

Bylaws
MSBA Communications Law Section
As Approved by the Assembly 1/29/93, 12/03/04

ARTICLE I. Name and Purpose

Section 1. This Section of the Minnesota State Bar Association shall be known as the Communications Law Section of the Minnesota State Bar Association.

Section 2. The purposes of the Section shall be dedicated to the field of communications law and related areas of the law by enhancing the skills of Minnesota lawyers practicing in the area, and by serving as a liaison with other parts of the Bar Association and the public on issues and activities related to communications law.

ARTICLE II. Membership

Section 1. Any member of the Minnesota State Bar Association in good standing and having paid the required annual dues of the Section shall be eligible for membership in this Section and shall be enrolled as a member upon request to the Treasurer of the Section or designated agent.

Section 2. Dues shall be set by the membership of the Section at any meeting of the Section, and such dues may be changed annually by appropriate action of the membership subject to approval by the Assembly of the Minnesota State Bar Association.

ARTICLE III. Officers

Section 1. The officers of the Section shall consist of Chairperson, Vice Chairpersons, Secretary, Treasurer, and such other officers as may be determined and elected in accordance with these Bylaws.

Section 2. There shall also be a Section Council, which shall consist of all of the Section officers currently elected and serving, and not fewer than five (5) nor more than twenty (20) additional members of the Section elected in accordance with these Bylaws. The number of committees of the Section and their respective responsibilities, and the programs of the Section, shall be as determined from time to time by the Section Council as stated in Article IV. A Council member may serve as Chairperson of a Committee of the Section, and all committee chairpersons who are not also Council members shall be ex officio members of the Section Council. The Section Council shall have power and authority to act in the intervals between meetings of the Section to do all acts and perform all functions that the Section itself might perform, except that it shall not have authority to amend these Bylaws. The Section Council shall in the intervals between meetings of the Section, have authority to fill officer vacancies and to replace committee chairpersons. One third (1/3) of the Council members currently elected and serving shall constitute a quorum at any meeting of the Section Council.

Section 3. There shall be an Executive Committee consisting of all of the officers currently elected and serving. The Executive Committee shall have the full power and authority of the Section Council in the intervals between meetings of the Section Council, except that the Executive Committee shall not have authority to amend, or to take action contrary to, any express provision of these Bylaws or contrary to any prior express action or decision of the Section or the

Section Council. A simple majority of the officers currently elected and serving in accordance with these Bylaws shall constitute a quorum of the Executive Committee.

Section 4. Officers, Council members and committee chairpersons must be current members of the Section at all times when in office.

Section 5. The initial term of office of the first officers and Council members shall be one (1) year from date of election; thereafter the term of office of any officer or Council member shall be two (2) years from the date of election, and until a successor shall be elected and take office.

Section 6. A member shall not hold more than one office at any time in this Section, except as expressly provided in these Bylaws, and no officers shall be eligible to serve more than two consecutive annual terms in the same office.

ARTICLE IV. Committees and Divisions

Section 1. The Council of this Section is authorized to establish, or to empower the Chairperson of the Section to establish, such committees as it may deem necessary and desirable to promote effectively the activities within jurisdiction of the Section. In establishing a new committee, the Section Council or the Chairperson shall state the area of its proposed activities.

Section 2. The Chairperson shall announce the membership and the Chairperson of each committee of the Section at the business meeting held during the Annual Meeting of the Section.

Section 3. Committee of the Section shall be directly responsible and report to the Council. Subcommittees of the Section shall be directly responsible and report to their parent committees.

ARTICLE V. Election of Officers

Section 1. The election of officers will take place at the Annual Meeting of the Section.

Section 2. Before the Annual Meeting, the Section Council shall appoint a Nominating Committee to present nominations for the offices of Chairperson, Vice Chairperson, Secretary and Treasurer of the Section to the Section Council.

Section 3. The Section Council after consideration of the nominations shall present a slate of candidates at the Annual Meeting to the Section members. Nominations properly made from the floor at the election meeting will be accepted. The candidate for each office receiving the most votes for the office will be elected.

ARTICLE VI. Duties of Officers

Section 1. The Chairperson shall preside at all meetings of the Section, shall prepare and present an annual report to the Minnesota State Bar Association, and shall designate committee members. The Chairperson or designee shall be entitled to represent the Section upon invitation to the Assembly of the Minnesota State Bar Association and shall perform such other duties and acts as customarily pertain to that office.

Section 2. One of the other elected officers shall preside at all meetings of the Section in the absence of the Chairperson.

Section 3. The Secretary or designee shall keep all minutes of meetings and other records of the Section and its membership, maintain correspondence as well as perform such other duties and acts as customarily pertain to this office.

Section 4. The Treasurer or designee shall have charge and custody of the funds of the Section subject to the general supervision and control of the Section Council. The Treasurer shall render a financial report to the Section Council at the Annual Meeting. The Treasurer shall also make financial reports to the Section Council at such times as the Council shall require. The Treasurer shall file, within thirty days after the close of each fiscal year, an accounting of the Section's finances for the fiscal year. The Treasurer shall perform such other duties as may be assigned to him or her by the Section Council from time to time.

ARTICLE VII. Meetings

Section 1. Meetings of the Section shall be held periodically, and at least annually, at such places and at such times as shall be designated by the Section Council.

Section 2. Meetings of the members of the Section shall be convened pursuant to written notice given by mail, and addressed to the Section members or published in an official publication of the Minnesota State Bar Association to its members in advance of the meeting. The members shall inform the Secretary of name and address changes.

Section 3. All members of the Section who are present at any duly noticed Section meeting shall constitute a quorum for the transaction of business. All binding actions of the Section shall be by a majority vote of the members present.

ARTICLE VIII. Restrictions

Section 1. These Bylaws shall become effective upon approval by the members of the Minnesota State Bar Association Communications Law Committee presert at any regular meeting and after approval by the authority of the Assembly of the Minnesota State Bar Association.

Section 2. No action of this Section, or of any committee of the Section, shall be promulgated or publicized in any way as a Minnesota State Bar Association action without first obtaining the approval of the Assembly of the Minnesota State Bar Association or otherwise complying with the Bylaws of the Minnesota State Bar Association.

Section 3. The Section shall not represent the Association before the Legislature, in any court in a controversial procedure, or before any other governmental body unless authorized to do so by the MSBA Executive Committee, Assembly, General Assembly, or House of Delegates or applicable Bylaws.

Section 4. The Section shall not publicly advocate any recommendations in the name of the Section unless it is authorized to do so by the President of the Minnesota State Bar Association in accordance with the procedures prescribed from time to time by resolutions of the Assembly, House of Delegates, or Assembly.

ARTICLE IX. Fiscal Year

The membership and fiscal year of the Section shall begin on July 1 and conclude on June 30 of the following year.

ARTICLE X.

These Bylaws may be amended by vote at any meeting of the Section, by a majority of no fewer than 15 members, or 1/4 of the Section membership, whichever is less, provided written notice of the proposed changes has been given to the membership in advance, together with a notice of the meeting at which such amendment is to be considered. Such amendment shall not be effective until approved by or with the authority of the Assembly of the Minnesota State Bar Association.

ADOPTED this ____ day of _____, 1991.