

**BYLAWS OF THE
CONSUMER LAW SECTION
OF THE STATE BAR OF MICHIGAN**

**ARTICLE I
PURPOSE**

SECTION 1. SECTION NAME. This Section shall be known as the Consumer Law Section (hereinafter the Section) of the State Bar of Michigan.

SECTION 2. PURPOSE. Promote the understanding of consumer law and further the effective practice of law in this area.

SECTION 3. GOALS. The goals of the Section shall be to:

- 3.1 Educate the bench and bar on consumer law issues.
- 3.2 Educate the public on consumer rights and obligations.
- 3.3 Evaluate legislation with an impact on consumers or their attorneys and provide advice thereon.
- 3.4 Encourage and assist pro bono work.
- 3.5 Provide assistance to attorneys in developing a consumer law practice.

**ARTICLE II
MEMBERSHIP**

SECTION 1. CLASSIFICATION OF MEMBERSHIP. The membership of the Section consists of Active Members and Law Students Members as described below. Dues shall be payable in advance at the beginning of each fiscal year of the State Bar of Michigan. Any member of the Section whose annual dues shall be more than six months past due shall cease to be a member of the Section. Members enrolled and whose dues are timely paid shall constitute the membership of the Section.

SECTION 2. MEMBERS

2.1 ACTIVE MEMBERS of the State Bar of Michigan may join the Section by paying annual dues to the State Bar of Michigan in the amount of Fifteen Dollars (\$15.00), or an amount as determined by the Section Council.

2.2 NEWLY ADMITTED MEMBERS. Newly admitted members of the State Bar of Michigan shall automatically become members of the Section for the balance of the fiscal year of their first year of Bar membership, without cost.

- 2.3 LAW STUDENT SECTION MEMBERS.** Law Student Section members of the State Bar of Michigan may join the Section without cost, upon request. Law student members shall be entitled to receive Section publications and attend meetings of the Section. Law student members shall not be eligible to vote or hold office.

ARTICLE III COUNCIL AND OFFICERS

SECTION 1. OFFICERS. The officers of the Section shall be a Chair, Chair-Elect, a Secretary, a Treasurer, and the Immediate Past Chair of the Section. All officers must be Active Members of the Section.

SECTION 2. COUNCIL. There shall be council of the Section consisting of the Chair, Chair-Elect, Secretary and Treasurer, together with ten (10) at-large members to be elected as provided within this Article. The Immediate Past Chair shall remain as a member of the Council the year following his/her service as Chair of the Section. The Immediate Past Chair shall be included in determining whether a quorum is present at any meeting and shall have the right to vote on matters brought before the Council. All Council Members must be Active Members of the Section.

SECTION 3. SELECTION OF OFFICERS. The Chair-Elect, Secretary and Treasurer shall be nominated and elected at each annual meeting of the Section, to hold office for a term beginning at the close of the annual meeting at which they have been elected, and ending at the close of the next succeeding annual meeting of the Section, when their successors shall have been qualified and elected.

SECTION 4. TERMS OF OFFICE. At the organizational meeting in 1996, ten (10) at-large members of the Council shall be nominated and elected to serve as follows: four (4) members for (3) three years; three (3) members for two (2) years; and three (3) members for one (1) year. Members of the Council shall be elected to fulfill expired terms at each subsequent annual meeting of the Section following the expiration of any term. All subsequent terms shall be for a period of three (3) years. ("Years defined as a term beginning at the close of the annual meeting at which the Council members shall have been elected and ending at the close of the succeeding annual meeting of the Section).

SECTION 5. TERM LIMITATIONS. No Council member shall be eligible for re-election to the Council (other than as an officer) if she/he has served without interruption for two (2) consecutive three (3) year terms preceding the term for which the election is held. No officer shall serve in the same office for more than two (2) consecutive years.

SECTION 6. VACANCIES. The Chair shall appoint, with the approval of the Council, any member of the Section as an officer or council member to act until the next election in the event of death, disability, removal or resignation of any officer or Council member.

ARTICLE IV ELECTIONS

SECTION 1. NOMINATIONS. At or before the last scheduled meeting of the Council prior to the annual meeting, the Chair shall appoint a Nominating Committee consisting of three (3) members of the Council, one of whom shall be the Chair-Elect. Nominations shall also be accepted from the floor.

SECTION 2. ELECTIONS. All elections shall be by voice vote unless other wise ordered by resolution duly adopted by the Section at the Annual Meeting at which the Election is held.

ARTICLE V DUTIES OF OFFICERS

SECTION 1. CHAIR. The Chair shall preside at all meetings of the Section and of the Council. The Chair shall formulate and present at each Annual Meeting of the State Bar of Michigan a report of the work of the Section for the current year. The Chair shall perform such other duties and acts that pertain to the office.

SECTION 2. CHAIR-ELECT. In the absence of the Chair, the Chair-Elect shall perform the duties of the Chair. The Chair-Elect shall automatically succeed to the office of the chair the year following his/her election to Chair-Elect. The Chair-Elect shall be responsible for the public relations activities of the Section, including acting as a liaison with the State Bar of Michigan's Communications Committee, and for such other duties as the Chair may designate.

SECTION 3. SECRETARY. The Secretary shall cause to be kept all books, papers, documents, and other property of the Section except money. The Secretary shall keep a true record of the proceedings of all meetings of the Section and of the Council. With the Chair, the Secretary shall prepare a summary or digest of the proceedings of the Section for presentation at the annual meeting and for publication in the Michigan Bar Journal. In conjunction with the Chair, the Secretary, as authorized by the Council, shall attend generally to the business of the Section.

SECTION 4. TREASURER. The Treasurer of the Section shall:

- 4.1 Cause to be kept a record of all monies received and disbursed
- 4.2 Submit regular financial reports to the Council at each meeting and provide receipts and details of any expense, at the request of any Council member.
- 4.3 Annually provide for the presentation of a financial report to the membership of the Section and the Board of Commissioners; and
- 4.4 Sign any application for and execute any bond as may be requested by any officer of the Section or pursuant to a resolution duly adopted by the Council for the purpose of

protecting the monies of the Section. Any cost or premium for such bond shall be an expense of the Section and be paid from the funds of the Section.

ARTICLE VI DUTIES AND POWERS OF THE COUNCIL

SECTION 1. GENERAL. The Council shall have 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 the Section. It shall especially authorize all commitments or contracts, which entail the payment of money, and shall authorize the expenditure of all monies appropriated for the use or benefit of the Section. It shall not, however, authorize commitments or contracts, which entail the payment of more money during any fiscal year than the amount, which has been appropriated to the Section for that fiscal year.

SECTION 2. COMMITTEE APPOINTMENTS. The Chair will appoint Committee Chairs and members from Section members, to perform such duties and exercise such powers as the Council may direct. The term of the appointment of Committee Chairs shall be for one year and shall expire at the Annual Meeting. The Council shall remove any committee chair or committee member for good cause and after notice to members of the council and shall fill any vacancy created by such removal or resignation.

SECTION 3. VACANCIES. The Council shall, between annual meetings of the Section, fill vacancies in its own membership or in the offices of the Secretary or Treasurer. In the event of a vacancy in both the office of Chair and Chair-Elect, the Council shall fill the office of Chair. Officers and members of the Council so selected shall serve until the close of the next annual meeting of the Section, at which time 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.

SECTION 4. QUORUM. A quorum of the Council shall consist of five members. A quorum being present, the Council shall act on the affirmative vote of a majority of those present at any meeting.

SECTION 5. MEETINGS.

- 5.1** The Council shall designate the time and place of its regular meetings, but shall schedule no fewer than four (4) meetings per fiscal year. Special meetings may be called upon notice by the Chair or upon request to the Secretary of any five (5) members of the Council. Council members shall receive at least 24 hours notice of a Special meeting. Notice of Special meetings shall include the topic for which the meeting was called.
- 5.2** Members of the Council may participate in person, by telephone or by other conferencing methods.

5.3 EMERGENCY VOTES. When the Chair deems there is insufficient time for a needed decision to be made at a regular or special meeting, the Chair may, upon notice to all Council members, conduct a vote on proposed action via telephone, e-mail or other communications means.

SECTION 6. ABSENCES. Any member of the Council who shall be absent from three (3) consecutive regular meetings of the Council shall be deemed to have resigned and the vacancy created shall be filled by the Council.

ARTICLE VII COMMITTEES

SECTION 1. STANDING COMMITTEES. The Standing Committees of the Section shall be Nominating, Publication, Education Legislative, and Annual Meeting Planning.

SECTION 2. NOMINATING. The Nominating Committee shall recommend nominees to the Section for the offices of Chair, Chair-Elect, Secretary, Treasurer, and members of the Council on an annual basis. This report shall be submitted in writing to the Chair no later than two months prior to the annual meeting of the Section; nominations shall be published to Section members no later than 30 days prior to the annual meeting of the Section. Other nominations may be made from the floor. The Nominating Committee shall consider the diversity of Council membership, including race, gender, and geographic diversity.

SECTION 3. EDUCATION. The Education Committee shall arrange legal seminars and other programs as directed by the Council, for the education of lawyers and the public. The Education shall also foster liaison and cooperation between this section and other Sections and Committees of the State Bar of Michigan as well as other groups concerned with the interests of consumers and consumer lawyers.

SECTION 4. LEGISLATIVE. The Legislative Committee shall review legislative and agency activity of concern to consumer lawyers, make periodic recommendations to the Section Council regarding a legislative position, disseminate information to Section members, and advocate in legislative and other public forums on matters of interest to consumers and consumer lawyers.

SECTION 5. PUBLICATION. All articles intended for publication by the Section shall be submitted to the Publication Committee for review, editing and approval. The Publication Committee shall be responsible for the periodic publication of the Section newsletter.

SECTION 6. ANNUAL MEETING PLANNING. The Annual Meeting Planning Committee shall plan the Annual Meeting.

SECTION 7. ADDITIONAL COMMITTEES Other than the standing committees, additional committees may be formed or dissolved by the Council at any time.

SECTION 8. COMMITTEE MEETINGS. Committee meetings will be called as necessary by the Section or Committee Chairs. Meetings may be held in person or via telephone conference.

SECTION 9. ANNUAL REPORTS. The Chair of each committee shall submit a written report of Committee activities during the preceding year to the Council. This report is due one month prior to the annual meeting of the Section.

ARTICLE VIII SECTION MEETINGS

SECTION 1. ANNUAL MEETING. The annual meeting of the Section shall be held during the Annual Meeting of the State Bar of Michigan, in the same city or place, or at such other place and time as may be arranged by the Council. The annual meeting shall include such programs and order of business as may be arranged by the Council.

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

SECTION 3. QUORUM. Ten (10) members of the Section present at any meeting shall constitute a quorum for the transaction of business.

ARTICLE IX MISCELLANEOUS PROVISIONS

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

SECTION 2. DISBURSEMENT. Any bills incurred by the Section to be forwarded to the State Bar Fiscal Officer for payment shall first be approved by the Chair, Chair-Elect, Treasurer, or otherwise, as the Council shall direct.

SECTION 3. COMPENSATION. No salary or compensation shall be paid to any officer, Council, or Committee member; however, Officer, Council and Committee members may be reimbursed for actual expenses for Section Business.

SECTION 4. EFFECTIVE DATE. These bylaws shall become effective upon approval by the Board of Commissioners of the State Bar of Michigan, and by the membership at the organization meeting.

ARTICLE X
AMENDMENTS

SECTION 1. VOTE. These bylaws may be amended at any meeting of the Section at which a quorum is present, by a two-third (2/3) vote of the members of the Section present and voting, provided such proposed amendment shall first have been submitted to the Council for its recommendation. No amendment so adopted shall become effective until approved by the Board of Commissioners.

SECTION 2. AMENDMENT FORM. Any proposed amendment shall be submitted in writing to the Council in the form of a petition by at least ten (10) members of the Section. The Council shall consider the proposed amendment, prepare recommendations, and publish a complete and accurate text of the proposed amendment in the Michigan Bar Journal or the Section newsletter at least ten (10) days prior to the meeting of the Section at which it is to be considered.

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Amended 9/14/01

Amended 9/27/02