

Bylaws
Minnesota State Bar Association – New Lawyers Section

ARTICLE 1. Name

This Section of the Minnesota State Bar Association (“Association”) shall be known as the New Lawyers Section (“Section”).

ARTICLE 2. Purpose

The purposes of the Section shall be to further the Association’s goals and purposes, and thereby to serve the community and the legal profession; to represent new lawyers in the Association, and to represent the Association to them; to help shape the policies and priorities that affect new lawyers and the legal culture in which they practice; and to create a deliberative forum for the exchange and expression of new lawyers’ views, and a voice to advocate those views.

ARTICLE 3. Membership

(a) New lawyer defined. A “new lawyer” means a lawyer admitted to practice before the Supreme Court of Minnesota who (1) has been so admitted within the past six years; or (2) is eligible for membership in (whether or not he or she joins) the American Bar Association, Young Lawyers Division. Notwithstanding the foregoing, a lawyer shall remain a “new lawyer” for the entirety of any bar year during which such lawyer meets either of the foregoing criteria.

(b) Student associates. Any student associate (see MSBA Restated Bylaws § 1.3.4(d)) may join the Section by written notice to the Secretary, in which case the student shall enjoy every right, privilege, and duty of full membership, except as these bylaws otherwise prescribe.

(c) Composition. The Section consists of (1) those new lawyers who are members of the Association, except those who decline or resign their membership in the Section by written notice to the Association or the Section; and (2) those student associates who have joined the Section in accordance with Article 3(b). The Section’s membership, as defined by this Article 3(c), shall be referred to collectively as the “Membership,” and individually as “members.”

(d) Any member may vote on any item considered by the Section at its meetings, and may participate in any meeting, event, activity, or program that the Section sponsors. The enumeration of this right does not exclude any other right that a member may enjoy.

ARTICLE 4. Officers

(a) The officers of the Section shall consist of a Secretary, Treasurer, Vice-Chair, and Chair. That shall be the order of succession.

(b) The officers shall be elected to a one year term. Each officer shall succeed to the next officer position annually, unless an opponent is elected to that office.

(c) The term of each officer is one year, beginning July 1.

(d) The officers shall be elected each year in accordance with these Bylaws. If, after being elected, the Chair becomes unable or unwilling to serve, the Vice-Chair shall serve as Chair for the duration of the Chair's inability to serve, until the next year's Chair is elected in accordance with these Bylaws, and the remaining officers shall move up the line of succession. Similarly, if the Vice-Chair or Treasurer becomes unable or unwilling to serve, the Treasurer or Secretary respectively shall serve in their place, and the remaining officer(s) shall move up the line of succession. If the Secretary becomes unable or unwilling to serve, or if the Secretary succeeds to the position of Treasurer by reason of a vacancy in a higher office, statements of interest for the position will be accepted from the Membership and a replacement shall be elected by the Membership at the next regular meeting of the Section.

(e) No officer shall concurrently hold that office and serve as the chair or co-chair of any standing committee, a Section publication editor, a District Representative of the American Bar Association, Young Lawyers Division, or the Section's representative to the American Bar Association's House of Delegates.

(f) After previous notice, and for a stated cause, an officer may be removed from office by a two-thirds majority vote of the Membership present at a regular Section meeting.

(g) The officers shall meet, either in-person or via electronic or telephonic communication, at least once between meetings of the Section.

(h) Except as specifically limited by these Bylaws, the officers shall have full power and authority in the intervals between meetings of the Membership, to do all acts and perform all functions that the Membership itself might do or perform. Such action of the officers may be reviewed, modified, or rejected by the Membership.

ARTICLE 5. Duties of Officers

(a) Chair. The Chair shall be the chief executive, operating, administrative, and presiding officer who shall chair meetings of the Membership, the officers, and the Leadership Council. Subject to review by the Membership or the officers, the Chair shall enforce and interpret these Bylaws and implement each rule, policy, and procedure that supplements them; manage the officers, delegates, and liaisons and any other agent whose management is not otherwise assigned; undertake or delegate any responsibility not otherwise assigned; and be the general representative and official spokesperson of the Section.

(b) Vice Chair. Upon the death, resignation, absence or during the disability of the Chair, or upon the Chair's refusal to act, the Vice Chair shall perform the duties of the Chair for the remainder of the Chair's term, except in the case of the Chair's disability and then only for so much of the term during which the disability continues. The Vice-Chair shall perform those other duties and acts as the Membership may determine.

(c) Treasurer. The Treasurer shall (a) manage and account for the monies of the Section; (b) keep accurate records of all financial transactions of the Section; (c) present a financial report at each regular Section meeting; (d) prepare an annual budget and present it for approval at a meeting of the Section; and (e) certify the annual financial report prepared by the Association. The Treasurer may serve without bond. The Treasurer shall perform those other duties and acts as the Membership may determine.

(d) Secretary. The Secretary shall be the custodian of the bylaws and the minutes of the Section and shall keep a true record of the proceedings of all meetings of the Membership. The Secretary, in conjunction with the Chair, as authorized by the Membership, shall attend generally to the business of the Section. The Secretary shall perform those other duties and acts as the Membership may determine.

ARTICLE 6. Election Procedure

(a) Elections shall occur at the annual meeting of the Membership. Prior to the annual meeting, the Chair of the Section shall appoint a Nominating Committee of not less than three members of the Section who shall make and report to the Section one nomination for each officer position. Members of the Nominating Committee cannot run for office in that year's election. The Nominating Committee shall nominate the Vice-Chair for Chair, the Treasurer for Vice-Chair, and the Secretary for Treasurer, unless an officer has notified the Nominating Committee, in writing, of his or her decision not to run. Additional nominations may be made from the floor. All elections for contested offices shall be by secret written ballot unless otherwise ordered by a resolution duly adopted by the Membership at the meeting at which the election is held.

(b) The Secretary shall give notice of the election to the Membership at least 25 days before the annual meeting and shall invite any interested member to apply for nomination.

(c) Notwithstanding Article 6(a), in the event that any officer has served less than a full term by reason of having succeeded to a vacant office in accordance with Article 4(d), the Nominating Committee shall nominate that officer for the same position in which he or she is already serving.

ARTICLE 7. Governance and Meetings

(a) The governing body of the Section shall be the Membership. The Membership shall meet periodically as determined by the officers.

(b) The annual meeting of the Membership shall be held at such time as the officers shall determine. Regular meetings of the Membership shall be held on a periodic basis at such time and place as determined by the officers. Special meetings of the Membership may be called by the Chair, at such time and place as he or she may determine. Notice shall be sent to the Membership at least one week in advance of each meeting. Notice may be sent by regular mail, facsimile, electronic mail, or any other generally accepted method of delivery.

(c) A quorum shall consist of those members of the Section who are present at the meeting.

(d) The Membership shall have general supervision and control of the affairs and finances of the Section. The Membership shall specifically authorize in an annual budget all commitments or contracts which shall entail the payment of money, and approve all unbudgeted expenditures.

ARTICLE 8. Leadership Council

There shall be a Leadership Council, which shall be comprised of the officers; the chair(s) of each standing committee; the Section publication editor(s); the District Representative of the American Bar Association, Young Lawyers Division, if his or her principal office is in Minnesota; the Section's representative to the American Bar Association's House of Delegates; and the Section's representative to the Association's Assembly. The Leadership Council shall meet on at least an annual basis and shall act in an advisory capacity.

ARTICLE 9. Miscellaneous

(a) Fiscal Year. The fiscal year of the Section shall be the same as that of the Association, namely July 1 to June 30.

(b) Authority. The Section is a constituent of the Association, whose Articles of Incorporation and Bylaws control and supersede these Bylaws. These Bylaws incorporate the Association's Articles of Incorporation and Bylaws, including the meaning of terms therein. The Section cannot act on the Association's behalf except as authorized by the Association's Articles of Incorporation, Bylaws, or action taken under their authority.

(c) Liaisons. A "liaison" shall mean a representative to or from another organization. The same liaison may serve in both organizations, or the organizations may exchange liaisons. The Section shall actively seek a liaison with each committee and section within the Association, and shall ask that any such liaison participate on the executive or other governing board of that committee or section. The Section may establish a liaison with any other organization in the profession or the community in which new lawyers are represented, or in which their representation will further the Section's purposes. The Membership shall appoint each liaison, subject to such procedure as the other organization may prescribe.

(d) ABA-YLD. The Section is an affiliate of the Young Lawyers Division of the American Bar Association and may send representatives to the annual and midyear meetings, spring and fall conferences, and regional conferences. As an affiliate of the American Bar Association Young Lawyers Division, the Section and its affiliated organizations share District 17 with the State of Wisconsin. The officers shall recommend to the Membership delegates to each American Bar Association Young Lawyers Division meeting. The Membership shall vote to approve or amend such recommendations. The Section may choose to provide funding to its delegates for expenses relating to their attendance of meetings of the American Bar Association Young Lawyers Division. Each officer may elect, once per officer term, to receive such funding from the Section, but only if the Section is providing funding for that particular meeting.

(e) Committees. The standing committees of the Section shall include a CLE Committee, a Community Service Committee, a Social Committee, and an Outreach Committee. The Section may by a two thirds vote establish or eliminate any standing committee. The Section or the Chair may establish any special committee that is deemed necessary or helpful, which shall exist until the end of the fiscal year. Committee chairs or co-chairs shall be appointed by the Chair for a term coincident with the term of the current officers. Only those persons who remain members in good standing during the entire term of their appointment shall be eligible for appointment. Each committee chair(s) shall determine the membership of his or her respective committee.

(f) Publication. The Section shall maintain a Section publication to be distributed periodically to the Membership. The Chair shall appoint editor(s) for a term coincident with the term of the current officers. Only those persons who remain members in good standing during the entire term of their appointment shall be eligible for appointment.

(g) Assembly. The immediate past Chair shall represent the Section on the Association's Assembly (see MSBA Restated Bylaws § 4.3(1)) unless the Membership appoints another. The immediate past Chair can so represent the Section even if he or she is not a new lawyer, as long as he or she is a member of the Association. The Membership shall also appoint one Alternate Representative (see MSBA Restated Bylaws § 4.4(i)).

(h) Council. The Chair shall represent the Section on the Association's Council (see MSBA Restated Bylaws § 7.2(f)) unless the Membership appoints another. The Chair shall also serve on the Association's Assembly by virtue or his or her Council service (see MSBA Restated Bylaws § 4.3(a)).

(i) The latest edition of Robert's Rules of Order shall govern all meetings of the Section and the Leadership Council.

ARTICLE 10. Amendments

These Bylaws may be amended at any meeting of the Membership provided notice of the time, place, and purpose of the meeting, and the text of the proposed amendment, is sent to all members of the Section in good standing, at least 10 days prior to the date of the meeting. Notice may be sent by regular mail, facsimile, electronic mail, or any other generally accepted method of delivery. If notice has been given that amendments to the Bylaws will be proposed to Section members, amendments to the Bylaws may also be proposed from the floor. An amendment to the Bylaws so adopted shall be submitted to the Association's Assembly and becomes effective when approved by it.

Adopted on an unknown date and amended on 6/23/1994, 6/22/1995, 06/16/2006, 06/26/2009, and 04/29/2010.