV(5).

9. RESIGNATION OF OFFICERS AND TRUSTEES

Any officer or Trustee shall be permitted to voluntarily resign from their position on the Board of Trustees prior to the completion of their current term of office upon acceptance by a majority vote of the Board of Trustees. Any vacancy created by this resignation shall be filled in accordance with Article IV(5).

ARTICLE V – MEETINGS OF ASSOCIATION MEMBERS

1. TYPES OF MEETINGS

A. Annual Meeting

The Annual Meeting of Association members shall be held during the May dinner meeting for the purpose of electing officers and trustees.

B. Special Meetings

Special meetings of Association members may be called at any time by the President, or when absent, by the President-Elect, or when directed by ten members of the Association. The purpose of all special meetings shall be stated in the call and in the notice given to the members, and no other business shall be transacted.

C. Dinner Meetings

At least five dinner meetings of Association members shall be held each year. A dinner meeting must be held in May of each year. A special meeting at which business may be transacted may be conducted during the course of a dinner meeting if proper notice is given.

2. QUORUM

Twenty-five members shall constitute a quorum at any meeting of Association members.

3. NOTICE

Notice of the date and location of all meetings of Association members shall be published in the Straight Word or otherwise mailed or electronically mailed to each member within ten days of the date of the meeting.

ARTICLE VI – APPROPRIATION AND DISBURSEMENT OF FUNDS

No funds of the Association shall be appropriated to any use or paid without the consent of the Board of Trustees unless the payment be ordered by a vote of the majority of the members present at a meeting of the Association. The Board shall consider and approve a budget no later than June 30 of each year.

ARTICLE VII – COMMITTEES

1. STANDING COMMITTEES

The following Standing Committees shall be appointed annually by the President, each to consist of at least five members to serve for that President's term, except for the Professionalism Committee and the Judicial and Prosecutorial Appointments Committee, which shall be constituted and appointed as set forth below. The President shall designate the chairperson of each committee and shall notify the members of the committees of their appointments.

A. Professionalism Committee

This Committee shall educate the Association about the need for professional behavior among lawyers and implement a procedure whereby the Committee will respond to complaints from attorneys and judges concerning unprofessional behavior that does not necessarily constitute a violation of the Rules of Professional Conduct. This Committee shall have the ability to identify and counsel lawyers whose conduct

falls short of accepted levels of professional behavior and is encouraged to provide advice to lawyers who voluntarily seek the Committee's assistance.

This Committee shall be comprised of nine active and/or emeritus members, each appointed to three-year terms, with membership limited to no more than two consecutive three-year terms. The chairperson shall be appointed from one of the members on a year-to-year basis. Each President will appoint three new members for three-year terms replacing the three members whose terms expire each year. The make-up of this Committee should reflect a cross-section of the membership of the Association and should include members whose conduct reflects adherence to fundamental values and respect for the legal system.

C. Community / Public Relations Committee

This Committee shall maintain and promote the public's awareness of this Association's and the Bar's activities. It shall assist the Association and its committees by communicating to the media the various public interest concerns, programs and projects of this Association.

D. Due Diligence Committee

This Committee shall be available for consultation as needed with respect to the fitness of persons proposed or under consideration for judicial or other public office appointments.

This Committee shall be comprised of the President, Immediate Past President, the President Elect, and four members of the Association as selected by the President each year and giving consideration to having a representative from the Civil Bar, Criminal Bar, and Family Bar, and balancing the committee politically, to the extent possible.

E. Continuing Legal Education Committee

This Committee shall be chaired by the President-Elect and shall supervise the organization of seminars, disseminate law-oriented educational materials and promote the improvement of professional skills among the members.

F. Lawyer Referral/Pro Bono / Legal Services Committee

This Committee shall encourage all members of this Association to render, and shall facilitate the availability of, free legal services to those in need of counsel and representation, but who are unable to pay legal fees. This Committee is encouraged to implement other projects in keeping with this Association's commitment to serve these needs.

G. Diversity & Leadership Committee

This Committee shall promote participation in bar-related activities by those lawyers and lawyer groups who have not previously participated significantly in such activities. This Committee shall continue to nurture diversity through relations with the specialty bar associations by organizing educational and social programming and monitoring and fostering inclusiveness on the continuing activities of the bar.

H. Federal Practice Committee

This Committee shall promote the improvement of professional skills of members as such skills relate to this particular area of practice.

I. Local Government Committee

This Committee shall promote the improvement of professional skills of members as such skills relate to this particular area of practice.

J. Mock Trial Committee

This Committee shall organize and facilitate the Association's involvement with the New Jersey State Bar's annual high school mock trial competition.

K. Senior Attorneys Committee

This Committee shall address issues of interest to Association members age sixty and above.

L. Technology Committee

This Committee shall address the technological issues of the Association including the ongoing development of the Association's website.

M. Workers' Compensation Committee

This Committee shall promote the improvement of professional skills of members as such skills relate to this particular area of practice.

N. Young Lawyer's Committee

This Committee shall address issues of interest to Association members under 35 years of age or actively engaged in the practice of law in New Jersey for a period of less than five years.

O. Government Relations Committee

This Committee shall act as a liaison between the Association and public office

holders to advance the interests of the profession and Association members in legislative matters. This Committee shall analyze the legal and political implications of legislation on Association members and on the public generally.

P. Budget and Finance Committee

This Committee shall oversee the preparation of the annual budget and, upon request of the Board of Trustees, consider the financial impact of any proposal being considered by the Association. This Committee shall be co-chaired by the President-Elect and Treasurer and shall include the President, Immediate Past-President, Vice President, Secretary, and any other active and/or emeritus members as appointed by the President.

Q. Courthouse Facilities Committee

This Committee shall advocate for the improvement and/or better utilization of the space and facilities in the county courthouses.

R. Bench and Bar Committees

The President shall appoint a Bench and Bar Committee, with as many sections as shall be deemed appropriate to address matters relating to the practice of law in a particular court or recognized area of the law, including, but not limited to, a Civil Section, Special Civil Section, Criminal Section, General Equity Section, Family Section, Municipal Section, Real Estate Section and Probate Section.

Each section shall have at least five members, with one member serving as chairperson.

The purpose of each section shall be to promote the improvement of professional skills of members as such skills relate to the particular area of practice represented. Toward this end, the sections shall disseminate to members information regarding recent changes in rules, case law and procedures, as well as any other information which would promote the improvement of professional skill. Such information shall be disseminated through the publication of articles and notices, at section meetings and through seminars which may be organized in cooperation with the Continuing Legal Education Committee.

An additional purpose of each section shall be to discuss issues and concerns of the Bar respecting the management of the Superior and Municipal Courts in Burlington County.

The Chairpersons and Board of Directors of each section shall act as a liaison between the Bar and the Judiciary of Burlington County with a view toward maintaining amicable relations and discussing and resolving mutual concerns regarding the management of the courts in this county. In fulfilling their roles as liaison, the

Chairpersons and Boards of Directors shall communicate and meet with the Judiciary directly and shall also report to the President and the Board of Trustees any concerns that they and their respective sections may have regarding court management so that the President can present same at meetings of the Bench-Bar Management Committee for whatever action that committee may deem appropriate pursuant to Article VIII.

2. OTHER COMMITTEES

The President or Board of Trustees may create other special committees from time to time as they may deem appropriate.

ARTICLE VIII **BENCH-BAR COMPACT AND MANAGEMENT COMMITTEE**

The Board of Trustees shall continue to comply with the Bar Compact entered into between the Association and the Judiciary of Burlington County in April of 1986, and recently amended in 2008. Accordingly, the President, Immediate Past President, Executive Director, President-Elect, Vice President and State Bar Trustee shall continue to participate in the Bench-Bar Management Committee created by the Compact, a copy of which is attached hereto.

ARTICLE IX – RESOLUTIONS

In the event that any individual member or committee desires the Board of Trustees to publicly advance a particular position on any issue, whether by way of a resolution or otherwise, such member or committee must present either a proposed resolution or written statement of their views to the Board, which will then review the matter and adopt, reject or modify the proposed resolution or written statement.

Because any public pronouncement of a position, whether by resolution or otherwise, could be interpreted as representing the official position of this Association, same must not be issued without the prior review and approval of the Board. In the event that any individual or committee announces a public position on any issue without receiving the prior approval of the Board, the Board shall immediately and publicly repudiate that position as invalid and unauthorized.

ARTICLE X – AMENDMENTS

Amendments to these by-laws proposed by majority vote of the Board of Trustees shall be approved by a vote of two-thirds of the members present and voting at the annual or any special meeting called for that purpose. A copy of the proposed amendments shall be published in The Straight Word or otherwise mailed to the membership along with the notice of the meeting at which same will be considered.

ARTICLE XI – INDEMNIFICATION

The Association shall indemnify and hold harmless all corporate agents against all expenses and liabilities, including counsel fees, in connection with any proceeding involving the corporate agent by reason of his or her being or having been such a corporate agent, other than a proceeding by or in the right of the Association, if such corporate agent acted in good faith in a manner he or she reasonably believed to be not opposed to the best interest of the Association and, in a criminal proceeding, if such corporate agent had no reasonable cause to believe his or her conduct was unlawful.

Corporate agents include, but are not limited to, officers, trustees, and employees of the Association. All terms used herein shall have the meanings attributed to such terms as set forth in *N.J.S.A. 15A:3-4(a)*. It is further intended that the rights of indemnification provided hereunder be as broad as permitted under the laws of the State of New Jersey. Without limiting the foregoing, the Association herewith adopts the provisions of *N.J.S.A. 15A:3-4* as though fully herein set forth. Wherever said statute permits the Association to provide indemnification, this by-law shall be deemed to require such indemnification to be provided by the Association.

ATTACHMENTS

(1) Bench-Bar Compact

AMENDED: September 2012