

**BYLAWS OF THE
ARTS, COMMUNICATIONS, ENTERTAINMENT AND SPORTS SECTION
OF THE STATE BAR OF MICHIGAN**

**ARTICLE I
NAME AND PURPOSES**

SECTION 1. This Section shall be known as the Arts, Communications, Entertainment and Sports Section of the State Bar of Michigan.

SECTION 2. The purposes of this Section are:

1. To foster, encourage and develop the professional skills and knowledge of the legal profession, and of the members of this Section in particular, in the areas of arts, communications, entertainment and sports law.
2. To conduct seminars, programs and projects for the advancement and dissemination of information, research and ideas relating to arts, communications, entertainment and sports law.
3. To study existing legislation and recommend or oppose amendments or new legislation relating to arts, communications, entertainment and sports law.
4. To seek practical and adequate methods for the providing of competent legal services to individuals and organizations involved in arts, communications, entertainment and sports in Michigan including individuals or organizations who are unable to pay for such services.
5. To urge members of the State Bar of Michigan to participate in and support cultural organizations and activities generally.
6. To participate as amicus curiae in significant or particularly deserving cases involving arts, communications, entertainment and sports law, subject to the approval of the appropriate governing bodies of the State Bar of Michigan.

**ARTICLE II
MEMBERSHIP**

SECTION 1. Each member of the Section shall pay to the State Bar of Michigan dues of Twenty (\$20.00) Dollars, and, upon payment of dues for the current year, shall be enrolled as a member of the Section. Thereafter, said dues shall be payable in advance each year. Any member of the Section whose annual dues shall be more than six (6) months past due shall thereupon cease to be a member of the Section. Members so enrolled and whose dues are so paid

shall constitute the membership of the Section. Membership shall be limited to active members of the State Bar of Michigan.

SECTION 2. Newly admitted members of the State Bar of Michigan, upon written request, shall become members of the Section, without payment of dues to the Section, for the first two (2) years following his or her original admission to practice.

ARTICLE III ORGANIZATIONAL MEETING

SECTION 1. The organizational meeting of the Section will be held on September 1978 at the Annual Meeting of the State Bar of Michigan.

SECTION 2. The Board of Commissioners of the State Bar of Michigan hereby appoints James Renfrew, Acting Chairperson of this Section. He/She is to serve in this capacity until the Bylaws of this Section are approved and the Council and Officers of the Section are duly elected as hereinafter provided.

SECTION 3. All active members of the State Bar of Michigan who have applied for membership in the Section and have paid dues as required by letter postmarked on or before September 1, 1978, shall be eligible to vote at the organizational meeting.

ARTICLE IV COUNCIL

SECTION 1. There shall be a Council of the Section, which shall consist of nine (9) members who are elected as provided in Section 2 hereof, plus the four (4) officers of the Section, plus the five (5) most recent past chairpersons who are also current active members of the Section. All Council members shall have voting privileges.

SECTION 2. At the organizational meeting of the Section at which these Bylaws shall be adopted, three (3) members of the Council shall be nominated and elected to serve for one (1) year; three (3) for two (2) years; three (3) for three (3) years. ("Year" as used herein, meaning a term beginning at the close of the organizational meeting at which they shall have been elected and ending at the close of the first, second or third annual meetings of the Section respectively.) Thereafter, upon the expiration of each of these initial terms, there shall be elected at each annual meeting of the Section three (3) members to replace those members whose terms are expiring. All members so elected shall serve for a term of three (3) years beginning at the close of the annual meeting at which they were elected.

SECTION 3. In the event of a vacancy in any seat on the Council, the Council may elect a replacement to serve until the next annual meeting of the Section. At the next annual meeting of

the Section following the occurrence of a vacancy on the Council, the then unexpired portion of such Council seat shall be filled by election following the procedures set forth in Section 2 above.

SECTION 4. NOMINATIONS. Prior to each annual meeting of the Section, the Chairperson shall appoint a nominating committee consisting of three members of the Council, which committee shall make and report nominations to the Section for members of the Council to succeed those whose terms will expire at the close of the annual meeting, and to fill vacancies then existing for unexpired terms. Other nominations for the Council may be made from the floor.

SECTION 5. ELECTIONS. All elections shall be by written ballot unless otherwise ordered by resolution duly adopted by the Section at the annual meeting at which the election is held.

SECTION 6. PROXY VOTING. Voting by proxy shall not be permitted.

ARTICLE V ELECTION OF OFFICERS

SECTION 1. The officers of the Section shall be elected by the Section at the annual meeting of the Section and shall consist of a Chairperson, a Chairperson-Elect, a Secretary and a Treasurer, all of whom shall be members of the Section.

SECTION 2. Except as provided in Section 3, below, the officers shall be nominated and elected at the annual meetings of the Section by the same procedures as used for nominating and electing members of the Council. Officers shall serve until the next annual meeting after their election or until their successors are elected and qualified. No person may hold office as both an officer of the Section and as an elected member of the Council simultaneously.

SECTION 3. At the end of his term of office, the Chairperson-Elect, if still in office and still a member of the Council, shall automatically succeed to the office of Chairperson for a term of one (1) full year.

ARTICLE VI DUTIES OF OFFICERS

SECTION 1. CHAIRPERSON. The Chairperson shall preside at all meetings of the Section and of the Council. He/She shall formulate and present at each Annual Meeting of the State Bar of Michigan a report of the work of the Section for the then past year. He/She shall perform such other duties and acts as usually pertain to his/her office. He/She shall have the power to appoint and to remove the Chairperson and members of all committees of the Section who are to hold office during his/her term and shall remove any Chairperson or member of any committee when directed to do so by the Council. He/She shall plan and superintend the programming of the

Section at the Annual Meeting of the State Bar of Michigan during his/her term subject to the directions and approval of the Council. He/She shall perform such other duties and acts as may be designated by the Council.

SECTION 2. CHAIRPERSON-ELECT. Upon the death, resignation or during the disability of the Chairperson, or upon his refusal to serve, the Chairperson-Elect shall perform the duties of the Chairperson for the remainder of the Chairperson's term except in the case of the Chairperson's disability and then only during such term as the disability continues. He/She shall preside at all meetings in the absence of the Chairperson. In the event the Chairperson-Elect is required to fill a vacancy in the office of Chairperson, the Chairperson-Elect shall become Chairperson for the period of both the vacancy and the term he normally would have served as Chairperson. He/She shall aid and assist the Chairperson in the performance of his/her responsibilities and in such a manner and to such an extent as the Chairperson may request.

SECTION 3. SECRETARY. The Secretary shall be the custodian of all books, papers, documents and other property of the Section except money and financial records. He/She shall keep a true record of the proceeding of all meetings of the Section and of the Council. With the Chairperson, he/she shall prepare a summary or digest of the Section's annual meeting proceedings. He/She shall preside at meetings of the Council in the absence of both the Chairperson and Chairperson-Elect.

SECTION 4. TREASURER. The Treasurer shall keep a true record of all monies received and disbursed and report thereon to the Council wherever requested. Annually, the Treasurer shall submit a financial report for presentation to the members of the Section. The Treasurer shall, with the assistance of the Chairperson, prepare the proposed budget of the Section for adoption by the Council.

ARTICLE VII DUTIES AND POWERS OF THE COUNCIL

SECTION 1. The Council shall have the general supervision and control of the affairs of the Section subject to the Supreme Court Rules Concerning the State Bar of Michigan and the Bylaws of the State Bar of Michigan and the Bylaws of this Section. It shall especially authorize all commitments or contracts which shall entail the payment of money, and shall authorize the expenditure of all monies appropriated by the Council for the use or benefit of this Section provided, however, that the Council may authorize the Treasurer to expend sums not exceeding \$100 for the ongoing operation of the Section without prior approval. All sums so expended shall be specifically reported by the Treasurer at the next Council meeting.

SECTION 2. The Chairperson shall appoint such standing or special committees, as the Council shall authorize.

SECTION 3. Any member of a standing or special committee who shall be absent without having been excused by its Chairperson at three consecutive meetings of such committee or

subcommittee to which he may have been assigned, or combination of both, shall be deemed to have resigned, and the vacancy thereby created shall be filled by appointment by the Section Chairperson for the unexpired term. Any member of the Council who shall be absent without having been excused by the Section Chairperson at three consecutive Council meetings shall be deemed to have resigned and the vacancy thereby created shall be filled by the Council until the next annual election of Council members in the case of an elected member of the Council or by the Section or Committee the resigned member represented for the unexpired term in the case of a non-elected member of the Council.

SECTION 4. The Council may request the representatives of each of the named committees and sections designated in Article IV, Section 3, to present to the members of this Section prior to the Annual Meeting and the midyear meeting of the State Bar of Michigan, a complete report of each committee's and section's activities as these activities pertain to this Section. Further, the Council may request to be advised throughout the year of the activities of the various committees of the State Bar of Michigan.

SECTION 5. The Council, during the interim between annual meetings of this Section, may fill vacancies in his/her own membership or in the offices of Secretary and Treasurer, or in the event of a vacancy in both the office of Chairperson and Chairperson-Elect, then in the office of Chairperson. Members of the Council so elected shall serve until the close of the next annual meeting of this Section, at which the vacancies shall be filled for the remainder of their respective terms by a special election conducted concurrently with the regular elections as provided in Article IV herein. Vacancies in an appointed membership will be filled by the committee whose representative is affected.

SECTION 6. One-third of the members of the Council or a committee of the section council in attendance and present in person or as allowed under the section bylaws at a meeting duly called shall constitute a quorum for the transaction of business.

SECTION 7. The vote of a majority of the members of the Council in attendance and present in person or as allowed under the section bylaws at a meeting of the Council shall decide any matter to properly come before the Council.

SECTION 8. When an issue arises which must be determined within a limited period of time so that the calling of a formal meeting of the Council is not practical, the Chairperson of this Section may, and upon the request of any member of the Council, shall submit or cause to be submitted in writing to each of the members of the Council, any proposition upon which the Council may be authorized to act, and the members of the Council may vote upon such proposition or propositions so submitted, by communicating their vote thereon, by telegraph or in writing over their respective signatures, to the Secretary, who shall record upon his/her minutes each proposition so submitted, when, how, at whose request same was submitted, and the vote of each member of the Council thereon, and keep on file such telegrams and written and signed votes. If a majority of the members of the Council shall be in favor of such a proposition

or if such majority shall be against such proposition, such majority vote shall constitute the binding action of the Council.

SECTION 9. The Council of this Section during the interim between meetings of this Section shall have full power to do and perform all acts and functions, which the Section itself might do or perform, not inconsistent with any action taken by the Section. Any such action taken by the Council shall be reported to the Section at its next annual meeting.

SECTION 10. The Council shall designate the time and place of its regular meetings. Special meetings shall be called by the Chairperson or upon written request to the Secretary or any six (6) members of the Council. Seven (7) days notice of special meetings shall be given.

SECTION 11. The Council shall formulate the policy of the Section and advise and aid the Chairperson in any matters, which may arise and perform other acts as provided in the Bylaws.

SECTION 12. DEFINITION OF ATTENDANCE. For all purposes under these bylaws, except any proposed bylaw Amendment pursuant to Article X, “attendance” shall be either:

- (a) In person or,
- (b) With the permission of the chairperson or the chairperson’s designee by any means of telephonic, electronic, videoconference or other interactive communication as shall be convenient.
- (c) Attendance under (b) shall be verified and acknowledged on the Record by the Chairperson or the chairperson’s designee.

ARTICLE VIII SECTION MEETINGS

SECTION 1. The annual meeting of this Section shall be held during the Annual Meeting of the State Bar of Michigan in the same city or place as such Annual Meeting of the State Bar of Michigan, with such program and order of business as may be arranged by the Council.

SECTION 2. Special meetings of the Section may be called by the Chairperson upon approval of the Council, at such time and place as the Council may determine.

SECTION 3. Twenty-five members of this Section present at any meeting shall constitute a quorum for the transaction of business.

SECTION 4. All action of this Section shall be by majority vote of the members present provided there is a quorum, except as otherwise specified in these Bylaws. Voting by proxy shall not be permitted.

SECTION 5. Any action of this Section must be approved by the Representative Assembly or the Board of Commissioners of the State Bar of Michigan before the same becomes effective as the action of the State Bar of Michigan. Reports or recommendations of this Section or its

Council may be released, announced or published only as provided in the Bylaws of the State Bar of Michigan, Article IX.

ARTICLE IX MISCELLANEOUS PROVISIONS

SECTION 1. The fiscal year of this Section shall be the same as that of the State Bar of Michigan.

SECTION 2. All bills incurred by this Section, before being forwarded to the Treasurer or to the Executive Director of the State Bar of Michigan for payment, shall be approved by the Chairperson or the Treasurer or, if the Council shall direct, by both of them.

SECTION 3. No salary or compensation shall be paid to any officer, councilor, or member of a committee.

ARTICLE X AMENDMENTS

SECTION 1. These Bylaws may be amended at any annual meeting of this Section by a two-thirds (2/3) vote of the members present provided there is a quorum. Voting by proxy shall not be permitted. Any such proposed amendment must first have been submitted to the Council for its recommendation; and no amendment so adopted shall become effective until approved by the Board of Commissioners of the State Bar of Michigan.

SECTION 2. Any proposed amendment shall be submitted in writing to the Council in the form of a petition signed by at least ten (10) members of this Section at least (60) days before the annual meeting of this Section at which it is to be voted upon. The Council shall consider the proposed amendment and shall prepare the recommendations thereon, which recommendations, together with a complete and accurate text of said proposed amendments, shall be published in the Michigan Bar Journal or by such written communication as the Council shall direct at least fifteen (15) days prior to the annual meeting of this Section at which it is to be voted upon.

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