

IN THE SUPREME COURT, STATE OF WYOMING

April Term, A.D. 2016

In the Matter of the Amendments to the)
Bylaws of the Wyoming State Bar)

ORDER AMENDING THE BYLAWS OF THE WYOMING STATE BAR

The **Officers and Commissioners of the Wyoming State Bar** have recommended that the Wyoming Supreme Court amend the Bylaws of the Wyoming State Bar. The Court, having carefully reviewed the proposed amendments, finds that the proposed amendments should be adopted. It is, therefore,

ORDERED that the amendments to the Bylaws of the Wyoming State Bar, attached hereto, be, and hereby are, adopted by the Court to be effective July 1, 2016; and it is further

ORDERED that this order and the attached amendments be published in the advance sheets of the Pacific Reporter; the attached amendments be published in the Wyoming Court Rules Volume; and this order and the attached amendments be published online at the Wyoming Judicial Branch's website, <http://www.courts.state.wy.us>. The amendments shall also be recorded in the journal of this Court.

DATED this 3rd day of May, 2016.

BY THE COURT:

/s/

E. JAMES BURKE
Chief Justice

BYLAWS OF THE WYOMING STATE BAR

ARTICLE I. MEMBERSHIP

Section 1. Persons included in membership.

Membership in the Wyoming State Bar shall be as provided in these Bylaws, subject to ~~due~~ compliance with the conditions and requirements of membership.

Section 2. Member contact information.

Each member shall furnish the following information to the Wyoming State Bar, and shall promptly advise the Wyoming State Bar in writing or by email of any changes, along with supporting documentation as appropriate:

- (a) Full name;
- (b) Residential address;
- (c) Physical and mailing address of office;
- (d) E-mail address;
- (e) Telephone number; and
- (f) Date of admission to practice in any state other than Wyoming.

Communications from the Wyoming State Bar to ~~any~~ a member shall be sent to the most recent mailing or e-mail address furnished by the member.

Section 3. Status of membership.

The members of the Wyoming State Bar shall hold one of the following eight (8) statuses:

(a) Active:

- (1) Is authorized to practice law in the State of Wyoming.
- (2) Pays the annual license fee pursuant to Article I, Section 4 of the Bylaws of the Wyoming State Bar.
- (3) Completes Continuing Legal Education (“CLE”) as required by the Rules of the Wyoming State Board of Continuing Legal Education.
- (4) Any member who seeks to change from inactive status, honorary status, honorary retired status, retired status or emeritus status to active status must file a written request and certification with the executive director demonstrating, to the satisfaction of the executive director, one of the following:

(g) Suspended:

Has been suspended by the Wyoming Supreme Court for violation of the Wyoming Rules of Professional Conduct, for non-payment of license fees, for non-compliance with the Rules of the Wyoming State Board of Continuing Legal Education, or placed on ~~interim~~ immediate suspension by the Wyoming Supreme Court.

Section 5. Annual license fee.

(p) Political and Ideological Activities. The Wyoming State Bar shall not, except as provided herein, use the license fees of its members to fund activities of a political or ideological nature that are not reasonably related to:

- (1) the regulation and discipline of attorneys;
- (2) matters relating to the improvement of the functioning of the justice system;
- (3) increasing the availability of legal services to the public;
- (4) the education, ethics, competence, integrity, and regulation of the legal profession;

and

- (5) any other activity authorized by Court rule or law.

(q) Objection and Refund Procedure. If any active, new active or inactive member chooses to assert that any activity of the Wyoming State Bar is of a political or ideological nature and is not within such purposes of, or limitations on, the Wyoming State Bar, the member may register his or her objection thereto with the executive director of the Wyoming State Bar for resolution as described below.

(1) A written objection shall be submitted to the executive director setting forth the specific activity to which the member objects, and shall be submitted in accordance with the provisions of Rule 5(b)(2) of the Wyoming Rules of Civil Procedure by February 1 following publication of the Wyoming State Bar's approved budget and financial statements for the fiscal year just ended in the *Wyoming Lawyer*.

(2) Upon receipt of a member's objection, the executive director shall promptly review such objection together with the allocation of license fees spent on the disputed activity and, in consultation with the Executive Committee, shall have the discretion to resolve the objection, including refunding a *pro rata* portion of the member's license fees expended upon such activity or action, plus interest. A written response setting forth the proposed resolution shall be served on the objecting member in accordance with the provisions of Rule 5(b)(2) of the Wyoming Rules of Civil Procedure within 30 days of the objection.

(3) If the member is not satisfied with the response, he or she may submit a written demand for arbitration. The demand must be served in accordance with the provisions of Rule 5(b)(2) of the Wyoming Rules of Civil Procedure within 30 days of the response. An impartial arbitrator will be appointed by a Circuit Court judge from the First Judicial District. The arbitration proceedings are informal, and the Wyoming State Bar will have the burden to show that the disputed activity is within the purposes of, and not outside the limitations on, the Wyoming State Bar. The arbitrator will issue a written decision and any award. The arbitrator's fee will be paid by the Wyoming State Bar.

ARTICLE II. OFFICERS

Section 2. Duties.

(a) *President.* - The president shall be the chief executive officer of the Wyoming State Bar, a member of the Executive Committee and a member-at-large of the Board of Officers and Commissioners. The president shall preside at all meetings of the Executive Committee, the Board of Officers and Commissioners, and the Wyoming State Bar. Additionally, this officer shall make ~~the~~ recommendations to the Wyoming Supreme Court regarding appointments to all standing committees; create and appoint special committees; and be a member, ex-officio, of every committee.

ARTICLE VII. ELECTIONS

(a) Vacancies for the positions of president-elect, vice president, treasurer, commissioner, ABA delegate, and membership on the Judicial Nominating Commission, which vacancies arise by virtue of the expiration of the applicable term of office or membership, shall be filled as follows: *****

(vi) The candidate receiving the most votes for a given vacancy shall fill the vacancy for the following term. In the event of a tie for the most votes, a run-off election will be held among the candidates who tied for the most votes.

ARTICLE VIII. EXECUTIVE DIRECTOR

There shall be an executive director of the Wyoming State Bar who shall be the chief executive officer of the administrative staff and in direct charge of the Wyoming State Bar office, its records, property and equipment. The executive director shall be hired by the Board of Officers and Commissioners under terms of employment and compensation fixed by the Board of Officers and Commissioners. Subject to the general control of the Executive Committee and Board of Officers and Commissioners, and as appropriate and consistent with the requirements of these by-laws, the executive director shall:

- (a) Maintain proper minutes and records;
- (b) Oversee the general operation of the Wyoming State Bar office;
- (c) Attend and keep minutes of meetings of the Executive Committee and disseminate the minutes of such meetings to the Board of Officers and Commissioners; attend and keep ~~and disseminate the minutes of such meetings~~ of the Board of Officers and Commissioners and disseminate the minutes of such meetings;

ARTICLE IX. MEETINGS

Section 1. Annual business meeting.

There shall be an annual business meeting of the Wyoming State Bar which shall be held at such time and place as is designated by the president with the advice of the Board of Officers and Commissioners. The executive director shall provide at least sixty (60) days notice to the

members of the time and place of the annual business meeting. At the annual business meeting any member shall have an opportunity to confer with the Board of Officers and Commissioners and present any complaint or suggestion for the improvement of the Wyoming State Bar. Members wishing to have resolutions considered by the ~~membership~~ Board of Officers and Commissioners must submit such resolutions to the executive director thirty (30) days prior to the annual business meeting.

ARTICLE XI. PRACTICE SECTIONS

Section 1. Establishment and Discontinuation of Practice Sections.

(a) The Board of Officers and Commissioners may establish, consolidate, rearrange and discontinue sections. The Board of Officers and Commissioners, upon application, may establish a section dedicated to a field of law not committed to any other section or withdrawn from an existing section. The Board of Officers and Commissioners may discontinue a section, but only after notice to the members of said section with an opportunity for section members to comment.

Section 2. Applications for Establishment or Amendment of Sections.

(b) An application to the Board of Officers and Commissioners for establishment or amendment of a section must set forth:

(i) (a) The field of law to which the existing or proposed section is to be dedicated;

(ii) (b) A statement of the need for the proposed section;

(iii) (c) The proposed bylaws or bylaw amendments for the government of such section; and

(iv) (d) A list of members who have indicated their intention of applying for membership in the proposed section or a statement by existing members indicating their approval of any consolidation, rearrangement or amendment.

Section 3. Section Dues.

(e) All members are entitled to enroll in any section upon application and payment of annual dues in such amount as the Board of Officers and Commissioners may determine.

Section 4. Election of Section Chair and Other Officers.

(d) Each section shall elect from its members a chair and other officers as the section bylaws may provide.

Section 5. Amendments to Section Bylaws.

(e) No change in the bylaws of any section is effective until approved by the Board of Officers and Commissioners.

Section 6. Restrictions on Section Activities.

- (f) No section or member acting on behalf of a section shall:
 - (i) (a) Assert that it is representing the Wyoming State Bar in any matter without the prior approval of the Board of Officers and Commissioners.
 - (ii) (b) Lobby for or against proposed legislation.
 - (iii) (c) File amicus curiae briefs in any pending litigation.

Section 7. Expenditure of Section Dues.

- (g) Upon application by the section chair, the executive director may authorize expenditures of section dues for section-related expenses.

ARTICLE XIII. NOTICES TO MEMBERS

Section 1. Official Publication.

- (a) The *Wyoming Lawyer* shall be the publication of the Wyoming State Bar. Official notices and other materials or information may be disseminated to the members using any of the following methods: publication in the *Wyoming Lawyer*; publication in the Wyoming State Bar's e-brief newsletter; publication in a broadcast e-mail to the membership; posting on the website of the Wyoming State Bar; and via United States mail.

Section 2. Audited Financial Statements.

- (b) A copy of the Wyoming State Bar's audited financial statements shall be provided upon a member's request.

Section 3. Publication of Budget and Annual Financial Statements.

- (c) The approved budget and annual financial statements of the Wyoming State Bar shall be published in the December issue of the ~~The Wyoming Lawyer~~ as soon as practicable after its adoption by the Board of Officers and Commissioners. The following notice shall be published in conjunction therewith:

If any member chooses to assert that any activity of the Wyoming State Bar is not within the purposes of, or limitations on, the Wyoming State Bar, then such member may object thereto and seek a refund of a *pro rata* portion of his or her dues expended, plus interest, by filing a written objection with the executive director. The objection must be made in writing, addressed to the executive director of the Wyoming State Bar, and submitted in accordance with the provisions of Rule 5(b)(2) of the Wyoming Rules of Civil Procedure by February 1 following publication of the approved budget and financial statements for the fiscal year just ended of the Wyoming State Bar.
