

**BYLAWS
of the
Public Lawyers Division
of the
Maricopa County Bar Association**

ARTICLE I

This organization ("Division") shall be known as the Public Lawyers Division of the Maricopa County Bar Association ("MCBA").

ARTICLE II

PURPOSES OF THE DIVISION

- a) To stimulate the interest of public lawyers who work or reside in Maricopa County in the activities, objectives, and purposes of the MCBA and the Division and in becoming active members of same.
- b) To encourage study and discussion pertaining to the problems, duties, and responsibilities of members of the legal profession practicing in the public sector.
- c) To provide members of the Division with a more effective means to participate in activities directed toward improving the administration of justice and promoting issues of importance to public lawyers.
- d) To encourage and support diversity in the practice of law and support fair opportunities for attorneys, regardless of race, ethnic background, gender, religion, age, sexual orientation, or disability.
- e) To promote cooperation and fellowship among members of the Division.
- f) To encourage law students to consider practice as a public lawyer, assist law students and new members of the MCBA in preparing for and establishing themselves in the practice of law as public lawyers, assist members of the Division in enhancing their abilities and professional growth and in developing legal careers through service as a public lawyer.

- g) To encourage and acknowledge outstanding service by public lawyers who have been active in the MCBA and the Division and by law students at Arizona State University or Phoenix School of Law who demonstrate an interest in becoming a public lawyer.
- h) To participate in community service activities that will reflect positively on the Division and the MCBA.
- i) To provide comments and recommendations to the MCBA Board of Directors as to issues the Division believes are of importance to its members.

ARTICLE III

MEMBERSHIP

Section 1 - Regular Members. The members of the Division shall include all those persons who join the MCBA under the Public Lawyer membership categories. To be qualified for such category, the person shall be employed by any governmental or public agency or subdivision, which shall include any entity supported in full or in excess of 50% by government revenue (other than attorneys on contract with said entities).

Section 2 - Auxiliary Members. Other MCBA members (particularly those whose private practice involves regular interaction with governmental or public agencies or subdivisions) who desire to participate in the activities of the section may become Auxiliary Members by the payment of the dues as provided in Article IV below.

ARTICLE IV

DUES

Section 1 - Fiscal Year and Dues. The fiscal year of the Division shall commence on January 1 and shall end on December 31. No separate dues are required of Regular Members of the Division. Dues for Auxiliary Members shall be payable in accordance with the dues structure established from time to time by the MCBA Board of Directors.

Section 2 - Non-Payment of Dues. The name of any Auxiliary Member who has not paid his or her annual dues to this Division by February 1 of the current fiscal year shall be stricken from the membership rolls of the Division; provided, however, he or she may be reinstated at any time during the fiscal year upon payment of the entire amount of annual dues.

ARTICLE V

BOARD OF DIRECTORS

The Board of Directors of the Division shall be comprised of the following: President, President-Elect, Treasurer, Secretary, Immediate Past President (if applicable) (collectively "Officers") and up to ten (10) Directors. The President, President-Elect, Treasurer, Secretary and the Directors shall be elected in accordance with Article IX. The position of Immediate Past President shall automatically be conferred upon the person occupying the position of President at the end of the immediately preceding fiscal year. If the person occupying the position of President at the end of the immediately preceding fiscal year is re-elected to the position of President, the position of Immediate Past President shall remain vacant for the remainder of the President's term.

ARTICLE VI

DUTIES OF OFFICERS AND MEMBERS OF BOARD OF DIRECTORS

Section 1 - President. The President shall preside at all meetings of the Division and shall have such other executive powers and perform such other executive duties as are consistent with these Bylaws and with the Bylaws of the MCBA.

Section 2 - President-Elect. The President-Elect shall have all of the powers and authority and perform all of the functions and duties of the President in the President's absence or the President's inability for any reason to exercise such powers and functions or to perform such duties. The President-Elect shall assume the office of the President upon the expiration of the President's term. Should the position of President become

vacant as a result of resignation, removal, or death, the President-Elect shall serve the remainder of the former President's term as well as a full term as President in the following year.

Section 3 - Treasurer. The Treasurer shall, in conjunction with the Executive Director of the MCBA, oversee the finances of the Division and report periodically to the Board of Directors regarding same. The Treasurer shall also assist in the preparation of the Division's budget.

Section 4 - Secretary. The Secretary shall record the minutes of the meetings of the Board of Directors and any business meetings of the Division.

Section 5 - Immediate Past President. The Immediate Past President shall provide leadership and guidance to the current officers of the Division and carry out such other duties as may be assigned by the President or the Board of Directors.

Section 6 - Directors. Each of the Directors shall be responsible for assisting the President in implementing the goals of the Division.

Section 7 - Meetings. The Board of Directors may act at a meeting duly called or by poll of each member of the Board of Directors. A majority of the members of the Board of Directors shall constitute a quorum to transact business. Meetings shall be called by the President or by a majority of the Board of Directors. A poll of the Board of Directors may be conducted at a meeting, by electronic mail, regular mail, or telephone.

Section 8 - Terms of Office. The President, President-Elect, Treasurer, Secretary, and Immediate Past President shall have a one-year term of office, commencing on the first day of January of each year and shall end on the last day of December of the same year. The Directors shall have a two-year term of office, commencing on the first day of January of each year and shall end on the last day of December of the next year. The terms of the Directors shall be staggered with five open positions in even years and five open positions in odd years.

Section 9 - Vacancy. In the event a vacancy on the Board of Directors for any position (other than Immediate Past President) occurs by death, resignation, or otherwise, the same may be filled by majority vote of the Board of Directors.

Section 10 – Removal. Any officer or member of the Board of Directors may be removed by a two-thirds (2/3) vote of the Board of Directors present at a meeting duly called at which a quorum is present.

ARTICLE VII
COMMITTEES

The President or the Board of Directors may establish committees within the Division or within the Board of Directors to carry out the Division’s work. The President shall appoint all members of said committees and the terms of the committee members shall run concurrently with that of the President. Committee members shall be eligible for reappointment at the discretion of the successor President.

ARTICLE VIII
MEETING OF MEMBERS

The Division may hold meetings of the entire Division membership at such places and times as may be determined by the President. Notice of said meetings shall be given at least five (5) days prior to any such meeting. Should the meeting be held for the purpose of conducting any Division business, fifteen (15) members of the Division shall constitute a quorum for such purpose.

ARTICLE IX
ELECTIONS

Section 1 – Board of Directors Nominations. All Division members shall be notified of the opportunity to apply for a position as a Director of the Division. Notice of the opportunity to serve on the Board of Directors (i) shall be provided on or before October 31 of the year preceding the year in which the term of the Board of Directors position would commence, (ii) shall identify the MCBA staff person to whom application must be made, and (iii) shall identify the deadline for application submission, which shall not be later than November 30.

Section 2 – Board of Directors Election. The Board of Directors shall be elected by a plurality of votes of the Division members by written ballot mailed or emailed to the members. If the number of qualified nominees for the Board of Directors equals the number of positions available for election, no ballots shall be mailed or emailed, and the nominees shall be deemed elected.

Section 3 – Officer Election. All Directors shall be notified of the opportunity to apply for a position as an Officer. On or before December 1 of the year preceding the year in which the term of the Officers positions would commence, the Officers shall be elected by a majority vote of the Board of Directors at a meeting duly called at which a quorum of the Board is present.

ARTICLE X

AMENDMENTS TO BYLAWS

These Bylaws may be amended by a two-thirds vote of the members of the Board of Directors.

The MCBA Board of Directors retains the power to reject, amend or approve all or any portion of these Bylaws, and these Bylaws shall not be effective until approved by the MCBA Board of Directors.