ARTICLE I. NAME AND PURPOSE

Section 1. This Section shall be known as the Section of Individual Rights and Responsibilities.

Section 2. The purpose of this Section, in conformity with objectives of the Association, as stated in Article I of the Association Constitution, shall be to provide leadership to the legal profession in protecting and advancing human rights, civil liberties, and social justice. In furtherance of this purpose, Section activities shall be conducted consistent with the following goals:

   (a) To educate members, the legal profession, and the public about individual rights and responsibilities;

   (b) To develop, recommend, and advance Association policy on issues with respect to recognition and enjoyment of individual rights, civil rights, human rights, civil liberties, and social justice;

   (c) To cooperate with other bar associations, Association entities, and other organizations in achieving the mission and goals of the Section;

   (d) To enhance the ability of the Section and the Association to affect public policy relating to human rights, civil liberties, and social justice;

   (e) To provide an opportunity for lawyers to protect and advance individual rights; and

   (f) To provide a community within the Association welcoming, serving, and involving those who share a commitment to the Section’s vision of ensuring liberty, equality of opportunity, social justice, and human dignity for all people.

II. MEMBERSHIP

Section 1. Any member of the Association, upon submission of a membership application, shall be enrolled as a member of the Section and shall remain enrolled for succeeding years, contingent upon payment of dues in accordance with Association policies and deadlines each year. Annual Section dues shall be in an amount set by the Section and approved by the Board of Governors. Members so enrolled, whose dues are not more than six months past due, shall constitute the membership in good standing of the Section.
Section 2. Voting and privileges of the floor at any meeting of the Section shall be limited to members in good standing.

Section 3. Section dues in amounts lower than regular dues may be established for certain categories of members consistent with Association policy and in accordance with criteria established by the Council.

ARTICLE III. OFFICERS AND COUNCIL

Section 1. The officers of the Section shall be a Chair, a Chair-elect, a Vice Chair, a Secretary, a Budget Officer, and two (2) Section Delegates to the House of Delegates.

Section 2. There shall be a Council, which shall consist of the Chair, the Chair-elect, the Vice Chair, the Secretary, the Budget Officer, the Section Delegates and the Immediate Past Chair, who, together, shall constitute voting members of the Executive Committee, and fourteen; (14) other voting members of the Section to be elected by the Section membership, two of whom shall serve as minority at-large members, and one member from the Law Student Division, one member from the Young Lawyers Division, one member from the Senior Lawyers Division, to be appointed by those respective Divisions; and, as non-voting members, the Chair of the Editorial Board, unless he or she is already a member of the Council, the Section representative on the Board of Governors, when applicable, the Publishing Officer, unless he or she is already a member of the Council, and such Special Counsel as may be appointed from time to time pursuant to this Article.

Section 3. At each Annual Meeting of the Section:

(a) The Chair-elect shall succeed automatically to the office of Chair, and a Chair-elect, Vice Chair, and Secretary shall be elected for terms of one year.

(b) In the event that the Chair-elect has died, resigned, or is otherwise unable or unwilling to serve as Chair, a Chair shall be elected for a term of one year.

(c) Four at-large members shall be elected to serve on the Council for terms of three years.

(d) A Council member designated by the Law Student Division, a Council member designated by the Young Lawyers Division, and a Council member designated by the Senior Lawyers Division shall take their places on the Council for terms of one year.

Section 4. The Section shall elect two (2) Section Delegates, two (2) minority-at-large members, and a Budget Officer, each for terms of three years or for such other term as may be prescribed by the Association. The terms of the Section Delegates shall be staggered. These elections shall be held during the Annual Meeting of the Association, as required to fill each position.
Section 5. If any officer or member of the Council fails to attend three consecutive meetings of the Council, the position shall be vacated automatically. An officer or member of the Council participating in the meeting by telephone or other interactive means shall be considered present at the meeting for purposes of this provision. All officers and members of the Council are representatives of the Section. As such, they are required to: conduct themselves with integrity and in accordance with the law; support, uphold and seek to implement the policies adopted by the Section and the Association; and perform their duties in compliance with these Bylaws and the Association's Business Conduct Standards. The Council may by a two-thirds majority vote of the Council after affording the affected officer or Council member an opportunity to be heard, remove an officer or Council member from her or his position for cause for violation of any of these requirements.

Section 5.1 If a vacancy occurs in the office of Chair, whether for non-attendance, removal, or for any other reason, such vacancy shall be filled by the Chair-elect pursuant to Article V. If a vacancy occurs in any other officer position, the next officer in the line of succession shall fill the position as set forth in Article V until the next Annual meeting, at which time the Section membership shall elect a successor to complete any portion of the unexpired term then remaining.

Section 5.2 If a vacancy occurs in any other position, the Council may make an interim appointment until a successor is elected by vote of the Section membership at the next Annual Meeting following the occurrence of the vacancy. Should the Council fail to make an interim appointment, the position shall remain vacant until the next Annual meeting, at which time the Section membership shall elect a successor to complete any portion of the unexpired term then remaining.

Section 6. All terms of office herein specified shall begin at the close of the Annual Meeting at which the election or the appointment to office takes place and shall end when a successor has been elected. No person may serve more than two successive, full three-year terms as an elected member of Council, other than as an officer.

Section 7. The representatives of the Law Student Division, the Young Lawyers Division, and the Senior Lawyers Division must be members of the Section in good standing as of the close of the Annual Meeting of the Section from which they take their places on the Council. All other officers and Council members must be members of the Section in good standing for at least six months prior to their election or appointment.

Section 8. The Chair from time to time may appoint, with the approval of the Council, one or more members of the Section to serve as Special Counsel on matters of particular importance to the Section. Special Counsel shall be non-voting members of the Council and shall serve until the conclusion of the next Annual Meeting of the Section following their appointment unless re-appointed by the incoming Chair.
ARTICLE IV. NOMINATIONS AND ELECTIONS

Section 1. By the time of the Midyear Meeting of the Section, the Chair shall appoint a Nominating Committee consisting of five (5) members of the Section, two (2) of whom are present officers or Council members. The terms of the members of the Nominating Committee will expire at the close of the next Annual Meeting following their appointment.

In accordance with the written statement of nominating procedures that the Council may adopt from time to time, the Nominating Committee shall make and report nominations to the Section for (a) Chair-elect, Vice Chair, Secretary, and Budget Officer; (b) at the expiration of a predecessor’s three year term (or at such interval as may be prescribed by the Association) for Section Delegate; (c) members of the Council to succeed those whose terms will expire at the close of the next Annual Meeting; and (c) officers or Council members to complete any unexpired terms.

Not less than 60 calendar days prior to the Annual Meeting, the Section shall notify its entire voting membership of the name and address of each member of the Nominating Committee and the time and place of the election.

The election will be held at the time and place published in the official program for the Association’s Annual Meeting.

At least 30 days before the time set in the official program for the election, the Chair of the Nominating Committee shall give written notice to the Section members and to the Secretary of the Association of the individuals who have been nominated for election.

Section 2. Additional nominations may be made in writing if signed by the nominee and at least one other Section member and filed with the Chair or the Secretary at least six hours before the time noticed in the official program for the election. Any such nominations received shall be announced at the Council meeting held during the Annual Meeting.

Each election shall be by written ballot unless otherwise ordered by resolution duly adopted by the Section during the meeting at which the election is held.

ARTICLE V. DUTIES OF OFFICERS

Section 1. The Chair shall (a) preside at all meetings of the Section and the Council; (b) make appointments to committee leadership, liaison assignments, and other positions that arise during the Chair’s term of office; (c) represent the Section within the Association and before the public; (d) certify vouchers for payment of members’ travel expenses out of Section funds, in accordance with the written reimbursement policy which the Council may from time to time adopt; (e) present at the Annual Meeting a report on the state of the Section; and (f) perform such other duties and acts as customarily pertain to the office of chair.

Section 2. The Chair-elect shall assist the Chair in the performance of his or her duties. The Chair-elect also shall be responsible for making timely appointments to committees, liaison
assignments, and other positions for the term commencing upon the Chair-elect’s succession to Chair. In the event that the Chair dies, resigns, or is otherwise unable or unwilling to perform his or her duties, the Chair-elect shall perform the duties of the Chair for the remainder of the unexpired term, or for so much of the term as is necessary.

Section 3. The Vice Chair shall perform such duties as may be requested by the Chair or the Council. The Vice Chair shall be responsible for assuming the duties of the Chair-Elect in the event that the Chair-Elect dies, resigns, or is otherwise unable or unwilling to perform his or her duties for the remainder of the Chair-Elect’s unexpired term, or for so much of the term as is necessary.

Section 4. The Secretary shall ensure that complete and accurate records, including minutes of Council meetings, are maintained of Section business and correspondence; and shall perform such other duties as may be requested by the Chair or the Council.

Section 5. The Section Delegates shall represent the Section before the Association’s House of Delegates. In carrying out this responsibility, the Section Delegates shall work for passage of Section-sponsored resolutions before the Association’s House of Delegates and exercise the Section’s voice and vote on other matters that come before the House in accordance with the policies and views of the Section; make recommendations to the Council regarding matters that may come before the House; report to the Council following each House session concerning actions taken by the House; and otherwise represent the Section, as may be requested by the Chair or the Council. In years in which the Section has a seat on the Association’s Nominating Committee, the Council shall determine which Section Delegate shall be the Section’s representative on that committee, in accordance with the Association’s Constitution and Bylaws.

Section 6. The Budget Officer shall oversee Section budget development, submit a budget for consideration by the Council, oversee implementation of the budget, provide periodic reports on the status of the budget, and make recommendations concerning any significant changes in budget expenditures. The Budget Officer also shall oversee investment of Section reserves and endowment funds, and shall perform other related duties as requested by the Chair or the Council.

ARTICLE VI. DUTIES AND POWERS OF THE COUNCIL

Section 1. The Council shall have general supervision and control of the affairs of the Section, subject to these bylaws and the Constitution and Bylaws of the Association. The Council shall review and approve a Section budget each year and, through the Section Budget Officer, ensure that Section expenditures stay within the budget. All financial transactions shall be conducted in accordance with all applicable policies and procedures of the Association and the Section.

Section 2. The Council may authorize the Chair to perform such duties and exercise such powers as the Council may direct, subject to these bylaws and the Constitution and Bylaws of the Association.
Section 3. Except as provided under Section 5 of this Article or as otherwise directed by the Council, the Executive Committee shall have authority to act on behalf of the Council regarding routine business of the Section and any other matter on which a decision is required between Council meetings, provided that the Chair and at least two other officers are present, either in person or by telephone or other interactive means, and that all officers have received reasonable notice of the meeting. The Executive Committee, in consultation with the Section’s Standing Committee on Amicus Curiae, may approve the submission of requests to file briefs amicus curiae consistent with the Section’s and the Association’s policy positions.

Section 4. A majority of the voting members of the Council shall constitute a quorum for transaction of business, and all binding action of the Council shall be by majority vote of the members present and voting. An officer or member of the Council participating in the meeting by telephone or other interactive means shall be considered present at the meeting for purposes of this provision. A finding by the Council that an officer or Council member has violated any of the requirements set forth in Article III, Section 5, shall require a two-thirds majority vote of the Council.

Section 5. The Chair may, and upon written request of any member of the Council or of any ten members of the Section shall, submit or cause to be submitted in writing to each member of the Council any proposition upon which the Council may be authorized to act, and the members of the Council may vote upon such proposition so submitted by communicating their votes thereon in writing, over their respective signatures, or by electronic means, to the Chair within such reasonable time (not less than ten days) as may be fixed by the Chair. The decision reached by the Council on each such proposition so submitted shall be recorded, together with the individual votes cast thereon, in the minutes of the next meeting of the Council. The foregoing provisions shall not be deemed to invalidate any decision of the Council reached by any other method of polling all members if the Council agreed to such method, provided that such decision and the individual votes cast are recorded in the minutes of the next meeting of the Council.

Section 6. Between business meetings of the Section, the Council may act for the Section in any way in which the Section is authorized to act, including the submission of reports and recommendations for Association action pursuant to the constitution and bylaws of the Association. The Council may not act in derogation of any binding action by the Section pursuant to these bylaws at the immediately preceding Annual Meeting; however, if it finds that change or supervening circumstances justify and require action in derogation of any binding action taken by the Section at earlier Annual Meetings, the Council may act, but shall report any such action to the members of the Section at the next following Annual Meeting.

Section 7. The member of the Board of Governors of the Association assigned as liaison to the Section shall be invited to attend all meetings of the Council, but shall have no vote. The Council also may authorize the appointment of liaisons to or from other Association entities or affiliated organizations. Liaisons from such entities or affiliated organizations shall be invited to attend all meetings of the Council, but shall have no vote.
Section 8. The Council shall meet during the Annual Meeting of the Association, and, unless the Council otherwise determines, during the Midyear Meeting of the Association. Council meetings held during the Annual Meeting or the Midyear Meeting shall be at the place of such meeting. The Council also may meet at any time and place upon the call of the Chair or at least half of the members of the Council, provided that all Council members receive at least ten days’ notice of the meeting.

ARTICLE VII. COMMITTEES

Section 1. In addition to the Executive Committee, there shall be Standing Committees on Development and Membership and Diversity and Amicus Curiae. The Section, through its Council, also shall establish and maintain such other committees as are necessary and appropriate to carry out the work of the Section. The Council shall review the committee structure periodically to ensure that it remains effective in addressing the needs of the Section.

Section 2. Each committee chair shall report to the Section Council (a) at the beginning of each year regarding committee plans and projects for the year and (b) at each Council meeting, by oral or written report, regarding progress on committee work. The Chair shall appoint members of the Council to serve as liaisons to committees, who shall work to facilitate communication between committees and the Council. The Chair also may appoint vice chairs to assist committee chairs in their work.

Section 3. Committees must seek approval from the Council for any activity proposed to be conducted in the name of the Section and, through the Budget Officer, for any anticipated expenditure of funds.

ARTICLE VIII. PUBLICATIONS

Section 1. There shall be a Section magazine, a Section publishing program, and such other publications, in print or electronic form, as the Council may establish.

Section 2. The Chair shall appoint from among the Section membership an editorial board to oversee the publication of the Section magazine and an editorial board to oversee the activities of the Section’s publishing program. The two editorial boards shall consist of a chair, who shall be appointed for a two-year term, and such other members as the Section Chair determines, who shall be appointed for one-year terms. Should the persons appointed to serve as chairs not be members of the Council, they shall become non-voting members of the Council and will be expected to attend all Council meetings for the duration of their terms as chair.

Section 3. The Council shall have ultimate responsibility for the finances and content of the magazine and the publishing program. The magazine and publishing boards shall promulgate, and may from time to time revise, policy guidelines for the magazine and the publishing program, consistent with Association policy, which shall become effective when approved by the Council. Such guidelines shall define the extent to which the board may exercise independent editorial judgment.
ARTICLE IX. MEETINGS

Section 1. The Annual Meeting of the Section shall be held during the period of each Annual Meeting of the Association, at the place of such meeting, with such program and order of business as may be arranged by the officers and the Council. During each Annual Meeting there shall be a business meeting of the Section, including the election of officers and members of the Council.

Section 2. Special meetings of the Section may be called by the Chair, upon approval of the Council, at such time and place as the Council may determine.

Section 3. The members of the Section present at any meeting shall constitute a quorum for the transaction of business; all binding action by the Section shall be by a majority vote of those present and voting.

Section 4. At any business meeting of the Section, any member may seek recognition, which shall be granted by the Chair, to bring before the Section any matter within its jurisdiction and to speak thereon at reasonable length.

Section 5. The Council may direct that a matter be submitted to the members of the Section for vote. In such event, binding action shall be by a majority of votes received in accordance with rules fixed by the Council.

ARTICLE X. GENERAL PROVISIONS

Section 1. The fiscal year of the Section shall be the same as that of the Association.

Section 2. Any action by the Section must be approved by the House of Delegates or by the Board of Governors of the Association before such action can be effective as the action of the Association. No officer or member of the Section shall use the name, letterhead, or official logo of the Association or the Section in public expression of any action of the Section unless such action of the Section has been approved by either the House of Delegates or the Board of Governors. Any resolution adopted or action taken by the Section shall, upon request of the Council or the Section, be reported by the Chair or the Section Delegates to the House of Delegates or the Board of Governors of the Association for action by the Association thereon.

Section 3. These bylaws shall become effective upon approval thereof by this Section and by the House of Delegates after a report of the Board of Governors of the Association.
ARTICLE XI. ROBERTS RULES

The most recent revision of *Robert’s Rules of Order Newly Revised* shall govern the Section’s governance and parliamentary procedures in all matters discussed therein which are not otherwise covered by these Bylaws, other express rules of procedure properly adopted by the Council, or the Constitution or Bylaws of the Association.

ARTICLE XII. AMENDMENTS

These bylaws may be amended at any Annual Meeting by majority vote of the members of the Section present and voting, provided that such proposed amendment shall first have been approved by a majority of the Council and provided, further, that no amendment so adopted shall become effective until approved by the House of Delegates after a report of the Board of Governors of the Association.