

**BYLAWS OF THE
WORKERS' COMPENSATION LAW SECTION
OF THE STATE BAR OF MICHIGAN**

**ARTICLE I
NAME AND PURPOSES**

SECTION 1. This section shall be known as the Workers' Compensation Law Section of the State Bar of Michigan.

SECTION 2. The purposes of the Section shall be to study the laws of Workers' Compensation and to promote its fair and just administration; to study and report upon proposed and necessary legislation; to promote throughout the state of Michigan the legal education of the members of the bar and public on the problems of industrial injuries by sponsoring meetings, institutes, and conferences devoted to those problems and by preparing, sponsoring and publishing legal writings on this field.

**ARTICLE II
MEMBERSHIP**

SECTION 1. (A) Each member of the Section shall pay to the Treasurer of the Section dues of thirty (\$30.00) dollars. Dues may be increased or decreased by no more than five (\$5.00) dollars annually by a resolution of the Council with 2/3 majority approval to become effective the following January. Any increase in dues shall be announced at the annual meeting of the Section before becoming effective. Any active member of the State Bar of Michigan, 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 beginning on the first day of January, 1957 and each January 1st thereafter. Any member of the Section whose annual dues shall be more than six 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.

(B) Membership dues shall be waived, and full membership privileges shall be provided to the following individuals:

1. The Director of the Workers' Compensation Agency (if a licensed attorney), and
2. The Members of the Board of Magistrates, and
3. The Commissioners of the Workers' Compensation Appellate Commission, and
4. The Agency Mediators.

SECTION 2. There shall be a Council, which shall consist of the Chairperson, Vice-Chairperson, Secretary and Treasurer, together with nine other members to be elected by the Section as hereinafter provided. The retiring Chairperson shall be a non-voting member of the Council for one year following his/her retirement.

SECTION 3. The Chairperson, Vice-Chairperson, Secretary, and Treasurer shall be nominated and elected, in manner hereinafter provided, at each annual meeting of the Section, to hold office for a term beginning at the close of the annual meeting at which they shall have been elected, and ending at the close of the next succeeding annual meeting of the Section, and until their successor shall have been elected and qualified.

SECTION 4. At the annual meeting of the Section at which these bylaws shall have been adopted, three members of the Council shall be nominated and elected to serve for one year; three, for two years; and three, for three years. ("Year," as herein used, meaning a term beginning at the close of the annual meeting at which they shall have been elected and ending at the close of the first, second, or third succeeding annual meeting of the Section, respectively). Thereafter, upon the expiration of each of these initial terms, three members of the Council shall be elected at each annual meeting at which they shall have been elected and ending at the close of the fourth succeeding annual meeting of the Section.

SECTION 5. No person may succeed himself/herself on the council if he/she has served two consecutive terms.

ARTICLE III NOMINATION AND ELECTION OF OFFICERS

SECTION 1. NOMINATIONS. The Chairperson with the Vice-Chairperson, shall appoint a Nominating Committee of three members of the Section, not members of the Council, which committee with the Chairperson of the Section acting ex officio shall, not less than 30 days prior to the next Annual meeting of the Section, make and report nominations to the Section for the offices of Chairperson, Vice-Chairperson, Secretary, and Treasurer, and 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 same offices may be made from the floor.

SECTION 2. 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.

ARTICLE IV 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.

SECTION 2. VICE-CHAIRPERSON. Upon the death, resignation, or during the disability of the Chairperson, or upon his/her refusal to serve, the Vice-Chairperson shall perform the duties of the Chairperson for the remainder of the Chairperson's disability and then only during so much of the term as the disability continues.

SECTION 3. SECRETARY. The Secretary shall be the custodian of all books, papers, documents, and other property of the Section except money. He/She shall keep a true record of the proceedings of all meetings of the Section and of the Council, whether assembled or acting under submission. With the Chairperson, he/she shall prepare a summary or digest of the proceedings of the Section at its annual meeting for publication in the Annual Report of the State Bar of Michigan, after approval by the Commissioners of the State Bar of Michigan. He/She, in

conjunction with the Chairperson, as authorized by the Council, shall attend generally to the business of the Section.

SECTION 4. TREASURER. The Treasurer shall be custodian of all funds; he/she shall keep and submit a true record of all monies received and disbursed.

ARTICLE V DUTIES AND POWERS OF THE COUNCIL

SECTION 1. The Council shall have general supervision and control of the affairs of the Section subject to the provisions of the Supreme Court Rules Concerning the State Bar of Michigan and Bylaws of the State Bar of Michigan and the bylaws of the 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 for the use or benefit of the Section. It shall not, however, authorize commitments or contracts which shall entail the payment of more money during any fiscal year than the amount which has been previously appropriated to the Section for such fiscal year.

SECTION 2. The Council may authorize the Chairperson, with the Vice-Chairperson, to appoint committees and their chairpersons from Section members to perform such duties and exercise such powers as the Council may direct. The Chairperson on direction from the Council shall remove any chairperson or member from such committees and fill vacancies on such committees created by removal or resignation.

SECTION 3. The Council, during the interim between annual meetings of the Section, may fill vacancies in its own membership or in the offices of Secretary or Treasurer, or, in the event of a vacancy in both the office of Chairperson and Vice-Chairperson, then in the office of the Chairperson. Members of the Council and officers so selected shall serve until the close of the next annual meeting of the Section at which the vacancies shall be filled for the remainder of the respective terms by a special election conducted concurrently with the regular elections as provided in Article III herein.

SECTION 4. The Council shall act by a majority vote of the whole Council.

SECTION 5. Members of the Council, when personally present at a meeting of the Council, shall vote in person, but when absent may communicate their vote, in writing, upon any proposition, to the Secretary and have it counted with the same effect as if cast personally at such meeting.

SECTION 6. The Chairperson of the Section at any time 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, 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 Council thereon, and keep on file such written and signed votes. If the recorded votes of a majority of the members of the Council shall be in favor of such propositions or if such majority shall be against such proposition, such majority vote shall constitute the binding action of the Council.

SECTION 7. The Council shall designate the time and place of its regular meetings. Special meetings may be called upon notice by the Chairperson or upon written request to the Secretary of any five members of the Council.

ARTICLE VI SECTION MEETINGS

SECTION 1. The annual meeting of the Section shall be during the spring Section meeting to be held at such time and place as shall be determined by the Council. The time and place of the annual meeting shall be announced to the membership through the Section's Newsletter and/or other appropriate means of communications not less than 60 days prior to the meeting. The program and order of business shall be determined by the Council.

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

SECTION 3. The members of the Section present at any meeting shall constitute a quorum for the transaction of business.

SECTION 4. All action of the Section shall be by a majority vote of the members present.

ARTICLE VII MISCELLANEOUS PROVISIONS

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

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

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

SECTION 4. These bylaws shall become effective upon the approval thereof by the Commissioners of the State Bar of Michigan and by the Section in the same manner provided in Article VIII for their amendment.

SECTION 5. All printing for the Section or for the Council or any committee of the Section shall be done under the supervision of the Executive Secretary of the State Bar of Michigan.

ARTICLE VIII AMENDMENTS

SECTION 1. These bylaws may be amended at any annual meeting of the Section by a majority 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; further, that no amendment so adopted shall become effective until approved by the 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 members of the Section in time for it to be considered by the Council at its last regular meeting before the annual meeting of the Section at which it is to be voted upon. The Council shall consider the proposed amendment at said regular meeting and shall prepare recommendations thereon, which recommendations, together with a complete and accurate text of said proposed amendment, shall be published in the Michigan Bar Journal at least thirty days prior to the annual meeting of the Section at which it is to be voted upon.

Created prior to 1948

Amended 11/22/02

Amended 4/25/05

Amended 7/24/09