



Young Lawyers Section

BY-LAWS  
YOUNG LAWYERS SECTION  
THE BAR ASSOCIATION OF THE DISTRICT OF  
COLUMBIA

As Amended Through September 1, 2004

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ARTICLE I  
NAME AND PURPOSE

SECTION I

This organization shall be known as the Young Lawyers Section of the Bar Association of the District of Columbia, and shall be a section of that Association.

SECTION II

The purpose of the Young Lawyers Section ("the Section") is to promote wider acquaintance among the Young Lawyers of the District of Columbia and to bring them together in professional and social activity; to foster discussion and interchange of ideas relative to the duties, responsibilities and problems of young lawyers; to aid and promote the advancement of young lawyers; to encourage the interest and participation of young lawyers in activities of the Bar Association of the District of Columbia ("the Association"); and to provide a means for young lawyers, to collectively improve the administration of justice, serve their community in areas related to the law, and advance the community knowledge of the law.

ARTICLE II

MEMBERSHIP

SECTION I

The membership of the Section shall consist of all members of the Association who either (1) are 36 years of age or

younger, or (2) have first been admitted to the bar of any jurisdiction for a period of five years or less. Membership shall terminate on the first Annual Meeting after the later of the member's 36th birthday or the fifth anniversary of the member's first admission to the Bar of any jurisdiction. Membership shall also terminate at any time the member ceases to be a member of the Association.

## SECTION II

The members of the Section shall be classified as active, associate or honorary members, depending on whether they are active, associate or honorary members of the Association.

## SECTION III

Associate and honorary members shall have all the privileges of membership in the Section, except those of voting and holding office.

## ARTICLE III

### OFFICERS, BOARD OF DIRECTORS, DIRECTORS AND DELEGATES

#### SECTION I

The officers of the Section shall be a Chair, a Chair-Elect, a Secretary, a Treasurer, and a Treasurer-Elect. The Chair-Elect, the Secretary and the Treasurer-Elect shall be elected annually as provided in these by-laws, shall take office at the Annual Meeting following their election, and shall hold office until the next succeeding Annual Meeting. The Treasurer-Elect shall succeed to the office of the Treasurer at the Annual Meeting at which he or she shall cease to hold office as Treasurer-Elect. The Chair-Elect shall succeed to the office of Chair at the Annual Meeting at which he or she shall cease to hold office as Chair-Elect.

#### SECTION II

There shall be a Board of Directors, which shall consist of the Chair, the Chair-Elect, the Secretary, the Treasurer, the Treasurer-Elect, the immediate Past Chair, the Editor of the District of Columbia Young Lawyer; and in addition, ten other Board members, five of whom shall be elected each year, as elsewhere provided in these by-laws, to serve a two-year term from the Annual Meeting following their election until the second succeeding Annual Meeting.

### SECTION III

The Section will have four representatives on the Board of Directors of the Association. One shall be the Chair-Elect of the Section. The second shall be either the Chair or the Past Chair of the Section, as appointed by the Chair and approved by the Board of Directors. The other two representatives shall be chosen during the Section's annual election and shall be eligible as active Section members or by reason of being a Past Chair. Past Chairs may be selected as Section representatives on the Board of Directors of the Association notwithstanding the age restrictions in the Sections by laws.

### SECTION IV

The Chair shall serve, if able, as a delegate to the Young Lawyers Division of the American Bar Association; and, with the consent of the Board of Directors, shall appoint such other delegates as are required.

### ARTICLE IV

#### NOMINATION AND ELECTIONS

##### SECTION I

The nomination and election of officers and other members of the Board of Directors shall proceed annually and shall be completed before the Annual Meeting:

At least twelve weeks prior to mailing ballots Publication of appointments to Nominating Committee

No sooner than four weeks after publication of Report of Nominating Committee Nominations by petition due

At least three weeks prior to close of balloting Publication of photographs and biographical data on candidates and mailing of ballots

Recommended dates for election events follow.

Not later than:

January 31 Appointment of Nominating Committee

February 15 Publication of names of Nominating Committee

February 28 Appointment of Election Committee

February 28 Report of Nominating Committee

March 5 Publication of Report of Nominating Committee and procedure for petition

March 5 Report of Election Committee

March 31 Nominations by Petition

April 15 Publication of photographs and biographical data on candidates and mailing of ballots

May 15 (But not earlier than May 1) Close of balloting and counting of votes

## SECTION II

In nominating and electing officers and other Board of Directors members, the following procedures shall apply:

(a) The Chair, with the advice and consent of the Board of Directors, shall appoint himself or herself and two other members of the Section to a Nominating Committee, and the Chair shall designate which member of the Nominating Committee, not himself or herself, shall serve as its Chair. Upon receipt of the consent of the Board of Directors to these appointments, the Chair shall either mail the list of appointments to the membership or transmit the list of appointments to the Editor of The District of Columbia Young Lawyer for publication in an issue to be mailed to the membership not later than twelve weeks prior to the mailing of ballots for the election.

(b) The Nominating Committee shall report its nominations for the next election to the Chair, with copies of the Report to the Secretary and the Editor of The District of Columbia Young Lawyer for distribution to the membership along with a reprint of Article IV Section II (d) and (e) of these by-laws, at least eight weeks prior to mailing ballots.

(c) Only active members in compliance with the By-laws of the Association shall be eligible for nomination to office, and no member whose age shall result in the termination of his membership in the Section prior to the expiration of the term of office shall be nominated to that office.

(d) Further nominations, in addition to those made by the Nominating Committee, shall be received by the Secretary and included on the ballot if presented by written petition

bearing the signatures of 25 active members of the Section not later than four weeks after publication of the Nominating Committee's report.

(e) No campaign shall be conducted for any office, inasmuch as the election is for positions of service in a professional organization. No candidate shall request the vote of any member of the Section nor the efforts of any member of the Section in the promotion of candidacy. Except for efforts which may be involved in obtaining a petition to qualify for nomination, no member shall seek in any organized way to promote the election of any candidate.

(f) The background and qualifications of all candidates shall be publicized in a dignified and professional manner in an issue of The District of Columbia Young Lawyer and by any additional means prescribed by the Election Committee.

(g) The Chair, with the advice and consent of the Board of Directors, shall appoint an Election Committee of five members of the Section, one of whom shall be the Secretary or some other member of the Board of Directors, and the Chair shall designate which member of the Election Committee shall serve as its Chair. If any member (including the Board Member) appointed shall become a nominee for office, that member shall immediately be replaced by another member appointed by the Chair, and if the member of the Board of Directors shall become a nominee for office, the Chair shall if possible replace him or her with another member of the Board of Directors. If the Chair of the Election Committee shall become a nominee for office, the Chair shall designate a new Chair of the Committee.

(h) The Election Committee shall formulate rules for the conduct of the ensuing election as may be necessary and as are not inconsistent with these by-laws. The committee shall identify a place where ballots must be mailed or delivered in order to be valid, and a day and time by which they must be received at that place in order to be valid which day shall not be earlier than May 1, nor later than two weeks prior to the Annual Meeting. The committee shall also fix a day and time for counting the votes, which day shall not be earlier than May 1, nor later than two weeks prior to the Annual Meeting.

(i) Not later than eight weeks prior to the date for mailing ballots to the membership, the Election Committee shall furnish to the Secretary a copy of the election rules, together with a statement of the place where the ballot is to be mailed or delivered, the day and time by which it must be received at that place in order to be valid, the day set for counting the

votes, and such other information concerning the conduct of the election as shall have been required by the Election Committee to furnish to the membership. The Secretary shall comply with the rules the Election Committee may have adopted, including provisions to insure secrecy of the ballot and to prevent its use by persons ineligible to vote. Ballots shall be mailed at least three weeks prior to the close of balloting. Concurrently with the mailing of the ballots, the Editor of The District of Columbia Young Lawyer shall mail to each member in good standing an issue which contains pictures of the candidates, appropriate biographical material, and a reprint of Article IV, Section 2(e) of these by-laws.

(j) The Election Committee shall count the votes on the day and at the time fixed. The Chair of the Election Committee shall forthwith certify the balloting results to the Section, and the Chair of the Section or his or her designee shall announce the results and notify all elected and non-elected candidates not later than one day following the day on which the votes are counted. The candidates receiving the highest number of votes for their respective offices shall be declared duly elected, subject to the limitations on eligibility contained in these by-laws.

(k) In the event of a tie vote for any office, the tie shall be decided by vote of the Board of Directors then in office, provided, however, that no person who is one of the parties to any tie vote shall vote as a member of the Board of Directors for the purpose of deciding any tie vote; the Officers of the Section shall vote only if necessary to break a tie vote on the Board of Directors, provided, however, that no person who is one of the parties to any tie vote shall vote as an Officer for the purpose of deciding any tie vote; the Chair shall vote only if necessary to break a tie of the Officers of the Section.

(l) The persons elected to office shall assume those offices and their powers at the next succeeding Annual Meeting.

## ARTICLE V DUTIES AND POWERS OF OFFICERS, BOARD OF DIRECTORS, DIRECTORS AND DELEGATES

### SECTION I

The Chair, Chair-Elect, Secretary, Treasurer, and Treasurer-Elect shall have those duties and powers which usually pertain to the respective offices, not inconsistent with these by-laws or with the by-laws of the Association.

(a) The Chair shall serve as chief executive officer of the Section and shall, when present, preside over all meetings of

the Section and of the Board of Directors.

(b) The Chair-Elect shall perform such duties as the Chair may assign. The Chair-Elect shall also undertake to chair the Long Range Planning Committee. Upon the death or resignation of the Chair or removal pursuant to the provisions of Section II, subpart (c) of Article V, the Chair-Elect shall assume the office and duties of Chair for the remainder of the term and continue in that office for the succeeding term.

(c) The Secretary of the Board shall keep a minute book that documents all meetings of the Board of Directors and copies of any agreements, contracts, pleadings or other documents executed on behalf of the Young Lawyers Section and presented to the Board of Directors for ratification, confirmation or adoption by the Board.

(d) The Treasurer shall maintain the financial records of the Section and shall, in consultation with the Chairman, propose the budget of the Section.

(e) The Treasurer-Elect shall perform such duties as the Chair may assign. The Treasurer-Elect shall also undertake to plan and prepare for the year he or she shall serve as Treasurer. Upon the death or resignation of the Treasurer or removal pursuant to the provisions of Section III subpart (c) of Article V, the Treasurer-Elect shall assume the office and duties of Treasurer for the remainder of the term and continue in that office for the succeeding term.

## SECTION II

The Board of Directors shall have general supervision of the affairs of the Section, and shall exercise its supervision in accordance with the provisions of these by-laws. The Board of Directors shall be vested with the responsibility of establishing and promulgating the policy of the Section. The Officers of the Section shall deal with emergency issues on an ad hoc basis in a manner consistent with the policies established by the Board of Directors.

(a) The Board of Directors shall advise the Chair with regard to the staffing of the committees. However, appointment of the Chairs and members of the various committee shall be the duty and prerogative of the Chair. No existing committee shall be terminated and no new committee shall be established without the consent of the Board.

(b) The Board of Directors, between Annual Meetings of the Section, may fill vacancies in its own membership, including

vacancies in the offices of Secretary, Treasurer and Treasurer-Elect and the Section's delegates to the Board of Directors of the Bar Association, and in the event of a vacancy in both the offices of Chair and Chair-Elect, then in the office of Chair or in the event of a vacancy in both the office of Treasurer or Treasurer-Elect, then in the office of Treasurer. Members of the Board of Directors so elected shall serve out the terms of their predecessors. Officers so elected shall serve until the close of the next Annual Meeting of the Section until their successors shall have been elected and qualified. In no event shall more than one-half the total number of Members of the Board of Directors (excluding the officers) be elected for two year terms at each annual election. In the event that more than one-half of the Board member positions must be filled, the number of such Members, who receive the highest number of votes, shall serve two year terms; the balance of the elected Members shall serve one year terms.

(c) The Board of Directors, upon affirmative vote of two-thirds of the members of the Board including the Chair, who shall cast a vote, may remove any member of the Board, including officers of the Section, for failure to assume and/or discharge the duties and responsibilities of the office. Removal shall be on motion joined by not less than five members of the Board specifying the factual basis for motion. No vote shall be taken on the motion until after notice to the affected member, either actual notice if present when the motion is presented to the Board, or notice by letter sent registered mail signed by the Secretary of the Section or acting Secretary of the meeting. Thereafter, the affected member shall be given an opportunity to make oral or written presentation in opposition to the motion at the next Board meeting.

(d) A majority of the Board of Directors shall constitute a quorum and all binding action of the Board shall be by a majority vote of the members present unless otherwise provided in these by-laws.

(e) Meetings of the Board of Directors shall be called by the Chair, or by any three members of the Board upon at least five days' notice in writing, or upon actual notice to all members of the Board of Directors, which notice shall be perfected not less than twenty-four hours prior to said meeting, unless such notice is waived by the unanimous consent of the Board. Meeting of the Board shall be held on a regular basis at such times and places as shall be designated in the notice of the meeting. The Board, acting through its Chair or upon request of any three or more members of the Board, may request other individuals to attend and/or to

report to the meeting of the Board for such purposes as the Chair of the Board shall deem appropriate.

(f) The position of Chair of Operation Crackdown shall be a two-year renewable term that begins on the date of the Annual Meeting of the Section. No later than April 1 of each year, the Steering Committee of Operation Crackdown shall advise the Board of Directors with regard to the appointment of Chair of Operation Crackdown, and prior to the Annual Meeting of the Section, the Board of Directors shall appoint the Chair of Operation Crackdown. The Chair of Operation Crackdown, shall hold office until the next succeeding Annual Meeting. The Chair of Operation Crackdown (i) shall provide to the Chair of the Young Lawyers Section, no later than August 1 of each year, a proposed annual budget for Operation Crackdown; (ii) shall report to the Board of Directors on the activities and plans of Operation Crackdown; and (iii) shall advise the Chair of the Young Lawyers Section regarding the appointment of a member of the Operation Crackdown Steering Committee to the position of YLS Delegate on the Board of Directors of the Association. The YLS Delegate on the Board of Directors shall have full voting privileges as if he or she were an elected member of the Board of Directors.

### SECTION III

The members of the Section serving as delegates to the Board of Directors of the Association pursuant to Article III, Section III, of these By-laws shall be the liaison officers between the Section and the Association and shall act on behalf of the Section in accordance with instructions approved by the Section or by the Board of Directors. The delegates to the Board of Directors shall report to the Board of Directors on all actions taken on behalf of the Section and on all matters discussed by the Board of interest to the Section or shall designate someone to report in their stead.

### SECTION IV

The Chair and any other delegate or delegates to the Young Lawyers Division of the American Bar Association shall assume the duties and powers designated by the constitution and by-laws of the Young Lawyers Division and as may be imposed upon and delegated to them by the Board of Directors of the Young Lawyers Section.

The Chair shall appoint a liaison to the American Bar Association to report to the Board of Directors on matters of interest to the Section and to perform such other duties as the Chair or the Board of Directors may delegate.

**SECTION V**

The Board of Directors shall be required to approve the budget of the Young Lawyers Section, which shall be submitted to the Board of Directors no later than September 30 of each year.

**ARTICLE VI  
MEETINGS OF SECTION****SECTION I**

The Annual Meeting of the Section shall be held in the District of Columbia on such day during the month of June as the Board of Directors may direct.

**SECTION II**

Special meetings of the Section may be called at any time by the Chair with the consent of the Board of Directors and shall be called by the Secretary upon the written request of not less than 25 members of the Section, specifying the purpose of the call. At special meetings no business shall be transacted except that specified in the call therefor.

**SECTION III**

No less than seven day's notice in writing shall be given by the Secretary to each member of every meeting of the Section.

**SECTION IV**

The active members of the Section present at any meeting and eligible to vote shall constitute a quorum for the transaction of business. Only those active members who are in good standing in the Association shall be eligible to vote; and all binding action of the Section shall be a majority vote of such members present.

**ARTICLE VII  
MISCELLANEOUS PROVISIONS****SECTION I**

No report of any committee of the Section or statement or endorsement on behalf of the Section shall be released to the press or otherwise generally disseminated prior to approval by the Board of Directors. This shall not prohibit inclusion of any committee report, prior to Board approval, in the Section's entry in the annual competition for the Award of Achievement sponsored by the Young Lawyers Division of the American

## Bar Association.

### SECTION II

Any action of the Section intended to become the action of the Association must be approved by the Board of Directors of the Association before it becomes effective as the action of the Association; provided, however, that the Section may bind the Section budget previously approved by the Association.

### SECTION III

As used herein, the term "notice in writing" shall mean depositing a written communication in the U.S. Mail, by the time specified, addressed to the members concerned at their respective addresses.

### SECTION IV

These by-laws shall become effective upon approval by the Section and by the Board of Directors of the Association; provided, however, that all officers and other members of the Board of Directors already duly elected at the effective date of these by-laws may continue to serve in such capacity until the expiration of their respective terms.

## ARTICLE VIII

### REFERENDA

#### SECTION I

When instructed to do so by the Board of Directors or upon receipt of a request in writing signed by 25 voting members of the Young Lawyers Section, the Secretary shall conduct a referendum by mail upon:

- (a) Any question which might properly be placed before the Section by motion or resolution at an annual, stated or special meeting of the Section.
- (b) Any issue determined by the Board of Directors within the preceding three months which is subject to approval or disapproval by the Section.
- (c) Any matter which has been pending before the Board of Directors and has not been acted upon within three consecutive meetings of the Board; and,
- (d) Any proposal to amend the By-laws of the Young Lawyers Section.

#### SECTION II

The Board of Directors shall prescribe and promulgate rules for conducting and announcing the results of referenda.

#### SECTION III

No referendum vote shall be deemed to be a vote of the Section unless a minimum of 100 votes shall have been filed in accordance with the prescribed rules.

A majority of the votes cast in any effective referendum shall constitute one vote of the Section on the matter covered by the referendum to the same extent as if the vote had been taken in an appropriately notified and assembled meeting of the Section, except that the By-laws of the Young Lawyers Section shall not be amended unless two-thirds of the votes cast favor the proposed amendment.

## ARTICLE IX AMENDMENTS

### SECTION I

Submission of amendments of these By-laws for vote by YLS active members in good standing shall be allowed only if the Board has considered and approved said amendments.

### SECTION II

The By-laws may be amended:

- (a) at the annual or any stated meeting of the Young Lawyers Section by a two-thirds vote of the active members in good standing present, provided that notice of the proposed amendment, subscribed by ten such members, be given by mailing a copy of the proposed amendment to each active member at least one month before being voted upon, or
- (b) by a referendum vote as provided for in these By-laws.

### SECTION III

Upon consideration of any proposed amendment at meetings of the Section, amendments and substitutes may be offered and voted upon at the meeting; provided that material modifications must be submitted in writing to the Secretary of the Section at least three days prior to the meeting at which this vote is to be taken. The Secretary shall post a copy of such modification on the official bulletin board in the Bar Association office; announce at the opening of the meeting that they have been received, and permit members to read them at the meeting. If at the meeting amendments or substitutes are ruled out of order under this section, the proponents of such amendments or substitutes shall be accorded a reasonable opportunity at the meeting to reduce them to writing, have them subscribed by ten members, and give the meeting notice thereof so that a compliance with Section I (a) of this Article can be initiated then.

### SECTION IV

Amendments to these By-laws shall become effective when approved by the Board of Directors of the Association in

accordance with its By-laws.