

IN THE SUPREME COURT, STATE OF WYOMING

APRIL TERM, A.D. 1994

In the Matter of the Amendment of Article X,
Bylaws of the Wyoming State Bar, to Create
Sections Within the Wyoming State Bar

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IN THE SUPREME COURT
STATE OF WYOMING
FILED

APR 28 1994

JERRILL D. CARTER, CLERK

**ORDER AMENDING ARTICLE X, BYLAWS OF THE WYOMING STATE BAR,
TO CREATE SECTIONS WITHIN THE WYOMING STATE BAR**

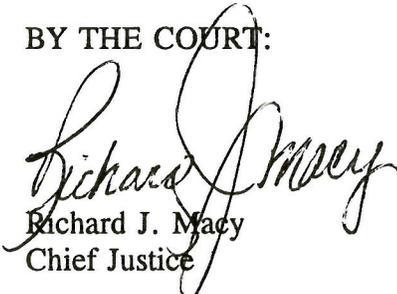
The Board of Commissioners of the Wyoming State Bar having recommended to the court the amendment of Article X, Bylaws of the Wyoming State Bar, to create Sections within the Wyoming State Bar, as attached hereto; and, the court having examined the proposed amendment and deeming the adoption thereof to be advisable; it is therefore

ORDERED that Article X, Bylaws of the Wyoming State Bar, as amended and attached hereto, shall be, and it is hereby, adopted; and it is further

ORDERED that Article X, Bylaws of the Wyoming State Bar amended, as attached hereto, be published in the advance sheets of the Pacific Reporter and thereafter in the Wyoming Reporter; that the amendment of Article X, Bylaws of the Wyoming State Bar, shall become effective 60 days after the publication thereof in the advance sheets of the Pacific Reporter, and thereupon shall be spread at length upon the journal of this court.

Dated this 28th day of April, 1994.

BY THE COURT:


Richard J. Macy
Chief Justice

BYLAWS OF THE WYOMING STATE BAR

Article X. Sections and Other Committees.

A. Sections.

1. **Purpose:** Sections exist within the Wyoming State Bar to provide specialized services to the membership which engages in the practice of law in specific areas. The general purpose of a section is the promotion of educational endeavors within the particular field designated by the name of the section. Sections are also designed to assist the membership by creating a forum for the membership to become involved in the overall activities of the bar. Individually, each section fulfills this responsibility differently.

Although each section fulfills the responsibility differently, all are guided by the policies of the state bar as promulgated by the Wyoming Board of Bar Commissioners. Continuing legal education for the sections is coordinated through the continuing legal education program of the state bar. With the assistance of the CLE staff, section liaisons and other boards and committees of the bar, quality programming is offered in specialty areas.

Membership in a section is voluntary. Each section sets its own dues amount, which is approved by the board of bar commissioners, and enrollment is available each year at the time of dues payment. However, any member of the bar who is interested in joining a section may do so any time throughout the year.

2. **Formation:** Sections shall be formed in the following manner:

a. **Petition:** Any person desiring to form a section shall present a petition to the board of commissioners containing the following information:

i. The need for the proposed section.

ii. The purpose for which the section is being formed and that said purpose is within the purpose of the Wyoming State Bar.

iii. A copy of the proposed bylaws signed by at least 10 members of the Wyoming State Bar in good standing.

iv. The amount of dues to be charged to members of the section.

b. **Appointment:** The president of the Wyoming State Bar may appoint a section and temporary chairman and notify the board of commissioners.

c. **Approval by board of commissioners:** Upon receipt of the completed petition, or notification of appointment, the commissioners shall have the authority to approve or reject the proposed section, or to ask for a change in the amount of dues charged. If approved, an announcement of the formation of the section shall be placed in the next issue of the official publication of the Wyoming State Bar, inviting membership and setting forth the time and place of the organizational meeting of the section, at which time officers shall be elected in accordance with the bylaws of the proposed section.

3. **Role of executive director:** The executive director of the Wyoming State Bar shall be the nonvoting assistant treasurer of the section and shall be responsible for collecting dues, disbursing funds, keeping the books of the section and seeing that the section operates within the rules, policies and procedures of the Wyoming State Bar, including, but not limited to, the expenditure of funds and payments of expenses. All moneys relating to a section shall be held by the Wyoming State Bar and the bar shall be entitled to assess an administrative fee for services rendered to a section. Funds collected belong to the general budget fund of the Wyoming State Bar and shall be subject to the limitations of the Wyoming State Bar.

4. **Organizational meeting:** A minimum of 10 members of the Wyoming State Bar must be present at the organizational meeting for any business to be transacted. After the election of officers, a roster of the officers shall be given to the executive director of the Wyoming State Bar to be placed in the official records of the organization.

5. **Section's annual meeting:** Each section of the Wyoming State Bar shall hold an annual meeting at the same place and during the course of the Annual Meeting of the Wyoming State Bar for the purpose of electing officers and providing an annual report of the section's activities to its members. Any other meetings of the section shall be called pursuant to the provisions of the bylaws of the section.

6. **Prohibited conduct:** No section or member acting on behalf of a section shall:

a. Assert that it is representing the Wyoming State Bar in any matter without the prior approval of the board of commissioners of the Wyoming State Bar.

b. Lobby for or against proposed legislation.

c. File amicus curiae briefs in any pending litigation.

d. Adopt resolutions in favor or against any legislative issue, pending legal issue or candidate for judicial or political office.

e. A section may from time to time issue statements, take positions on proposed legislation relative to its field of law in accordance with the provisions of its by-laws, and with the prior written approval of the board of commissioners of the Wyoming State Bar.

The section, or any member acting on its behalf, shall clearly state that such position, statement or proposed legislation does not represent the policy of the Wyoming State Bar, except where the statement, position or proposed legislation has been formally approved or adopted by a vote of the general membership of the Wyoming State Bar at its annual meeting.

7. **Resolutions:** Any duly constituted section may present resolutions to be voted on by the membership of the Wyoming State Bar at the Annual Meeting of the Wyoming State Bar in the same manner as an individual member.

8. **Bylaws, bylaw amendments and changes in dues structure:** The bylaws for sections of the Wyoming State Bar must be signed by at least 10 members of the Wyoming State Bar and presented to the board of commissioners for approval prior to the creation of any section. After passage by the section membership, any amendment to the bylaws of a section or any change in the amount of dues must be approved by the board of commissioners of the Wyoming State Bar before becoming effective.

9. **Minutes and reports:**

a. **Minutes:** Minutes shall be kept of all meetings of the section and a copy of the minutes of each such meeting shall be promptly delivered to the executive director of the Wyoming State Bar.

b. **Annual reports:** Each section shall, not less than 30 days before the Annual Meeting of the Wyoming State Bar, file with the executive director a concise report summarizing the activities of the current year and anticipated activities of the ensuing year.

10. **Receipts and disbursements:** Revenues from and expenditures for sections shall be under the general supervision of the board of commissioners' budget acting through the executive director.

a. **Budget requests:** On or before the deadline set by the budget committee of the board of commissioners, each section shall submit to the committee its requested budget for the fiscal year commencing October 1. Such request shall be submitted in such form and with such detail as the board of commissioners shall prescribe. Supplemental budget requests shall be made and approval thereof obtained before incurring any expense not included in, or in excess of, the approved annual budget.

b. **Personal liability:** Any liability incurred by any committee or section, or member thereof, not in accordance with the policies of the board of commissioners or in conflict with any part of the bylaws of the state bar or the section, shall be the personal liability of the person or persons responsible for incurring or authorizing the same.

c. Reimbursements: Requests for reimbursements of expenses are subject to the reimbursement policies set by the board of commissioners and must be submitted within 60 days of the date the expense was incurred. Requests submitted after 60 days may be refused. Social functions must have a no-host bar setup, where alcoholic beverages are paid for by each individual.

11. Cooperation with other sections and committees:

a. General: Cooperation with and respect for other sections and committees is expected. Should conflicts appear in areas of responsibility or in purposes or goals, such conflicts should be promptly called to the attention of the board of commissioners.

b. Wyoming State Bar Legislative Committee: Full cooperation should be extended by all sections to the legislative committee which is charged by the board of commissioners with overall responsibility for legislative programs and activities.

c. Continuing Legal Education: Continuing legal education seminars by sections of the Wyoming State Bar must be organized in cooperation with the CLE program of state bar office to avoid duplication of effort, scheduling conflicts, and unreasonable fees or budgeting. All section CLE programs must be open to all members of the Wyoming State Bar and not be limited to members of the section. The registration fee must be uniform for all Wyoming State Bar members.

12. Assistance by staff: The staff of the Wyoming State Bar headed by the executive director is prepared to furnish assistance to any section, specifically including the following:

a. Providing general information in amplification of policy.

b. Providing financial statements, paying appropriate reimbursements and section expenses and collecting section dues.

c. Assisting in obtaining resource materials.

d. Clarifying and coordinating activities of other sections and committees.

e. In regard to the foregoing, the following procedures should be strictly adhered to:

i. Meeting arrangements: If a meeting is to be held at the Wyoming State Bar, a request should be made three weeks in advance to schedule a conference room. If a meeting room at a hotel is involved, a request should be made four to six weeks in advance in order to contract the space. The Wyoming State Bar is the only agent authorized to enter into hotel contracts. Individual section members may not sign hotel contracts obligating the Wyoming State Bar.

ii. **Mailing procedures:** The bar office requires one week to 10 days from receipt of section material to ensure mailing of notices by a scheduled deadline. The section will be charged the cost of materials. It is the policy of the Wyoming State Bar that Wyoming State Bar letterhead cannot be used for section mailings.

14. **Discontinuance of a section:** The executive director of the Wyoming State Bar shall maintain a current list of the dues-paying members of each section. At such time as the membership of the section shall number less than 10, the executive director shall report that fact to the board of commissioners who may direct the section officers to show cause why the section should not be discontinued. In any event, any section which has fewer than 10 dues-paying members for more than six consecutive months shall be automatically discontinued. Upon discontinuance, the Wyoming State Bar shall dispose of all of the assets of the section exclusively for the purpose of the Wyoming State Bar or to such other charitable, educational, religious or scientific purposes as shall at the time qualify as exempt organizations under the Internal Revenue Code.

B. Other committees.

Other committees may be established annually as the president, with the advice of the Board of Commissioners, shall from time to time determine to be necessary to properly carry on the functions of the state bar or to assist special committees of the American Bar Association. Appointments of the membership of these special committees shall be made by the president unless other provision is made in authenticating resolution or promulgating order.