

**American Bar Association
JUDICIAL DIVISION
BYLAWS**

Approved by the Board of Governors June 6, 2014

ARTICLE I

Name and Purpose

1.01 The Division shall be known as the Judicial Division (Division or JD) of the American Bar Association (ABA or Association).

1.02 The Division serves as the voice of the judiciary, supports an accessible, fair and impartial justice system, and seeks to improve public trust and understanding of the role of courts in upholding the rule of law.

1.03 Judicial members of the Division will not be deemed to endorse positions and policies adopted by the ABA that conflict with a judge's obligation to comply with the ABA Model Code of Judicial Conduct or the Governing Code of Judicial Conduct in the judge's jurisdiction.

ARTICLE II

Conferences and Tribal Courts Council

2.01 The Judicial Division shall have the following six Conferences: (a) National Conference of the Administrative Law Judiciary; (b) Appellate Judges Conference; (c) Lawyers Conference; (d) National Conference of Federal Trial Judges; (e) National Conference of Specialized Court Judges; and (f) National Conference of State Trial Judges.

2.02 Each Conference shall adopt bylaws not inconsistent with the Constitution and Bylaws of the ABA and the Division. The jurisdiction of each Conference shall be described in its Bylaws. Conference Bylaws become effective when approved by the Council of the Division and the Board of Governors of the ABA.

2.03 The Judicial Division shall have a Tribal Courts Council that shall operate as established by its Bylaws as approved by the Division and the Board of Governors of the ABA.

ARTICLE III

Members and Associates

3.01 Members and Associates: Any member, law student and law school graduate member, or associate of the Association, upon request to the Secretary of the Association or the Chair of the Division, and upon payment of dues for the current year, shall be enrolled as a member, law student and law school graduate member, or associate of the Division respectively.

3.02 Law student and law school graduate members or associates permitted by the Bylaws of the Association to become a member may participate in the affairs of the Division but may not vote or be an officer or Council member.

3.03 Dues: Each member, law student and law school graduate member, or associate of the Division shall, upon enrollment, pay to the Association annual Division dues unless eligible for a special dues program. Any member, law student and law school graduate member, or associate of this Division whose annual Division dues are past due shall cease to be a member in accordance with ABA policy.

3.04 Members of any Conference may join additional Conferences subject to Division and Conference policies.

ARTICLE IV

Officers and Council

4.01 The Officers shall be a Chair, a Chair-Elect, and a Vice-Chair.

4.02 The work of the Division shall be accomplished through the Council of the Division. The voting members shall be: Chair, Chair-Elect, Vice-Chair, and Immediate Past Chair of the Division; Chairs of the Conferences and Chair of the Board of Trustees of the National Judicial College. The non-voting members shall be: the President of the Conference of Chief Justices; the Judicial Member-at-Large of the Board of Governors; the Delegate of the Division to the House Delegates; and, the Liaisons from the Law Student and the Young Lawyers Divisions.

4.03 At each Annual Meeting of the Division, there shall be elected a Vice-Chair whose term shall commence at the close of the Annual Meeting. The Chair-Elect shall automatically succeed to the office of Chair and the Vice-Chair shall automatically succeed to the office of Chair-Elect at the close of their regular terms as Chair-Elect and Vice-Chair respectively. If the Chair-Elect shall be unable to accept the office of Chair, or if the office of Chair-Elect shall be vacant, then a Chair shall be elected by the members of the Division present at the Annual Meeting.

4.04 Executive Committee: The Chair, the Chair-Elect, the Vice-Chair, and the Immediate Past Chair of the Division, the Chairs of the Conferences and the Chair of the Board of Trustees of the National Judicial College shall constitute the Executive Committee of the Division.

ARTICLE V

Duties of Officers

5.01 Chair: The Chair shall preside at all meetings of the Division and of the Council. At each Annual Meeting, the Chair shall present a report of the work of the Division. The Chair shall perform such other duties and acts as pertain to the office.

5.02 Chair-Elect: The Chair-Elect shall serve as Chair of the Finance and Non-Dues Revenue Committee and the Strategic Planning Committee. Upon the death, resignation, disability of the Chair, or the Chair's refusal to act, the Chair-Elect shall perform the duties of the Chair for the remainder of the Chair's term, except in case of the Chair's disability, and then only during the term of disability.

5.03 Vice-Chair: The Vice-Chair shall serve as Vice-Chair of the Strategic Planning Committee. In the event that the Chair-Elect must perform the duties of the Chair under the provisions of 5.02, the Vice-Chair shall perform the duties of the Chair-Elect.

ARTICLE VI

Duties and Powers of the Council

6.01 The Council shall have general supervision and control of the affairs of the Division subject to the provisions of the Constitution and Bylaws of the Association and the Bylaws of the Division. It shall authorize all commitments or contracts entailing the payment of money and shall authorize the expenditures of monies appropriated for the use or benefit of the Division. It shall not, however, authorize commitments or contracts entailing the payment of more money during any fiscal year than the amount which shall have been previously appropriated to the Division for such fiscal year. The Council shall prepare and maintain a manual on policy and procedures for the operation of the Division.

6.02 The Council, during the interim between the Annual Meetings of the Division, shall have the powers and duties set forth in 6.01 of this Article VI. In addition, the Council shall have full power and authority to do all acts and perform all functions which the Division itself might perform.

6.03 All binding action of the Council shall be by a majority of those present and voting.

6.04 Members of the Council shall not be permitted to vote by proxy. Members may abstain formally on the record. When a Council member is unable to attend a regularly scheduled meeting of the Council or the Executive Committee, the Chair of each Conference and the Chair of the Board of Trustees of the National Judicial College are authorized to designate a representative to substitute for them and vote in the place of that Chair. The Chair, Immediate Past Chair, Chair-Elect and Vice-Chair of the Division, may not designate substitutes to vote in their stead.

6.05 Between required meetings, the Chair of the Division may, and upon the request of any member of the Council shall submit or cause to be submitted in writing any proposition upon which the Council may be authorized to act to each of the members of the Council. The members of the Council may vote upon such propositions by communicating their vote in writing over their respective signatures or via email from their email address of record, to the Staff Director who shall record in the minutes each proposition so submitted, when, how, at whose request same was submitted, and the vote of each member of the Council, and keep on file such written and signed or electronic votes. The votes of a majority of the members of the Council shall constitute the binding action of the Council.

6.06 Between required meetings, the Chair, when he or she deems it advisable, may call meetings of the whole Council or of the Executive Committee. The Executive Committee may take any action which may be taken by the Council, provided that such action shall promptly be reported by the Staff Director of the Division to the members of the Council.

6.07 The Council of the Division shall meet on call of the Chair at or about the time of the Annual and Midyear Meetings of the Association to conduct any necessary business. At the close of each Annual Meeting of the Division, the new Council shall meet on call of the new Chair to conduct any other necessary business. A majority of the Council members eligible to vote or their designees shall constitute a quorum.

6.08 Beginning in 1985, and in each succeeding third year, the Council shall submit to the Division's representative to the Association's Nominating Committee a nominee for Judicial Member-at-Large of the Association's Board of Governors. The selection of the nominee shall be made by the Council upon the recommendation of the Division's Nominating Committee, subject to the eligibility requirements for election to the Board of Governors.

6.09 At the Annual Meeting in 1996, and in each succeeding third year, each Judicial Conference of the Division shall elect its Delegate to the Association's House of Delegates for a term of three Association years. The Lawyers Conference shall nominate a member and an alternate for Delegate of the Division. The Council of the Division shall elect a Delegate of the Division from the nominations of the Lawyers Conference. However, the Council of the Division may ask the Lawyers Conference for alternative nominations.

6.10 The Council, upon recommendation by the Division Nominating Committee, shall select a representative, from among the Judicial Division judicial members who are Delegates of the House, to serve on the Association's Nominating Committee subject to ABA eligibility requirements.

Article VII

Committees

7.01 The Council shall have the following Standing Committees in addition to other committees designated by the Chair of the Division:

1. Finance and Non-Dues Revenue
2. Strategic Planning
3. Nominating
4. Membership
5. Diversity
6. Communications
7. Resolutions

7.02 The Chairs of the Standing Committees will be appointed by the Chair of the Division, unless the Bylaws designate a Chair. Any special task force, liaison, or advocate committee of the Judicial Division may be appointed by the Chair of the Division for the duration of the Chair of the Division's term.

7.03 The Finance and Non-Dues Revenue Committee shall be chaired by the Chair-Elect of the Division. The Chair-Elect of each Conference shall be member of the Committee. The Chair-Elect of the Division may appoint up to 3 additional appointees-at-large. The duties of the Committee shall be to review the proposed budget of the Division, give advice and direction to the Director for the preparation of the budget, affirm any projected non-dues revenue, and develop programs and other ideas to increase the non-dues revenue of the Division.

7.04 The Strategic Planning Committee shall be chaired by the Chair-Elect of the Division and the Vice-Chair of the Division shall act as Vice-Chair of the Committee. The members of the Committee shall be the Chair-Elects and Vice-Chairs of each Conference. The Chair-Elect of the Division may appoint up to 3 additional appointees

at-large. The duties of the Committee shall be to develop and update the strategic plan for the Division.

7.05 The Nominating Committee shall be chaired by the Immediate Past Chair of the Division and composed of the Immediate Past Chairs of each of the six Conferences. If a Past Chair of a Conference or the Division is not available or is ineligible, a substitute shall be designated by the Conference or the Council respectively. The names of the Nominating Committee members shall be duly published in the Division's official publication.

(A) The Nominating Committee shall make nominations for the offices of Chair, Chair-Elect (if such offices are to be filled by election and not by automatic succession), Vice-Chair of the Division, the Division's representative to the Association's Nominating Committee, the Association's judicial member-at-large on the Board of Governors, and recommendations for members of the National Judicial College Board of Trustees for submission to the ABA Board of Governors. The Nominating Committee shall make nominations as necessary to fill vacancies or unexpired terms of any of the Division officers. The report of the Nominating Committee shall be made and duly published at least sixty (60) days prior to the Annual Meeting in the Division's official publication.

(B) Additional nominations may be made by petition signed by at least fifteen (15) Division members from no less than 3 Conferences and filed with the Division's Staff Director at least forty-five (45) days prior to the Annual Meeting. Members of the Council and Conference Executive Committees shall be notified of nominations by petition at least fifteen (15) days prior to the Annual Meeting. Nominations may not be made from the floor at the time of elections, unless the Nominating Committee's nominee has withdrawn after publication but prior to the election.

7.06 The Membership Committee Chair shall be appointed by the Chair of the Division. The Committee shall consist of the Membership Committee Chair of each Conference and up to 3 additional members at-large appointed by the Chair of the Division. The duties of the Committee shall be to, develop, advocate for, coordinate, and implement new ideas and programs to increase membership.

7.07 The Diversity Committee Chair shall be appointed by the Chair of the Division. The Committee shall consist of the Chairs of the Diversity Committees of each Conference and up to 4 additional members-at-large appointed by the Chair of the Division. The duties of the committee shall be to oversee the diversity activities of the Division, to promote full and equal participation in the Association, the legal profession, and the justice system by all persons, to eliminate bias in the legal profession and the justice system, to coordinate the diversity activities of the Conferences and to develop, advocate, and implement new ideas and programs to meet those goals.

7.08 The Communications Committee Chair shall be appointed by the Chair of the Division. The Committee shall consist of the Communication Committee Chair of each Conference and up to 3 additional members-at-large appointed by the Chair of the Division. In addition, each of the Co-Chairs of the Judges Journal Editorial Board and the JD Record Editorial Board shall be members of the Communications Committee. The duties of the committee shall be as following:

1. Solicit, create, produce, publish, distribute, market, and sell all types of media, including print, electronic, and digital formats;

2. Establish standards for the Judicial Division's publication of books, monographs, and audio and video recordings;
3. Publicize Judicial Division programs, activities, and initiatives, both within the ABA and to the public;
4. Oversee the design and content of the Judicial Division's website; and,
5. Maximize the use of ABA and other resources for media and public relations.

All publications of the Division, including *The Judges' Journal* and *The JD Record* shall be copyrighted in the name of the American Bar Association.

7.09 *The Judges' Journal* shall be published by the Division under the supervision of the Board of Editors of the *Judges' Journal*. There shall be two Co-Chairs of the Board of Editors who shall serve a two-year staggered term. The Co-Chair shall be appointed by the Chair of the Division. If necessary, the Chair of the Division shall appoint the Co-Chair to fill any vacancy of an unexpired term. The Chairs of each Conference shall appoint an individual from each Conference to the Board of Editors. The Chair, the Chair-Elect, and Vice-Chair of the Division and any columnist of *The Journal* designated by the Co-Chairs shall be ex officio members of the Board of Editors.

(A) There shall be an editor who shall be appointed by the Association with the advice and consent of the Board of Editors and who shall be given the same administrative support as the other ABA Publication Chairs. If possible, such editor shall be selected and appointed from among the staff at the American Bar Association.

(B) The revenues of publications shall be credited to the appropriate account of the Division, from which the expenses shall be paid.

7.10 *The JD Record*, is the member newsletter of the Division and shall be published by the Division under the supervision of the Board of Editors of the *JD Record*. There shall be two Co-Chairs of the Board of Editors who shall serve a two-year staggered term. The Co-Chair shall be appointed by the Chair of the Division. If necessary, the Chair of the Division shall appoint the Co-Chair to fill any vacancy of an unexpired term. The Chairs of each Conference shall appoint an individual from each Conference to the Board of Editors. *The JD Record* shall be the official publication for the purpose of any announcements or notices required under these bylaws. The Council may require any announcement to appear in any publication of the Division as it may designate.

7.11 The Resolutions Committee shall be chaired by the Judicial Division Delegate to the House of Delegates. The Committee shall consist of the Delegates to the House of each Conference. The duties of the Committee shall include monitoring all resolutions being brought to the House, informing the Council of the Division of any resolutions that will impact the courts or the judiciary, coordinating the advocacy of resolutions sponsored by the Division, and proposing modifications of resolutions as the Council directs. The Committee shall call a meeting of the Committee to discuss proposed resolutions and prepare a report to the Council of the Division prior to the meetings of the Council of the Division that precede the Annual and Midyear Meetings.

ARTICLE VIII

Meetings of Division

8.01 The Annual Meeting of the Division shall be held at or about the time as the Annual Meeting of the Association, with such programs and order of business as may be arranged by the Council.

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

8.03 The members of the Division present at any meeting shall constitute a quorum for the transaction of business.

8.04 All binding action of the Division shall be by a majority vote of the members present.

ARTICLE IX

Staff

9.01 The Staff Director designated by the Executive Director of the ABA shall be the custodian of all books, papers, documents, and other property of the Division except money, although he or she may permit such property of the Division as he or she deems appropriate to remain in the actual custody of other Association staff; shall keep, or cause to be kept, a true record of the proceedings of all meetings of the Division, the Council, and the Executive Committee; shall perform such other duties and acts as usually pertain to the role of the Staff Director; and shall generally assist the Chair, the officers, and the Council in attending to the business of the Division.

ARTICLE X

Miscellaneous Provisions

10.01 The Fiscal Year of the Division shall be the same as that of the Association.

10.02 All bills incurred by the Division, before being forwarded to the Treasurer of the Association for payment, shall be approved by the Chair or by the Staff Director if the Chair shall so direct.

10.03 No salary or compensation shall be paid to any officer, Council member, or member of a committee, but they shall be entitled to reimbursement of expenses, as established by policy of the Division and authorized under the Association's Expense Reimbursement Rules.

ARTICLE XI

Amendments

11.01 These Bylaws may be amended at any meeting of the Division by majority vote of the members of the Division present and voting, provided that such proposed amendment shall first have been mailed electronically to each member of the Division at least thirty (30) days prior to any meeting at which such vote shall be taken. No amendment so adopted shall become effective until approved by the Board of Governors of the Association.