

# BYLAWS OF THE WYOMING STATE BAR

## TABLE OF CONTENTS

<b>Article I. Membership</b>	Section
Section	2. Special meetings.
1. Persons included in membership.	3. [Deleted].
2. Member contact information.	4. [Deleted].
3. Status of membership.	
4. Withdrawal from membership.	<b>Article X. Boards and Committees</b>
5. Annual license fee.	1. Appointment.
<b>Article II. Officers</b>	2. Quorum.
1. Titles; terms; qualifications; elections.	3. Standing boards and Standing Committees.
2. Duties.	4. Other Committees.
3. Compensation.	
4. Commencement of term of office.	<b>Article XI. Practice Sections</b>
<b>Article III. Board of Officers and Commissioners</b>	1. Establishment and Discontinuation of Practice Sections.
1. Composition.	2. Applications for Establishment or Amendment of Sections.
2. Commissioners.	3. Section Dues.
3. Terms, qualifications, nominations and elections of commissioners.	4. Election of Section Chair and Other Officers.
4. Duties.	5. Amendments to Section Bylaws.
5. Meetings.	6. Restrictions on Section Activities.
6. Compensation.	7. Expenditure of Section Dues.
<b>Article IV. Executive Committee</b>	
1. Members.	<b>Article XII. Clients' Security Fund</b>
2. Powers and duties.	
3. Meetings.	<b>Article XIII. Notices to Members</b>
<b>Article V. American Bar Association Delegate</b>	1. Official Publication.
<b>Article VI. Judicial Nominating Commission Members</b>	2. Audited Financial Statements.
<b>Article VII. Elections</b>	3. Publication of Budget and Annual Financial Statements.
<b>Article VIII. Executive Director</b>	
<b>Article IX. Meetings</b>	<b>Article XIV. Fiscal Year</b>
1. Annual business meeting.	<b>Article XV. Amendment</b>

## ARTICLE I. MEMBERSHIP

### Section 1. Persons included in membership.

Membership in the Wyoming State Bar shall be as provided in these Bylaws, subject to compliance with the conditions and requirements of membership. (Amended February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014; amended May 3, 2016, effective July 1, 2016.)

**Cross References.** — As to adoption of rules and regulations relative to the practice of law by the Supreme Court, see § 5-2-118. As to attorneys at law generally, see §§ 33-5-101 through 33-5-117.

**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 a member shall be sent to the most recent mailing or e-mail address furnished by the member.

(Amended April 22, 2003, effective July 1, 2003; amended February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014; amended June 2, 2015, effective July 1, 2015; amended May 3, 2016, effective July 1, 2016.)

**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, or 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:
    - (i) The member has engaged in the active, authorized practice of law as defined in Rule 303 of the Rules and Procedures Governing Admission to the Practice of Law in one or more states, territories or districts for five of the seven years immediately preceding the request to return to active status; or
    - (ii) If the member has held inactive status, honorary retired status, retired status or emeritus status:
      - (a) for less than three years, the member must complete one (1) year’s required CLE and pay the license fees required of active status members for the fiscal year in which the request is made. Such CLE must have been completed during the two year period preceding the written request to change to active status.
      - (b) for more than three years but less than five years, the member must complete two (2) years’ required CLE and pay the license fees required of active status members for the fiscal year in which the request is made. Such CLE must have been completed during the two year period preceding the written request to change to active status.
      - (c) for more than five years but less than seven years, the member must complete three (3) years’ required CLE and pay the license fees required of active status members for the fiscal year in which the request is made. Such CLE must have been completed during the two year period preceding the written request to change to active status.

- (d) for more than seven years, the member may return to active status only through admission by examination in accordance with the Rules and Procedures Governing Admission to the Practice of Law.
- (5) The foregoing requirements notwithstanding, for good cause shown by clear and convincing evidence, the Board of Officers and Commissioners may waive, modify or impose conditions upon written requests for a return to active status.
- (6) Any member who changes from another status to active status must remain in active status for one full year before requesting a difference status.
- (b) New active:
- (1) Has been licensed to practice law in any jurisdiction for five (5) years or less.
  - (2) Is authorized to practice law in the State of Wyoming.
  - (3) Pays a reduced license fee pursuant to Article I, Section 5 of the Bylaws of the Wyoming State Bar.
  - (4) Completes Continuing Legal Education (“CLE”) as required by the Rules for Continuing Legal Education of Members of the Wyoming State Bar.
- (c) Inactive:
- (1) Is not authorized to practice law in the State of Wyoming.
  - (2) Pays a reduced license fee pursuant to Article I, Section 4 of the Bylaws of the Wyoming State Bar.
  - (3) Is not required to complete any CLE.
  - (4) Is eligible to serve on boards and committees.
  - (5) Submits to the executive director a written request to be placed on inactive status.
- (d) Honorary:
- (1) Is a current Wyoming Supreme Court justice, district court judge, circuit court judge, judge or full-time magistrate of the United States District Court for the District of Wyoming, or any other federal judge residing in Wyoming.
  - (2) Is not required to pay a license fee.
  - (3) Is not required to complete any CLE.
  - (4) Is eligible to serve on boards and committees.
- (e) Honorary Retired:
- (1) Is a former Wyoming Supreme Court justice, district court judge, circuit court judge, judge or full-time magistrate of the United States District Court for the District of Wyoming, or any other federal judge residing in Wyoming.
  - (2) Is not authorized to practice law in the State of Wyoming.
  - (3) Is not required to pay a license fee.
  - (4) Is not required to complete any CLE.
  - (5) Is eligible to serve on boards and committees.
- (f) Retired:
- (1) A member in good standing who has reached the age of 65 years or has 25 years of membership in the Wyoming State Bar.
  - (2) Is not authorized to practice law in the State of Wyoming.
  - (3) Is not required to pay a license fee.
  - (4) Is not required to complete any CLE.
  - (5) Is eligible to serve on boards and committees.
  - (6) Submits to the executive director a written request to be placed on retired status.
- (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 immediate suspension by the Wyoming Supreme Court.

(h) Emeritus:

- (1) Is authorized to perform pro bono legal services or mentor another lawyer, but not otherwise authorized to practice law in the State of Wyoming.
- (2) Is not required to pay a license fee.
- (3) Is required to complete reduced CLE as provided in the Rules of the Wyoming State Board of Continuing Legal Education.
- (4) Submits an emeritus program application to the executive director.

In order for a request for status change to be considered, the member must not be in arrears on license fees, continuing legal education requirements, or any obligation to the Clients' Security Fund.

(Amended August 31, 1990, effective November 20, 1990; amended February 4, 1994; effective April 26, 1994; amended April 22, 2003, effective July 1, 2003; amended November 25, 2008, effective January 1, 2009; amended February 10, 2009, effective February 10, 2009; amended May 18, 2011, effective August 1, 2011; amended February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014; amended March 16, 2015, effective July 1, 2015; amended June 2, 2015, effective July 1, 2015; amended May 3, 2016, effective July 1, 2016.)

**Cross References.** — As to state board of law examiners, see § 33-5-101.

#### **Section 4. Withdrawal from membership.**

Any person having been admitted to the Wyoming State Bar who desires to withdraw therefrom shall submit a request to the Wyoming State Bar. The request shall be reviewed by the executive director, who shall then make a recommendation for action on the request to the Wyoming Supreme Court. The Wyoming Supreme Court may then enter such order as it deems appropriate. According to the terms of the order allowing withdrawal by the Wyoming Supreme Court, the person shall cease to be a member of the Wyoming State Bar and shall no longer be authorized to practice law in Wyoming. A member who has been suspended for failure to pay license fees or complete the required continuing legal education may not withdraw without petitioning for reinstatement, pursuant to these bylaws and the Rules of the Wyoming State Board of Continuing Legal Education, as applicable. A member who has a pending disciplinary matter may not withdraw until such matter is resolved. A member who is suspended or disbarred may not withdraw until the member is reinstated.

(Added February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014.)

#### **Section 5. Annual license fee.**

(a) There shall be annual license fees and late fees in such amounts as shall be determined by the Board of Officers and Commissioners. Any changes in the annual license fees or the late fees for the following fiscal year shall be fixed by the Board of Officers and Commissioners by no later than August 15, with notice to and approval by the Wyoming Supreme Court. The Board of Officers and Commissioners may reduce the annual license fees of members who hold new active or inactive status. There shall be no annual license fee for honorary, honorary retired, emeritus, or retired members.

(b) During the first week of October of each year, the executive director shall send notification that the annual license fee is due. The annual license fee is due November 30 and delinquent December 1. If any member is in default for the payment of the annual license fee on December 1, the executive director shall send a notice of delinquency and notice of late fee to any such member. If any member remains in

default on December 15, the executive director shall certify to the Wyoming Supreme Court the name of such member. The Wyoming Supreme Court shall, within 30 days of the notice by the Wyoming State Bar, issue against such member an order returnable 30 days from the date thereof, to show cause why membership in the Wyoming State Bar should not be suspended. The order shall be mailed by certified mail, with return receipt requested, to the attorney's address on file with the Wyoming State Bar. Upon receipt of the order to show cause, the member shall either pay the delinquent fees or shall file a response to the order to show cause, along with six copies, with the Wyoming Supreme Court. A copy of the response shall also be provided to the executive director. If the member fails to pay the delinquent fees and the Wyoming Supreme Court finds that good cause is not shown in response to such order, an order of suspension from the practice of law for a period of one (1) year shall issue from the Wyoming Supreme Court. If the Wyoming Supreme Court finds that the member in default is unable for good cause to pay the annual license fee, the payment of such annual license fee for that year may be remitted or suspended in whole or in part by order duly entered by the Wyoming Supreme Court.

(c) When a person is first admitted to practice law in Wyoming, the annual license fee, which shall be prorated on a monthly basis beginning with the month of admission (based upon the Wyoming State Bar's fiscal year), shall be due 60 days after the date of admission. If any newly-admitted member fails to pay the annual license fee by 60 days after the date of admission, the executive director shall send a notice of delinquency and notice of late fee to such member. If such member remains in default 75 days after the date of admission, the executive director shall certify to the Wyoming Supreme Court the name of such member. The Wyoming Supreme Court shall, within 30 days of the notice by the Wyoming State Bar, issue against such member an order returnable 30 days from the date thereof, to show cause why membership in the Wyoming State Bar should not be suspended. The order shall be mailed by certified mail, with return receipt requested, to the attorney's address on file with the Wyoming State Bar. Upon receipt of the order to show cause, the member shall either pay the delinquent fees or shall file a response to the order to show cause, along with six copies, with the Wyoming Supreme Court. A copy of the response shall also be provided to the executive director. If the member fails to pay the delinquent fees and the Wyoming Supreme Court finds that good cause is not shown in response to such order, an order of suspension from the practice of law for a period of one (1) year shall issue from the Wyoming Supreme Court. If the Wyoming Supreme Court finds that the member in default is unable for good cause to pay the annual license fee, the payment of such annual license fee for that year may be remitted or suspended in whole or in part by order duly entered by the Wyoming Supreme Court.

(d) Within 15 days of the date of an order of suspension, the suspended attorney shall notify the following persons by registered or certified mail, return receipt requested, of the attorney's suspension and the attorney's consequent inability to act as an attorney after the effective date of the suspension:

(1) All clients in pending matters. The attorney shall advise clients to seek legal advice elsewhere and to obtain another attorney for litigated matters or administrative proceedings.

(2) Any co-counsel who is involved in litigated matters or administrative proceedings.

(3) The attorney for each adverse party or, in the absence of such counsel, the adverse party or parties in litigated matters or administrative proceedings. The notice to parties shall state the place of residence of the client of the suspended attorney.

(4) All courts or administrative bodies in which the attorney has matters pending.

(e) A suspended attorney shall notify the client of all deadlines and scheduled court dates.

(f) A suspended attorney, after entry of the suspension order, shall not accept any new legal matters. During the period from the entry date of the order to its effective date, the attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

(g) A suspended attorney shall return any unearned fees.

(h) Within 30 days after the effective date of the suspension order, the suspended attorney shall file with the Wyoming Supreme Court and the executive director an affidavit showing that the attorney has fully complied with the provisions of the order and with this rule and stating the address where communications may thereafter be directed.

(i) If an attorney has not filed a petition for reinstatement within six (6) months from the date of the order, the attorney shall within 15 days of the expiration of six (6) months from the date of the order deliver to all present and former clients all client files.

(j) A suspended attorney shall maintain records of the steps taken to comply with this rule.

(k) The provisions of this section are deemed to be incorporated into all orders of suspension. Failure to comply with any requirement of this section is punishable as contempt.

(l) Suspension under this section shall not be considered as a disciplinary infraction.

(m) The suspended member may be reinstated upon the filing of a petition for reinstatement within one (1) year of the date of the order of suspension, which petition, along with six copies, shall be filed with the Wyoming Supreme Court. A copy of the petition shall also be served on the executive director. The petition shall include copies of the records required by subsection (j) and shall be supported by an affidavit which shows: (1) that all past annual license fees, the current year's annual license and any late charges have been paid in full, in addition to all past and current annual fees for continuing legal education; (2) that the attorney is current on all mandatory continuing legal education requirements; (3) that there have been no claims or awards made in regard to an attorney on the clients' security fund for which the fund has not been reimbursed; and (4) the attorney has complied with all other applicable conditions for reinstatement. The petition shall be accompanied by all appropriate fees for applicants for admission on motion. A response by the executive director may be filed within 20 days of the date of service of the petition for reinstatement. The member shall not be eligible to practice unless and until the Wyoming Supreme Court issues an order of reinstatement.

(n) If an attorney who is suspended from the practice of law for non-payment of the annual license fee has not petitioned for reinstatement within one (1) year of the date of the order of suspension, such attorney's membership in the Wyoming State Bar shall be terminated by order of the Wyoming Supreme Court. Such attorney who thereafter seeks admission to the Wyoming State Bar shall comply with the admissions requirements set forth in the Wyoming Rules and Procedures Governing Admission to the Practice of Law.

(o) Members who change their status during the course of a fiscal year may not receive a refund for the difference in the annual license fees if the annual license fee for the new status is less, but shall pay any applicable increase in the annual license fee for the new status.

(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.

(Amended February 4, 1994, effective April 26, 1994; amended August 20, 2001, effective September 1, 2001; amended April 22, 2003, effective July 1, 2003; amended November 25, 2008, effective January 1, 2009; amended February 10, 2009, effective February 10, 2009; amended February 22, 2012, effective July 1, 2012; amended August 10, 2012, effective September 30, 2012; amended February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014; amended May 3, 2016, effective July 1, 2016; amended November 22, 2016, effective December 1, 2016.)

## ARTICLE II. OFFICERS

### Section 1. Titles; terms; qualifications; elections.

(a) The officers of the Wyoming State Bar shall be a president, a president-elect, a vice-president, and a treasurer. The president and the president-elect shall not be from the same judicial district. Only active members in good standing of the Wyoming State Bar residing and practicing law in Wyoming shall be eligible to serve as officers of the Wyoming State Bar. The term of office of the president, president-elect, vice-president and treasurer shall be one year.

(b) The president-elect shall at the expiration of the term as president-elect succeed to the presidency of the State Bar.

(c) Nominations for the offices of president-elect, vice-president and treasurer shall be taken and elections shall be conducted as provided in Article VII.

(Amended and effective June 11, 1992; amended effective July 10, 2006; amended February 5, 2013, effective April 1, 2013.)

### **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 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.

(b) *President-elect.* — The president-elect shall be a member-at-large of the Board of Officers and Commissioners and a member of the Executive Committee; and perform all other duties assigned by the president or Board of Officers and Commissioners. The president-elect shall perform the duties of the president in the event of the president's absence, disability or death.

(c) *Vice-president.* — The vice-president shall be a member-at-large of the Board of Officers and Commissioners and a member of the Executive Committee; and shall perform all other duties assigned by the president or Board of Officers and Commissioners.

(d) *Treasurer.* — The treasurer shall be a member-at-large of the Board of Officers and Commissioners and a member of the Executive Committee. The treasurer shall assist the Executive Committee in preparing the annual budget and in presenting it to the Board of Officers and Commissioners which shall be prepared by July 30, and circulated as soon thereafter as practicable among the Board of Officers and Commissioners. The treasurer shall advise the executive director and the administrative staff of the Wyoming State Bar about procedures for:

(i) The methods and procedures used in the receipt, collection and safekeeping of all funds of the Wyoming State Bar; and

(ii) The procedures for disbursement and audit of such funds.

(Amended April 22, 2003, effective July 1, 2003; amended February 5, 2013, effective April 1, 2013; amended May 3, 2016, effective July 1, 2016.)

### **Section 3. Compensation.**

The officers of the Wyoming State Bar shall receive no compensation for their services, but shall receive reimbursement of actual expenses as may be authorized and approved by the Board of Officers and Commissioners.

(Amended February 5, 2013, effective April 1, 2013.)

### **Section 4. Commencement of term of office.**

The terms of all outgoing officers of the Wyoming State Bar shall end and the terms of their successors shall commence at the conclusion of the annual meeting.

(Amended February 5, 2013, effective April 1, 2013.)

## **ARTICLE III. BOARD OF OFFICERS AND COMMISSIONERS**

### **Section 1. Composition.**

The affairs of the Wyoming State Bar shall be managed and directed by the Board of Officers and Commissioners consisting of the four (4) officers and the immediate past

president, all of whom shall be members-at-large of the Board of Officers and Commissioners, and nine (9) commissioners, one (1) from each judicial district. The rights and powers of the members-at-large of the Board of Officers and Commissioners shall be the same as those of the commissioners.

(Amended February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014.)

## **Section 2. Commissioners.**

One (1) commissioner shall be elected from each judicial district by the active members who reside in such judicial district.

<u>Judicial District</u>	<u>Counties in District</u>
First	Laramie
Second	Albany, Carbon
Third	Sweetwater, Uinta, Lincoln
Fourth	Johnson, Sheridan
Fifth	Big Horn, Hot Springs, Park, Washakie
Sixth	Campbell, Crook, Weston
Seventh	Natrona
Eighth	Converse, Goshen, Niobrara, Platte
Ninth	Fremont, Sublette, Teton

(Amended February 5, 2013, effective April 1, 2013.)

## **Section 3. Terms, qualifications, nominations and elections of commissioners.**

(a) The term of office of each commissioner shall be three years. No person shall be allowed to serve more than two consecutive three-year terms. The term of office of each commissioner shall commence at the conclusion of the annual meeting of the Wyoming State Bar which immediately follows that commissioner's election. The eligibility of any person to serve as a commissioner from any judicial district shall be contingent upon both maintenance of an active practice of law and actual residence in that judicial district.

(b) Nominations for commissioners shall be taken and elections shall be conducted as provided in Article VII.

(Amended September 7, 1995, effective November 28, 1995; amended April 22, 2003, effective July 1, 2003; amended February 5, 2013, effective April 1, 2013.)

## **Section 4. Duties.**

(a) The Board of Officers and Commissioners shall have general charge of the affairs and activities of the Wyoming State Bar. It shall:

(i) Make appropriations, authorize disbursements and/or periodically monitor and ratify proper disbursements reviewed, approved and authorized by the executive director from the funds of the Wyoming State Bar in payment of the necessary expenses of the Wyoming State Bar, its officers, commissioners and committees;

(ii) Cause proper books of accounts to be kept and to procure an annual audit thereof (a copy of the annual audit shall be filed with the Wyoming Supreme Court);

(iii) Engage and define the duties of salaried employees and fix their compensation;

(iv) Arrange for publication of the *Wyoming Lawyer*, the official magazine of the Wyoming State Bar;

(v) Receive, consider and take action on reports and recommendations submitted by committees and the assembly of members of the Wyoming State Bar at any annual or special meeting;

(vi) Fill vacancies however arising, in the membership of the Board of Officers and Commissioners, or in the American Bar Association delegate, or in any office which may be vacant, and in each case the persons appointed to fill such a vacancy shall hold said office until the expiration of the term of the vacancy;

(vii) Adopt policies and procedures consistent with these by-laws and otherwise oversee the orderly administration of the Wyoming State Bar's affairs and activities.

(b) Each commissioner shall:

(i) attend the regular meetings of the Board of Officers and Commissioners;

(ii) regularly inform constituents regarding Wyoming State Bar matters; and

(iii) hold an annual meeting in the commissioner's judicial district within sixty (60) days prior to the date of the annual meeting.

(Amended and effective June 11, 1992; amended April 22, 2003, effective July 1, 2003; amended February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014.)

### **Section 5. Meetings.**

(a) There shall be regular meetings of the Board of Officers and Commissioners pursuant to a schedule set by the executive director and approved by the Executive Committee.

(b) Special meetings of the Board of Officers and Commissioners may be called at any time by the president, and will be called by the president upon written request submitted by five (5) members of the Board of Officers and Commissioners. Reasonable notice of the time and place of regular and special meetings of the Board of Officers and Commissioners shall be given to each member by the executive director by mail, facsimile, email or telephone. At any regular or special meeting of the Board of Officers and Commissioners any business may be transacted which is within the power of the Board of Officers and Commissioners, whether or not specified in the call or notice of the meeting. Action of the Board of Officers and Commissioners may be taken without a meeting by email or other written communication.

(c) A majority of the Board of Officers and Commissioners shall constitute a quorum.

(d) A summary of the minutes of each meeting or of any mail, email or telephone action of the Board of Officers and Commissioners may be published on the Wyoming State Bar's website. A full copy of minutes shall be provided by the executive director upon a member's request.

(Amended February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014.)

### **Section 6. Compensation.**

The members of the Board of Officers and Commissioners shall receive no compensation for services to the Wyoming State Bar, but they may authorize and approve for themselves, Wyoming State Bar employees and members of the boards and committees, reimbursement of reasonable and necessary expenses incurred in the performance of duties for the Wyoming State Bar.

(Amended February 5, 2013, effective April 1, 2013.)

## ARTICLE IV. EXECUTIVE COMMITTEE

### Section 1. Members.

There shall be an Executive Committee consisting of the president, president-elect, vice-president and treasurer.  
(Amended February 5, 2013, effective April 1, 2013.)

### Section 2. Powers and duties.

The Executive Committee may exercise all the powers and perform all the duties of the Board of Officers and Commissioners between the meetings of the Board of Officers and Commissioners, subject to ratification by the Board of Officers and Commissioners. The Executive Committee shall prepare an annual budget for submission to the Board of Officers and Commissioners, and shall perform such other duties as the Board of Officers and Commissioners may prescribe.  
(Amended February 5, 2013, effective April 1, 2013.)

### Section 3. Meetings.

The Executive Committee shall meet at the call of the president, or upon demand of at least two (2) of its members. All members shall be given notice by mail, facsimile, email or telephone, of any meeting unless such notice is waived by all the members of the Executive Committee. Three (3) members present at a meeting shall constitute a quorum. Action of the Executive Committee may be taken without a meeting by mail, email or telephone vote. Any meeting called by the president or Executive Committee shall include notice to all other members of the Executive Committee.  
(Amended February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014.)

## ARTICLE V. AMERICAN BAR ASSOCIATION DELEGATE

(a) *Wyoming Delegate.* — Any active member who is a resident of Wyoming, maintains an office for the practice of law in this state and is a member of the American Bar Association may serve as the Wyoming delegate to the House of Delegates of the American Bar Association. The term of office of such delegate shall be two (2) years, and shall begin and end at the adjournment of the ABA annual meeting in August. Nominations shall be taken and elections shall be conducted as provided in Article VII.

(b) *Young Lawyer Delegate.* — Any active member who was admitted to his or her first bar within the past five years or is less than 36 years old at the beginning of his or her term, is a resident of Wyoming, maintains an office for the practice of law in this state, is a member of the American Bar Association and is a member of the Young Lawyer Section may serve as the Young Lawyer delegate to the House of Delegates of the American Bar Association. The term of office of such delegate shall be two (2) years, and shall begin and end at the adjournment of the ABA annual meeting in August. Nominations shall be taken and elections shall be conducted as provided in Article VII.  
(Amended and effective June 11, 1992; amended February 5, 2013, effective April 1, 2013; amended November 22, 2016, effective December 1, 2016.)

## ARTICLE VI. JUDICIAL NOMINATING COMMISSION MEMBERS

(a) Any active member who is a resident of Wyoming and maintains an office for the practice of law in this state and is otherwise qualified pursuant to Wyo. Const. Art. 5,

§ 4 and W.S. 5-1-102 may serve on the Judicial Nominating Commission. Nominations shall be taken and elections shall be conducted as provided in Article VII.

(b) The term of office of each member of the Judicial Nominating Commission shall be four (4) years.

(c) No more than two members of the Judicial Nominating Commission who are residents of the same judicial district may qualify to serve any term or part of a term on the commission.

(d) No member of the Judicial Nominating Commission excepting the chairman shall hold any federal, state or county public office or any political party office, and after serving a full term or part of a term shall not be eligible for re-election or reappointment to any judicial office while they are a member of the commission nor for a period of one year after the expiration of their term for which they are elected or appointed.

(Amended and effective June 11, 1992; amended April 22, 2003, effective July 1, 2003; amended February 5, 2013, effective April 1, 2013.)

## 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:

(i) Nominations must be signed by at least two active, resident members and submitted to the executive director on or before July 1 of the year in which the vacancy falls. Nominations for commissioners must be signed by at least two active members who reside or maintain a practice within the applicable judicial district.

(ii) In the event that no member is nominated for a given vacancy, the Board of Officers and Commissioners shall nominate one or more qualified candidates.

(iii) The executive director shall provide an electronic ballot to all eligible voters on or before August 1 of each year. Only active, resident members who have provided email addresses to the Wyoming State Bar shall be eligible to vote. Voters for vacant commissioner seats must be active, resident members of the applicable district, and no member may vote for a commissioner in more than one district.

(iv) Each candidate may submit a written statement containing 200 words or less in support of his or her candidacy, which the executive director shall publish with the electronic ballot.

(v) All voting will be electronic. All voting must be completed by August 31 of the applicable year.

(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.

(vii) Advance notice of upcoming vacancies and the procedure for nominating candidates and voting will be published in the *Wyoming Lawyer*.

(b) Vacancies which arise other than by the expiration of the applicable term shall be filled by a qualified member selected by the Board of Officers and Commissioners, said selection to occur within 30 days of the vacancy. The member so selected shall complete the applicable term and may stand for re-election should he or she be nominated.

(Added February 5, 2013, effective April 1, 2013; amended May 3, 2016, effective July 1, 2016.)

## 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 minutes of meetings of the Board of Officers and Commissioners and disseminate the minutes of such meetings;
- (d) Collect, deposit and disburse the Wyoming State Bar's funds pursuant to the budget, and invest surplus funds at the direction of the Executive Committee;
- (e) Maintain membership lists, and files;
- (f) Advise and assist the officers, commissioners and committees;
- (g) Make the arrangements for Wyoming State Bar meetings;
- (h) Review, approve and authorize proper disbursements; and
- (i) Perform such other duties as may be directed by the Board of Officers and Commissioners or Executive Committee, or as prescribed by the Wyoming State Bar's rules or by these by-laws.

(Amended April 22, 2003, effective July 1, 2003; amended February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014; amended May 3, 2016, effective July 1, 2016.)

## 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 Board of Officers and Commissioners must submit such resolutions to the executive director thirty (30) days prior to the annual business meeting.

(Amended and effective June 11, 1992; amended February 5, 2013, effective April 1, 2013; amended May 3, 2016, effective July 1, 2016.)

### Section 2. Special meetings.

Special meetings of the members of the Wyoming State Bar may be held at such times and places as designated by the Board of Officers and Commissioners. A special meeting may also be called upon by a petition signed by not less than twenty percent (20%) of the active resident members of the Wyoming State Bar. The executive director shall provide at least thirty (30) days notice to the members of the time and place of any special meeting.

(Amended February 5, 2013, effective April 1, 2013.)

**Section 3. [Deleted].**

**Editor's notes.** — This rule, concerning notice to be given for meetings, was deleted by order of the court dated February 5, 2013, effective April 1, 2013.

**Section 4. [Deleted].**

**Editor's notes.** — This rule, pertaining to conferences of members, officers and Executive Committee, was deleted by order of the court dated February 5, 2013, effective April 1, 2013.

**ARTICLE X. BOARDS AND COMMITTEES****Section 1. Appointment.**

(a) The members of each standing board or standing committee shall be appointed as hereinafter set forth for a term of three (3) years, so arranged that the term of office of only one-third ( $\frac{1}{3}$ ) of the members of such board or committee shall expire in any year; provided, however, that no person shall be permitted to serve on any of said boards or committees for more than two (2) consecutive terms. A vacancy in any board or committee shall be filled as hereinafter provided, and members of each committee or board shall serve until the appointment of their respective successors.

(b) Appointments to standing boards and standing committees shall be made by order of the Wyoming Supreme Court, with the advice and recommendation of the president of the Wyoming State Bar. Appointments to other committees shall be made by the president of the Wyoming State Bar.

(Amended February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014.)

**Section 2. Quorum.**

A majority of the members of any standing board or committee shall constitute a quorum for the transaction of business.

(Amended February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014.)

**Section 3. Standing boards and Standing Committees.**

(a) There shall be the following standing boards and standing committees of the Wyoming State Bar:

- (i) Board of Continuing Legal Education.
- (ii) Board of Professional Responsibility.
- (iii) Board of Law Examiners.
- (iv) Character and Fitness Committee.
- (v) Unauthorized Practice of Law Committee.
- (vi) Office of Bar Counsel Review and Oversight Committee.

(b) *Appointment.* — The Wyoming Supreme Court, with advice and recommendation from the president of the Wyoming State Bar, shall appoint all members of each of said boards and committees.

(c) *Vacancies.* — Any vacancy created on any standing board or committee for whatever cause or reason shall be filled by appointment by the Wyoming Supreme Court with advice and recommendation from the president of the Wyoming State Bar. (Amended January 4, 1990, effective January 8, 1990; amended February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014; amended June 2, 2015, effective July 1, 2015.)

**Section 4. Other Committees.**

(a) The president of the Wyoming State Bar, with the advice and consent of the Board of Officers and Commissioners, shall appoint, create or dissolve such committees as deemed necessary and proper.

(b) *Vacancies.* — A vacancy on any committee other than a standing committee shall be filled by appointment by the president of the Wyoming State Bar.

(Amended June 4, 1996, effective August 27, 1996; amended April 22, 2003, effective July 1, 2003; amended May 18, 2011, effective August 1, 2011; amended February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014.)

**ARTICLE XI. PRACTICE SECTIONS****Section 1. Establishment and Discontinuation of Practice Sections.**

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.

(Added February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014; amended May 3, 2016, effective July 1, 2016.)

**Section 2. Applications for Establishment or Amendment of Sections.**

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

- (a) The field of law to which the existing or proposed section is to be dedicated;
- (b) A statement of the need for the proposed section;
- (c) The proposed bylaws or bylaw amendments for the government of such section; and
- (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.

(Added February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014; amended May 3, 2016, effective July 1, 2016.)

**Section 3. Section Dues.**

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.

(Added February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014; amended May 3, 2016, effective July 1, 2016.)

**Section 4. Election of Section Chair and Other Officers.**

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

(Added February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014; amended May 3, 2016, effective July 1, 2016.)

**Section 5. Amendments to Section Bylaws.**

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

(Added February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014; amended May 3, 2016, effective July 1, 2016.)

**Section 6. Restrictions on Section Activities.**

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 Officers and Commissioners.

(b) Lobby for or against proposed legislation.

(c) File amicus curiae briefs in any pending litigation.

(Added February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014; amended May 3, 2016, effective July 1, 2016.)

**Section 7. Expenditure of Section Dues.**

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

(Added February 5, 2013, effective April 1, 2013; amended July 14, 2014, effective September 15, 2014; amended May 3, 2016, effective July 1, 2016.)

**ARTICLE XII. CLIENTS' SECURITY FUND**

The Board of Officers and Commissioners shall establish a clients' security fund, which shall be administered pursuant to rules adopted by the Court.

(Amended April 22, 2003, effective July 1, 2003; amended February 5, 2013, effective April 1, 2013; amended November 22, 2016, effective December 1, 2016.)

**ARTICLE XIII. NOTICES TO MEMBERS****Section 1. Official Publication.**

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.

(Amended April 22, 2003, effective July 1, 2003; amended February 5, 2013, effective April 1, 2013; amended May 3, 2016, effective July 1, 2016.)

**Section 2. Audited Financial Statements.**

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

(Amended April 22, 2003, effective July 1, 2003; amended February 5, 2013, effective April 1, 2013; amended May 3, 2016, effective July 1, 2016.)

**Section 3. Publication of Budget and Annual Financial Statements.**

The approved budget and annual financial statements of the Wyoming State Bar shall be published in the December issue of the *Wyoming Lawyer*. The following notice shall be published in conjunction therewith:

If any member chooses to assert that any activity of the Wyoming State Bar is of a political or ideological nature and 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 annual license fee 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.

(Amended April 22, 2003, effective July 1, 2003; amended February 5, 2013, effective April 1, 2013; amended May 3, 2016, effective July 1, 2016; amended November 22, 2016, effective December 1, 2016.)

#### **ARTICLE XIV. FISCAL YEAR**

The fiscal year of the Wyoming State Bar shall be October 1 through September 30. (Amended February 5, 2013, effective April 1, 2013.)

#### **ARTICLE XV. AMENDMENT**

These bylaws may be amended or repealed only by order of the Wyoming Supreme Court.

(Amended February 5, 2013, effective April 1, 2013.)