

FAMILY LAW SECTION
PHILADELPHIA BAR ASSOCIATION

BY-LAWS

ARTICLE I. NAME AND JURISDICTION.

Section 1. Name. The name of the Section shall be the Family Law Section of the Philadelphia Bar Association.

Section 2. Purpose. The Family Law Section shall study and submit resolutions concerning the laws, local and state-wide rules of procedure, administrative regulations and forms and procedures governing marriage, divorce, adoption, support and alimony, custody, property division, dependency, juveniles, domestic violence, paternity, alternative dispute resolution, and other subjects related to family law. The Section shall work with the Family Court of Philadelphia to develop and implement policy and rules, shall provide the members of the Section and the Bench with continuing legal education, shall encourage an atmosphere of civility, sensitivity and camaraderie among the members of the Bench and Bar, and shall work to improve the delivery of legal services, administration of justice and public perception of the family law system.

ARTICLE II. MEMBERSHIP AND DUES.

Section 1. Enrollment. Any member of the Philadelphia Bar Association and any Judge of the Supreme, Superior or Commonwealth Court of Pennsylvania or of any court of Philadelphia County or of the United States District Court for the Eastern District of Pennsylvania shall be entitled to become a member of the Section. Once so enrolled the member shall remain as a member of the Section provided the member remains a member or an associate member in good standing of the Philadelphia Bar Association and pays the annual dues of the Section as prescribed in these By-Laws. In addition thereto, any other person engaged in an occupation which is concerned with family law upon application and approval of the Executive Committee of the Family Law Section may be entitled to become, upon payment of dues, a non-voting associate member of this Section.

Section 2. Dues. Annual dues shall be determined from time to time by the Section, by majority vote of the quorum present at any monthly meeting.

ARTICLE III. OFFICERS, EXECUTIVE COMMITTEE.

Section 1. Officers. The officers of this Section shall be a Chairperson, Chairperson-Elect, Secretary and Treasurer. In addition, on an annual basis, the Chairperson may appoint a Co-chairperson according to the provisions below.

(a) Term of Office. Each officer of the Section shall hold office for a term beginning on the first day of January next following the annual meeting of the Section at which the officer is elected and ending at the close of that calendar year. Officers elected in the course of such a term to fill a

vacancy shall serve only until the close of the calendar year in which such election occurs, unless again elected for a regular term. Should an officer choose to resign from his/her position, the resignation shall be given in writing to the Chairperson of the section and presented at the next Executive Committee meeting. At that meeting, the executive committee shall vote on whether to accept the resignation of the officer and, if so, shall also discuss, nominate and/or vote on a temporary replacement. The resignation of the officer and appointment of the temporary replacement shall become permanent following a majority vote of the members in attendance at any regular Section meeting, at which a quorum need not be present, with notice to be provided to the membership at the prior monthly meeting.

(b) Duties. Subject to the direction and control of the Chancellor and the Board of Governors of the Philadelphia Bar Association, the functions, duties and authorities of the officers of this Section shall be as follows:

(1) The Chairperson shall preside at all meetings of the Section and of the Executive Committee, and shall perform the usual duties and functions of a Chairperson, including but not limited to keeping the Section and the Executive Committee duly informed and carrying out their policies and decisions. The Chairperson shall create and terminate standing committees, and shall appoint the chairpersons of the standing committees, subject to the advice and consent of the Executive Committee. The Chairperson, in accordance with the budget adopted by the Executive Committee and/or any resolution adopted by the Executive Committee or the Section, shall have the power to authorize expenditures from the Treasury.

(2) The Chairperson-Elect shall automatically succeed to the office of the Chairperson upon completion of the Chairperson's one-year term. In case of the death, resignation or disability of the Chairperson, the Chairperson-Elect shall immediately succeed to the office of Chairperson for the remainder of the Chairperson's term of disability, and shall continue in said office until the completion of his/her own term. S/he shall perform the usual duties and functions pertaining to the office or as may be designated by the Executive Committee or the Chairperson.

~~(3) The Secretary shall automatically succeed to the office of Treasurer upon completing his/her one year term as Secretary.~~ The Secretary shall perform the usual duties and functions pertaining to his/her office. The Secretary shall be the custodian of all principal books and documents of the Section, but not of money. S/he shall keep minutes of all meetings of the Section and of the Executive Committee, and copies of all resolutions, and make a record of all action that may be taken by consent without a meeting, and shall pass same on to his/her successor. The Secretary shall forward all appropriate resolutions to the Board of Governors. The Secretary shall perform such further duties and have such further powers as may be designated by the Executive Committee or the Chairperson. The books and documents of the Section shall include ~~the following which shall be electronically store:~~ (a) these by-laws and amendments; (b) minutes of Section and Executive Committee meetings; and (c) the Section newsletters.

(4) The Treasurer shall ~~automatically succeed to the office of Chairperson-Elect upon completing his/her one year term as Treasurer. The Treasurer shall~~ receive all funds paid to the Section, ~~shall transmit same to the Treasurer of the Philadelphia Bar Association, shall arrange for all funds received by the Section to be transmitted to the Philadelphia Bar Association, and~~

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shall keep an accurate record of all monies appropriated to and expended for the use of this Section. S/he shall prepare an annual budget which shall be submitted to the Executive Committee for its approval, and shall present to the membership an annual Financial Report, and to the Executive Committee such interim financial reports as it may request. The Treasurer, in accordance with the budget adopted by the Executive Committee and/or any resolution adopted by the Executive Committee or the Section, shall have the power to authorize expenditures from the Treasury.

(5) The Co-chairperson, if so appointed by the Chairperson, shall serve on the Philadelphia Bar Association's Commission on Judicial Selection and Retention. The Co-chairperson shall attend to this responsibility diligently and shall comply with Article VI of the Philadelphia Bar Association's By-Laws. The Co-chairperson shall have no other leadership responsibilities.

(6) Each officer is expected to actively participate in and advance the goals of the Section, including but not limited to attending Executive Committee meetings, attending Section meetings, participating in sub-committees and assisting the Chairperson as necessary to further the work of the Section. If an officer fails to substantially participate in the Section, he/she may be recommended for removal by a majority vote of the Executive Committee. A temporary replacement may be installed pursuant to majority vote of the Executive Committee. The removal of the officer and appointment of the temporary replacement shall become permanent following a majority vote of the members in attendance at any regular Section meeting, at which a quorum need not be present, with notice to be provided to the membership at the prior monthly meeting.

Section 2. Executive Committee. There shall be an Executive Committee which shall consist of the four officers of this Section, together with the five most recent Chairpersons plus ten elected members. No elected member may serve more than **four** consecutive **one**-year terms (total of four years consecutively), although such elected member can again serve after at least one year out of service. Service as an officer of the Section shall not preclude subsequent service on the Executive Committee. Should an executive committee member choose to resign from his/her position, the resignation shall be given in writing to the Chairperson of the section and presented at the next Executive Committee meeting. At that meeting, the executive committee shall vote on whether to accept the resignation of the member and, if so, shall also discuss, nominate and/or vote on a temporary replacement. The resignation of the executive committee member and appointment of the temporary replacement shall become permanent following a majority vote of the members in attendance at any regular Section meeting, at which a quorum need not be present, with notice to be provided to the membership at the prior monthly meeting.

(a) Duties. The Executive Committee shall, subject to action of the members taken at a meeting of the Section and to any action of the Board of Governors of the Philadelphia Bar Association, have general supervision and control of the affairs of this Section, and shall set policy for the Section, but only in accordance with the provisions of the Constitution and By-Laws of the Philadelphia Bar Association and the By-Laws of this Section. The Executive Committee shall consent to the creation and termination of standing committees, and appointment of chairpersons of standing committees, by the Chairperson. The Executive Committee shall approve the annual budget and shall authorize the expenditure of all monies of this Section appropriated for its use.

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Each member of the Executive Committee is expected to actively participate in and advance the goals of the Section, including but not limited to attending Executive Committee meetings, attending Section meetings, participating in sub-committees and assisting the Chairperson as necessary to further the work of the Section. If an Executive Committee member fails to substantially participate in the Section, he/she may be recommended for removal by a majority vote of the Executive Committee. A temporary replacement may be installed pursuant to majority vote of the Executive Committee. The removal of the Executive Committee member and appointment of the temporary replacement shall become permanent following a majority vote of the members in attendance at any regular Section meeting, at which a quorum need not be present, with notice to be provided to the membership at the prior monthly meeting.

(b) Vacancies. Vacancies during a term, including vacancies resulting from an increase in the size of the Executive Committee, occurring more than one month prior to the annual meeting, may be filled by the action of a majority of the Executive Committee remaining in office.

(c) Conduct of Business.

(1) Meetings. The Executive Committee shall meet to conduct business at a place and time as fixed by the Chairperson or by resolution of the Committee upon not less than five (5) days' notice. Such meetings shall be open to all Section members. The Executive Committee may meet in a special session at any time and place on the call of the Chairperson or any three (3) members of the Committee on not less than three (3) days' notice to all Section members.

(2) Quorum. A majority of voting members of the Executive Committee shall constitute a quorum. No binding action may be taken at a meeting while a quorum is not present. All binding action of the Committee shall be by majority vote of the Executive Committee members present.

A quorum may be met by voting members appearing by phone provided no more than 3 members appearing by phone are necessary to meet the quorum.

(d) Powers. Between meetings of the Section the Executive Committee shall have full power to do and perform all acts and functions that the Section itself might do or perform, not inconsistent with any action taken by the Section. Any action taken by the Executive Committee shall be reported to the Section by report of the Chairperson to the Section members at the next Section meeting.

(e) Voting – Executive Committee members may vote by phone provided the quorum requirement as identified above is met. In case of the need for an emergent vote, Executive Committee members may vote electronically, via email. However, any email vote may not be conducted for filling vacancies or encumbering the section to spend more than \$100.

Section 3. Publicity. The Section may speak publicly only in accordance with the Philadelphia Bar Association By-Laws and Board of Governors' policy.

~~ARTICLE IV. QUALIFICATION OF CANDIDATES, NOMINATIONS, AND ELECTIONS.~~

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Section 1. Qualification of Candidates. Members of the Section in good standing, except members of the judiciary and employees of the court, are eligible for any office.

Section 2. Nominating Committee.

(a) There shall be a Nominating Committee which shall consist of the following:

(1) The Chairperson and Vice Chairperson; and

(2) The three members who have most recently held the office of Chairperson.

(b) At least sixty (60) days before the annual meeting of the Section, the Chairperson shall appoint the Nominating Committee. The Chairperson shall appoint one of the members of the Nominating Committee as the Chairperson of said Committee. The names and addresses of the members of the Nominating Committee shall be announced to the members of the Section at the September meeting of the Section and in the minutes of the September meeting. Any member in good standing seeking nomination shall notify the Chair of the Nominating Committee in a timely manner. The Nominating Committee shall seek out, select and report to the Section Chairperson, nominations for the offices of Chairperson-Elect, Secretary and Treasurer, and for five (5) elected members of the Executive Committee to serve for a two-year term, together with such further nominations as may be necessary to fill vacancies then existing or to occur at the close of the calendar year. The Committee shall meet as often as necessary, at the call of its Chairperson, to receive suggestions from the membership and to select its slate. The Nominating Committee shall make a report of its nominees to the Section at the October meeting.

Section 3. Other Candidates. Additional candidates may be nominated for any office by written nomination signed by a member in good standing of the Section, and containing the signatures of not less than ten (10) members of the Section in good standing. Such written nominations must be delivered to the Secretary of the Section not later than fifteen (15) days before the annual election.

Section 4. Elections. The election shall take place at the November meeting of the Section. If there are no candidates other than those proposed by the Nominating Committee, then the candidates shall be deemed elected by acclamation. If there is more than one nominee for any office or for a seat on the Executive Committee, then the Section Chairperson shall distribute written ballots for each contested office. The candidate for a contested office receiving the highest number of votes shall be elected to that office; the five candidates for a seat on the Executive Committee receiving the most votes shall be elected to fill those seats.

Section 5. Co-chairperson Appointment. Each incoming Chairperson shall elect whether he/she will appoint a Co-chairperson whose responsibilities are identified in Article III, Section 1(b)(5). If a Chairperson so elects to appoint a Co-chairperson, the Co-chairperson shall be named by December 15th, prior to the start of the Chairperson's leadership year. The Co-chairperson shall be appointed by the Chairperson from the members of the upcoming Executive Committee. The Co-chairperson shall only serve for one year during the term of the Chairperson who appointed him/her.

ARTICLE V. MEETINGS OF THE SECTION.

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Section 1. Annual Meeting. The annual meeting of the Section shall be held during the month of November on a date and at a time to be designated by the Chairperson.

Section 2. Regular and Special Meetings. At least ten regular meetings of the Section shall be held in a calendar year, approximately on a monthly basis, on dates to be announced in advance by the Chairperson. Special meetings of the Section shall be called by the Chairperson upon approval of the Executive Committee upon five (5) days' written notice to all Section members or notice in The Legal Intelligencer five (5) days in advance of same.

Section 3. Quorum. Fifteen (15) members of the Section of which five (5) must be members of the Executive Committee shall constitute a quorum for the transaction of business. No binding action may be taken at a meeting while a quorum is not present. All binding action of the Section shall be by majority vote of the members present.

Section 4. Resolution of Section. The Executive Committee may direct that a resolution be submitted to the members of the Section for vote. In such event, adoption by the Section shall be by a majority of votes received; otherwise, the resolution shall be rejected.

ARTICLE VI. MISCELLANEOUS.

Section 1. Fiscal Year. The fiscal year of the Section shall be the same as that of the Philadelphia Bar Association.

Section 2. Bills. All expenses prior to being incurred, and all bills incurred by the Section, before being forwarded to the Treasurer of the Philadelphia Bar Association for payment, shall be approved by the Chairperson or the Treasurer, or if the Executive Committee shall so direct, by both of them.

Section 3. Salaries. No salary or compensation shall be paid to any officer of this Section, member of Executive Committee, or member of any other Committee.

ARTICLE VII. AMENDMENTS.

These By-Laws may be amended at any annual or special meeting of the Section by a majority vote of the members of the Section present and voting provided that such proposed amendment shall first have been approved by a majority vote of the Executive Committee and provided further that notice of intention to present such proposed amendment for adoption shall have been published in prior minutes.

ARTICLE VIII. TERMINATION.

The existence of this Section is terminated whenever the Board of Governors of the Philadelphia Bar Association shall, by Resolution, so determine.