

UTAH STATE BAR
***MODEL* SECTION**
BYLAWS

ARTICLE 1
ORGANIZATION

1.1 Creation. The [____] Section (hereinafter "Section") was established pursuant to the Bylaws of the Utah State Bar (sometimes referred to as the "Bar") to accomplish the purposes set forth therein.

1.2 Purpose. The purpose of the Section shall be to assist its members and all interested members of the Bar:

- a. By providing high quality continuing legal education ("CLE") opportunities which will satisfy all of the Utah State Bar Mandatory Continuing Legal Education requirements;
- b. By sponsoring periodic CLE luncheons with topics selected by Section officers (after considering input from Section members);
- c. By holding an annual Section meeting (typically a half-day seminar with an update of case law from the Utah Supreme Court and Utah Court of Appeals, legislation and other topics);
- d. By sponsoring break-out session(s) at the Utah State Bar mid-year and annual meetings;
- e. By providing opportunities and forums for real property lawyers to network and exchange ideas regarding the practice of [____] law;
- f. By periodically publishing a newsletter advising Section Members of upcoming events, legislation and other matters pertinent to real property lawyers;
- g. By monitoring legal and political issues relevant to [____] lawyers and to make recommendations to the Bar with respect thereto including without limitation participation on the Utah State Bar Governmental Relations Committee;
- h. If applicable, by forming ad hoc committees to address legislation of general interest to [____] practitioners; and
- i. To undertake such other service as may be of benefit to the Section's members, the legal profession and the public.

1.3 Limitations. These Bylaws are adopted subject to the applicable Utah Statutes and the Bylaws of the Utah State Bar, and supersede any existing Bylaws of the Section.

1.4 Principal Office. The principal office of the Section shall be maintained in the offices of the Utah State Bar.

1.5 Fiscal Year. The fiscal year of the Section shall coincide with that of the Utah State Bar.

ARTICLE 2
MEMBERSHIP

2.1 Enrollment. Any member of the Utah State Bar in good standing with the Bar shall, upon request to the Executive Director of the Bar, be enrolled as a member of the Section by the payment of annual Section dues in an amount and for the purpose approved by the Board of Commissioners of the Utah State Bar.

[Associate Members (Industry/Vendors/Staff)]

Enrollment of Associate Members. The members of the Section may include persons who are not attorney members of the Utah State Bar, and shall be known as “Associate Members”. It is the policy of this Section to involve Associate Members for the limited purpose of advancing the Section’s principal objectives that are set forth in these Bylaws. As a specific condition for membership in the Section, Associate Members shall take all precautions to assure that they do not hold themselves out as being members of the Utah State Bar, and will follow all guidelines and directives from the Section Chair in connection with the implementation of this requirement. Membership as an Associate Member shall be at the absolute and sole discretion of the majority of the members of the Executive Committee. Associate Members may not hold office in the Section, but are otherwise entitled to all of the privileges and benefits of Section membership. Associate Members shall pay annual Section dues equivalent to the amount paid by regular members of the Section.

[Student Section]

Enrollment of Student Members. The Associate Members of the Section may include degree or certificate seeking students, subject to their showing evidence of current enrollment at an institution of higher education. Student Members are subject to the limitations, requirements, and benefits of other Associate Members pursuant to Article 2. Student Members shall pay annual Section dues.

2.2 The Membership. Members enrolled as provided in Section 2.1 shall constitute the membership of the Section.

2.3 Dues. The Section officers shall set the dues for Section members. The dues shall be [**\$ 0.00**] for each member per year unless the Section officers determine an adjustment should be made.

ARTICLE 3
MEETINGS

3.1 Annual Meeting. The annual meeting of the Section shall be held at a place determined by the officers on the **third (3rd) Thursday** in the month of **April** in each year or such other date as designated by the Section Officers unless that day is a legal holiday, and if a legal holiday, on the following Thursday which is not a legal holiday.

3.2 Quorum. Those Section members present at any duly called Section meeting shall constitute a quorum for the transaction of business.

3.3 Controlling Vote. Action of the Section shall be by majority vote of the members present and voting at any meeting of the Section.

3.4 Agenda. At the annual meeting of the Section members, Officers of the Section shall be elected and other business may be discussed and voted upon as determined to be appropriate by the Officers.

3.5 Special Meetings. Special meetings of the membership of the Section may be called by the Section Chairperson at such time and place as he or she may determine.

3.6 Notice of Meetings. Written, printed, or electronic notice shall be given to all Section members stating the date, hour and place of all meetings of members, and in the case of all special meetings the purpose or purposes for which the meeting is called. Notice shall be delivered by hand, U.S. mail or e-mail at least five (5) days prior to the date of the meeting to each member of the Section. If mailed, notice shall be deemed delivered when deposited in the United States mail addressed to the member at his or her address as it appears on the records of the Utah State Bar, with postage thereon prepaid.

ARTICLE 4 **OFFICERS**

4.1 Officers. The Officers of the Section shall be a Chairperson, a Vice Chairperson, a Secretary, and a Treasurer, chosen from the membership of the Section. The Officers shall establish the rates for Section dues, CLE presentations (monthly lunches and the annual Section meeting), as well as approve expenditures for special projects, donations, reimbursements and lodging and meals for guest speakers at Section-sponsored events. Specific duties of those officers related to administration and operation of the Section shall be as follows:

Chairperson

- General oversight of Section
- Liaison with Utah State Bar
- Represent Section at Utah State Bar Commission meetings, as invited
- Respond to inquiries made to Section
- Oversee Distinguished [] Practitioner award
- Supervise and prepare agenda for Section Officer meetings
- Communications to Section officers
- Oversee monthly CLE presentations
- Coordinate/oversee matters assigned by Section Officers
- CLE presentations, special ad hoc projects

Vice Chairperson

- Serve on Utah State Bar Governmental Relations Committee
- Canvas Section Officers for position on pending legislation
- Serve on Utah State Bar Annual Meeting Committee
- Host Section breakfast at Utah State Bar Annual Meeting (if breakfast is held)

Arrange for Section-sponsored speakers at Annual Meeting
Attend Annual Meeting and introduce Section-sponsored speaker(s)
Provide plaque for outgoing Section Chairperson
Provide plaque for Distinguished [____] Practitioner award
Coordinate/oversee matters assigned by Section Officers
CLE presentations, special ad hoc projects

Secretary

Serve on Utah State Bar Mid-Year meeting committee
Arrange for Section-sponsored CLE session or sessions at mid-year meeting
Attend mid-year meeting and introduce Section-sponsored speaker(s)
Supervise preparation and mailing of newsletter
Maintain records (historical listing of CLE, Officers, Section rules, etc.)
Reserve facilities for CLE meetings and select menus
Coordinate/oversee matters assigned by Section Officers
CLE presentations, special ad hoc projects

Treasurer

Analyze regular financial reports
Make recommendations on rates for dues, CLE charges, etc.
Monitor self-sufficiency of regular functions
Prepare annual budget / estimates of expenditures
Process reimbursements with Utah State Bar
Send out “dunning” letters for no shows at CLE presentations
Coordinate annual Section meeting in April, including arranging for speakers and preparing brochure, introducing speakers and conducting election of new Section Officer(s)
Coordinate/oversee matters assigned by Section Officers
Organize new lawyer CLE
CLE presentations, special ad hoc projects

ARTICLE 5 **ELECTIONS**

5.1 Succession to Offices. The Treasurer shall automatically succeed to the office of Secretary. The Secretary shall automatically succeed to the Office of Vice Chairperson. The Vice Chairperson shall automatically succeed to the Office of Section Chairperson.

5.2 Elections. A new Treasurer shall be elected each year at the Section's annual meeting by majority vote of the members then in attendance. If for lack of nominations or any other reason no Treasurer is elected, the position may be filled pursuant to Section 5.3, below.

5.3 Vacancies. If at any time an office shall become vacant for any reason, then the remaining Section Officers may appoint any member of the Section to fill the vacancy for the balance of the unexpired term. Such appointed person shall not succeed automatically to another Section Office as provided in Section 5.1, above, but shall be subject to elections as provided in Section 5.2, above.

5.4 Term of Office. The term of office shall begin May 1 and shall end on April 30 of each year.

ARTICLE 6 **COMMITTEES**

6.1 Committees. The Section shall have such committees as may from time to time be appointed by the Officers to perform such duties and exercise such powers as the Officers may direct.

6.2 Committee Chairperson. Each Committee shall have a Chairperson to be appointed by the Officers who will then regularly report to the Officers.

6.3 Duties of Committees. Each Committee shall have the responsibilities which are delegated to it by the Officers, which may include the following:

- a. To plan and implement Section projects including but not limited to Section meetings and continuing legal education seminars.
- b. To analyze issues and make recommendations to the Officers on matters referred to the Committee or on its own initiation.

6.4 Membership of Committees. Upon request, any member of the Section may be a member of one or more Committees.

6.5 Duties of Members of Committee. A Section member shall become a member of a Committee with the understanding he or she will devote sufficient time to assist the Chairperson of the Committee in performing the duties of the Committee.

6.6 Meetings. The Committees may act by correspondence or at meetings separate from the Section. Section members may but need not be given notice of Committee meetings and all Committee meetings may but need not be open to all Section members.

ARTICLE 7 **AMENDMENTS**

7.1 These Bylaws may be amended at any meeting of the Section by a majority vote of the members of the Section present and voting.

CERTIFICATION OF ADOPTION

I CERTIFY THAT THE FOREGOING BYLAWS WERE ADOPTED BY VOTE OF THE SECTION MEMBERSHIP OF THE [___] SECTION OF THE UTAH STATE BAR AT A MEETING, DULY CALLED, ON THE ___TH DAY OF APRIL, 2005.

BY: _____
*, SECTION CHAIR