

July 18, 2002

BY-LAWS OF THE TRIAL SKILLS SECTION OF THE
DALLAS BAR ASSOCIATION

Section 1. The name of this section shall be the Trial Skills Section (herein referenced to as "Section.")

Section 2. The purpose of this Section shall be to promote the continual advancement of the trial skills of members of the legal community by the open exchange of ideas, continuing legal education, communication between the bar and bench, and mutual respect and collegiality between members of the bar.

ARTICLE TWO
Membership and Dues

Section 1. Any member of the Dallas Bar Association, upon payment of Section dues for the current year, shall be enrolled as a member of this Section.

Section 2. Any paralegal or legal assistant of a Section member, upon payment of Section dues for the current year, shall be enrolled as a member of this Section, provided however, that they shall not be entitled to vote in elections or in issues submitted to the Section for approval.

Section 3. The Section, at the direction of the Board of Directors, may grant honorary memberships to members of the judiciary and other deserving individuals. Persons holding honorary memberships shall be entitled to all of the advantages of ordinary membership, except for the right to vote on Section business. The holder of an honorary membership need not meet the qualifications for regular membership in this Section.

Section 4. Unless waived by the Board of Directors, each member of the Section shall pay annual Section dues. The Board of Directors shall set the amount of the dues in an amount not to exceed \$50.00 per calendar year. Any member of the Section whose annual dues are not paid by ~~June 30th~~ ^{March} shall thereupon cease to be a member of this Section.

ARTICLE THREE
Officers

Section 1. The officers of this Section shall be a Chairperson, Vice-Chairperson, Treasurer, and Secretary.

Section 2. The Chairperson, Vice-Chairperson, Treasurer, and Secretary shall be nominated and elected in the manner hereinafter provided at each annual

meeting of this Section. The officers' terms shall be from January 1 though December 31.

Section 3. Chairperson. The Chairperson shall preside at all meetings of the Section and of the Board, and shall perform all such other duties and acts as usually pertain to such office.

Section 4. Vice-Chairperson. Upon death, resignation, or during the absence or disability of the Chairperson, or upon the Chairperson's refusal to act, the Vice-Chairperson shall perform the duties of Chairperson's term, except that in the case of the Chairperson's absence or disability, the Vice-Chairperson shall perform such duties only during so much of the term as the absence or disability programs of all Section meetings. In addition, the Vice-Chairperson shall perform such duties as the Chairperson shall delegate.

Section 5. Treasurer. The Treasurer shall serve as the financial officer for the Section, and shall be responsible for collection of all dues and other monies generated by the Section, and the payment of all Section obligations. The treasurer shall report monthly to the Board of Directors. The Treasurer shall also perform such duties as the Chairperson shall delegate.

Section 6. The Secretary shall serve as the recording officer for the Section. The Secretary shall publish and mail a Section newsletter each month to the Section members at the Section's expense. The Secretary shall also perform such duties as the Chairperson shall delegate.

ARTICLE FOUR Board of Directors/Ex-Officio Members

Section 1. There shall be a Board of Directors, which shall have the general supervision and control of the affairs of the Section, subject to the provisions of the Articles of Incorporation and the By-Laws of the Dallas Bar Association. All elections for Section officers and members of the Board of Directors shall be held at the annual meeting of the Section.

Section 2. The Board of Directors shall consist of the Chairperson, Vice-Chairperson, immediate past Chairperson, Secretary, Treasurer, and three members at large. The initial terms of the Directors shall be for a period of three (3) years.

Section 3. The Board shall have full authority to act for the Section. The Board shall have the power to authorize all commitments or contracts which shall entail the payment of money.

Section 4. The Chairperson shall appoint such standing committee and such special committees as are necessary to carry out the purposes and affairs of the Section.

Section 5. A majority of the voting members of the Board of Directors shall constitute a quorum, and all binding action of the Board shall be by a majority vote of the voting members present.

ARTICLE FIVE
Election and Removal/Vacancies

Section 1. By August 5th of each year, the Chairperson shall appoint a Nominating Committee consisting of the Immediate Past-Chairperson and four members of the Section; provided however, that if an officer or director serves on the Nominating Committee, they may not be nominated for a position as an Officer or a Director.

A majority of the Nominating Committee shall constitute a quorum, and if less than a quorum is present, the Chairperson of the Section shall appoint new members sufficient to constitute a quorum.

In June the Secretary shall publish a request for nominations be submitted to the Chairperson for those persons who wish to be considered for a position of Officer or Director by the Nominating Committee.

The Nominating Committee shall consider the nominations provided to them in accordance with the preceding paragraph, as well as any nominations proposed by the Nominating Committee members.

The Secretary shall publish the nominations made by the Nominating Committee in the October and November Section newsletters.

Other nominations may be made by three or more voting members of the Section upon written request received by the Chairperson on or before 5:00 p.m. on October 15th.

The Nominating Committee shall make and report the nominations for Chairperson, Vice-Chairperson, Treasurer, Secretary, and expiring or vacated Director positions to the Section at the annual meeting, as well as nominations made in accordance with the preceding paragraph.

No nominations may be made from the floor at the annual meeting.

Section 2. Unless approved by acclamation, members of the Nominating Committee present at the annual meeting shall open and count all votes. The nominee receiving the majority of the votes cast for an office shall be declared elected to that office. The nominees for Board of Director positions receiving the highest number of votes shall be certified as the duly elected directors.

Section 3. Any Officer or Director shall continue to serve in that capacity until the earliest occurrence of one of the following events.

- (1) Resignation from the office or directorship.
- (2) Failure to maintain membership in good standing with the State Bar of Texas.
- (3) Failure to pay Section dues and fees.
- (4) Failure to attend three (3) regularly called meetings of the Board of Directors during a one year period.
- (5) The term of office or directorship expires.
- (6) The final conviction of a felony or a crime of moral turpitude.

In the event of resignation, the Officer or Director shall be immediately removed from the Board of Directors without further action, and such removal shall be effective upon receipt of the resignation notice from the Officer or Director.

In the event of an event described in Section 3, items (2) - (4) above, the Chairperson shall, within (10) ten days of the date notice is received that such event has occurred, notify the Officer or Director in writing: 1) that the Board will vote on removal from office or directorship at the next regularly scheduled meeting of the Board of Directors; 2) the reason for such removal; 3) the date, time, and place of the next regularly scheduled meeting of the Board of Directors; and 4) that the Officer or Director may make written request to the Board of Directors to retain their position by delivering such request to the Chairperson no later than 5:00 p.m. on the day before the next regularly scheduled Board of Director's meeting. In the event the Officer or Director does not timely request to be retained, the Officer or Director shall be removed without further action by the Board of Directors. In the event the Officer or Director requests retention in a timely fashion the Officer or Director shall remain in office unless a majority of the Board of Directors votes for removal.

Section 4. In the event of a vacancy of any office or directorship other than Chairperson, the vacancy shall be filled as follows:

The Chairperson shall nominate a successor officer from the members of the Board of Directors.

The Chairperson shall nominate a successor Director from the members of the Section.

In the event the nominee receives a majority vote of the Board of Directors, the nominee shall be appointed to fill the unexpired term. In the event the nominee does not receive a majority vote of the Board of Directors, the Chairperson shall nominate additional successors until such times as a nominee receives the majority vote of the Board of Directors.

A vacancy in the office of Chairperson shall be filled by the Vice-Chairperson, and each subsequent officer shall advance to the next highest officer position. In such event, the new Chairperson shall nominate a successor Secretary from the members of the Section, and such vacancy shall be filled as set forth in the immediately preceding paragraph.

ARTICLE SIX

Meetings

Section 1. The annual meeting of the Section shall be in the month of November each year in Dallas, Texas. The time, date, place, programs, and order of business shall be determined by the Board of Directors.

Section 2. Regular meetings of the Section shall be held at dates, times, and places determined by the Board of Directors.

Section 3. Special meetings of the Section may be called by the Chairperson upon majority approval of the Board of Directors at such dates, times and places determined by the Board of Directors.

Section 4. The Secretary shall give notice to all of the members of the Section of each annual, regular, and special meeting of the Section at a reasonable time in advance of the meeting.

Section 5. The members of the Section present at any meeting shall constitute a quorum for the transaction of business. All binding action of the Section shall be by a majority vote of the members present at the meeting in which a vote is taken.

Section 6. Board Meetings shall be held at dates, times, and places determined by the Board of Directors, except the Chairperson may call a special meeting as may be deemed appropriate. The Chairperson is to be notified no later than

12:00 noon on the day before a scheduled Board meeting of any matter which needs to be placed on the agenda for consideration by the Board.

Section 7. This Section and its members shall operate at all times on the ethical guidelines set out in the Texas Lawyers Creed, and the Texas Disciplinary Rules of Professional Conduct and Texas Rules of Disciplinary Procedure.

ARTICLE SEVEN
Miscellaneous Provisions

Section 1. The fiscal year of the Section shall be January 1 through December 31 of each year.

Section 2. All bills incurred by the Section, before payment by the Treasurer, shall be approved by the Chairperson or by the Board of Directors.

Section 3. No salary or compensation shall be paid to any officer or Director.

ARTICLE EIGHT
Amendments to By-Laws

Those By-Laws may be amended at any meeting of the Section by a majority vote of the members of the Section present and voting, majority vote of the members of the Section present and voting, provided such proposed amendment(s) shall first have been approved by a majority of the Board of Directors. Written notice shall be given to members of the Section, and such written notice of any Section meeting at which a vote on an amendment (s) of these By-Laws will be conducted shall include the name of a contact person and telephone number where an interested Section member may obtain a copy of the proposed amendment (s).

ARTICLE NINE
Effective Date

The By-Laws became effective upon the approval of this Section at the _____, meeting by majority vote.

Adopted this _____ day of _____, 200__.

CHAIRPERSON

Attest:

Secretary