

## Bylaws of the Judicial Conference Section of the State Bar of Michigan

On June 26, 2011, the Executive Committee of the Judicial Conference Section of the State Bar of Michigan voted to submit amended bylaws to the section membership for approval at the Judicial Conference Section's annual meeting. The annual meeting will be held September 23, 2011, at 10 a.m. at the State Bar of Michigan in Lansing. The Executive Committee recommends approval of the proposed bylaw amendments.

### BYLAWS OF THE JUDICIAL CONFERENCE SECTION OF THE STATE BAR OF MICHIGAN

#### ARTICLE I NAME AND PURPOSE

SECTION 1. This organization shall be known as the Judicial Conference Section of the State Bar of Michigan. The Section is comprised of three divisions: one consisting of the judges of Circuit Court, Court of Appeals, and Supreme Court; one consisting of judges of the Probate Court; and one consisting of the judges of the District Court and municipal courts.

#### ARTICLE II MEMBERSHIP

SECTION 1. All judges of courts of records in this State, who are active members of the State Bar, shall automatically become members of the Judicial Conference Section.

SECTION 2. Any judge desiring to withdraw from membership in the Conference Section may do so by request in writing to the Secretary.

SECTION 3. All retired former judges of courts of record in this State who are members of the State Bar shall be included as life members upon written request made to the Secretary. Life members shall not have the right to vote.

SECTION 4. Members of the Conference Section shall not be required to pay dues. The Conference Section shall be funded by appropriation authorized by the Board of Commissioners from the funds of the State Bar of Michigan and from other sources such as grants that may become available from time to time.

#### ARTICLE III EXECUTIVE COMMITTEE JUDICIAL COUNCIL

SECTION 1. There shall be an Executive Committee a Judicial Council of this Conference Section consisting of 27 members, nine of who shall be District Court Judges, nine of who shall be Probate Judges and nine of who shall be Circuit Court, Recorder's Court or Court of Appeals Judges from each division.

SECTION 2. All Executive Committee Judicial Council members shall be elected at the Annual Meeting in accordance with Rules

and Regulations adopted by this Conference Section and shall serve three-year terms to commence on October 1 following such Annual Meeting.

SECTION 3. The Executive Committee members holding office upon the date of adoption of these Bylaws shall continue to hold office until October 1, 1984.

SECTION 4. ~~At the Annual Meeting held in September of 1984,~~ three District Court Judges shall be elected for a three year term, three for a two year term, and three for a one year term; three Probate Judges shall be elected for a three year term, three for a two year term and three for a one year term; three judges from the Circuit Court, Recorder's Court or Court of Appeals shall be elected for a three year term, three for a two year term, and three for a one year term. Thereafter, three Executive Committee members from each of the three respective judicial categories shall be elected at each Annual Meeting for three-year terms:

#### ARTICLE IV ELECTION OF OFFICERS

SECTION 1. Immediately following the Annual Meeting of the State Bar ~~At the Annual Meeting of the Judicial Section,~~ the newly elected Executive Committee Judicial Council shall, by call of the President, meet for the purpose of election of officers. ~~for a one year term of office beginning October 1, next.~~ The Executive Committee Judicial Council shall, by a majority vote of those members present, elect a Chairperson, Chairperson-Elect, Vice Chairperson, Secretary and Treasurer from among the members of the Judicial Council. ~~Said officers shall be members of the Executive Committee.~~ Each officer serves for a one-year term of office beginning October 1 following the election.

SECTION 2. There shall be three Nominating Committees, one for each division. The Nominating Committees shall consist of three Executive Committee Judicial Council members selected by the Chairperson for each division.

SECTION 3. The executive leadership of said Conference, consisting of the Chairperson, Chairperson-Elect and the Vice Chairperson, commencing January 1, 1984, shall be elected as follows: Chairperson from the membership of the Circuit Court, Recorder's Court and Court of Appeals; the Chairperson-Elect from the membership of the District Court; and the Vice Chairperson from the membership of the Probate Court. The aforementioned executive leadership rotation shall be continued thereafter, with automatic succession of office. A Chairperson may be elected to serve no more than two consecutive terms of office. There shall be no automatic succession from the office of Secretary and Treasurer to the executive leadership:

SECTION 3. Vacancies in the executive leadership shall be filled by succession to office in rotation (Circuit et al, District, Probate), with election of a Vice Chairperson by the Judicial Council from

the membership of the appropriate bench. Vacancies in the offices of Secretary and Treasurer shall be filled by election of the Judicial Council.

**SECTION 4.** Vacancies in the executive leadership shall be filled by succession to office in rotation set forth in Section 2, with election of a Vice Chairperson by the Executive Committee from the membership of the appropriate bench. Vacancies in the offices of Secretary and Treasurer shall be filled by election of the Executive Committee.

## ARTICLE V DUTIES OF OFFICERS

**SECTION 1. CHAIRPERSON.** The Chairperson shall preside at all meetings of the Executive Committee Judicial Council of the Judicial Conference Section. The Chairperson shall formulate and present at each Annual Meeting of the Conference Section a report of the work of the Conference Section for the past year; shall perform such other duties and acts as usually pertain to that office; shall have the power to appoint and remove the chairperson and members of all committees of the Conference Section who are to hold office during that term and shall remove any chairperson or member of any committee when directed to do so by the Executive Committee Judicial Council; shall plan and superintend the programs of the Conference Section at Annual Meetings during that term, subject to the direction and approval of the Executive Committee Judicial Council; and shall perform such other duties and acts as may be ~~designed~~ assigned by the Executive Committee Judicial Council.

**SECTION 2. CHAIRPERSON-ELECT.** The Chairperson-Elect shall aid and assist the Chairperson in the performance of his or her responsibilities in such manner and to such an extent as the Chairperson may request. Upon the death, resignation or during the disability or absence of the Chairperson, the Chairperson-Elect shall perform the duties of the Chairperson.

**SECTION 3. VICE CHAIRPERSON.** The Vice Chairperson shall assume the duties and responsibilities of the Chairperson and Chairperson-Elect in the event of their absence or inability to act and shall further be responsible for maintaining close and direct contact with the members of the Conference Section.

**SECTION 4. SECRETARY.** The Secretary shall be custodian of all papers, documents and other property of the Conference Section except money and financial records, and shall keep a true record of the proceedings of all meetings of the Conference Section and the Executive Committee Judicial Council; shall prepare summaries or digests as directed by the Executive Committee Judicial Council; and shall preside at meetings of the Executive Committee Judicial Council in the absence of the Chairperson, Chairperson-Elect and Vice Chairperson.

**SECTION 5. TREASURER.** The Treasurer shall keep a true record of all money received and disbursed and report thereon to the

Executive Committee Judicial Council whenever requested; shall submit a financial report for presentation to the members of the Conference Section at the Annual Meeting; and shall prepare the budget request for submission to the Fiscal Committee Treasurer of the Board of Commissioners.

## ARTICLE VI DUTIES AND POWERS OF THE EXECUTIVE COMMITTEE JUDICIAL COUNCIL

**SECTION 1.** The Executive Committee Judicial Council shall have the general supervision and control of the affairs of the Conference Section, subject to the Michigan Court Rules, Code of Judicial Conduct, the Bylaws and resolutions adopted by the Executive Committee Judicial Council and the Bylaws of the State Bar of Michigan.

**SECTION 2.** The Chairperson shall appoint such standing committee members as the Chairperson and the Executive Committee Judicial Council shall authorize from among the membership of the Council. ~~Committee chairpersons shall be members of the Executive Committee.~~

**SECTION 3.** The Executive Committee Judicial Council may request the Chairperson of each of the Conference's Section's committees to present to the Executive Committee Judicial Council, prior to the Annual Meeting of the State Bar of Michigan, a complete report of each committee's activities as these activities pertain to this Conference Section. The Executive Committee Judicial Council may request to be advised throughout the year of the activities of the various committees of this Conference Section.

**SECTION 4.** Ten of the members of the Executive Committee Judicial Council shall constitute a quorum for the transaction of business. In the event that less than ten members of the Executive Committee Judicial Council attend a meeting, those present shall have the right to adjourn the meeting to a later time, and if a majority quorum is present at the adjourned time, the Executive Committee Judicial Council may proceed with action at such time without further call or notice.

**SECTION 5.** The Executive Committee's Judicial Council's action shall be by majority vote of those present.

**SECTION 6.** The Executive Committee Judicial 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 of any five (5) members of the Executive Committee Judicial Council. Seven (7) days notice of special meetings shall be given.

## ARTICLE VII ANNUAL MEETINGS

**SECTION 1.** The Annual Meeting of this Conference Section, unless otherwise ordered by the Executive Committee Judicial Council,

## 80 Proposed Section Bylaw Amendments

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 ~~Executive Committee~~ Judicial Council.

SECTION 2. Special meetings of the ~~Conference~~ Section may be called by the Chairperson upon approval of the ~~Executive Committee~~ Judicial Council at such time and place as the ~~Executive Committee~~ Judicial Council may determine.

### ARTICLE VIII

#### MISCELLANEOUS PROVISIONS

SECTION 1. These Bylaws may be amended ~~at any Annual Meeting of this Conference~~ by a two-thirds vote of the members of the Council from each division. Any proposed amendments shall be ~~submitted in writing and submitted, in hard copy or electronic form to the Executive Committee, to the Judicial Council~~ in the form of a petition signed, or affirmed electronically, by at least ten (10) members of this Conference Section at least ninety (90) sixty (60) days before the Council or Annual Meeting of this Conference at which it is to be voted upon on. The ~~Executive Committee~~ Judicial 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 Executive Committee may direct to all Section members~~ at least fifteen (15) days prior to the annual meeting of this Conference the meeting at which it is to be voted upon.

Any amendment of the ~~Conference's~~ Section's Bylaws is subject to approval of the Board of Commissioners.

SECTION 2. No ~~public or private~~ position may be taken by the ~~Executive Committee~~ Judicial Council or the ~~Conference~~ Section unless agreed to by the majority of the ~~judge members present representing each of the three particular jurisdictions, i.e. a majority of the District Judges, a majority of the Probate Judges, and a majority of Circuit, Recorder's and Appellate Judges~~ voting members present from each division.

### Bylaws of the Labor and Employment Law Section of the State Bar of Michigan

#### ARTICLE I

##### NAME AND PURPOSES

SECTION 2. The purposes of the Section shall be to study ~~the law of labor relations~~ labor and employment law and to promote its fair and just administration; to study and report upon proposed and necessary legislation, to promote the legal education of members of this Section of the Bar and the general public by generating awareness of the problems and concerns of management, labor, and ~~employment~~ relations through sponsorship of meetings, institutes, and conferences, and by preparing, sponsoring, and pub-

lishing legal writing in the labor and employment law field; to endeavor to assist in the development of rules of conduct based upon the rights and responsibilities of employees and management and labor and industry; and to promote justice, ~~human welfare~~ equal opportunity, and industrial peace.

#### ARTICLE II

##### MEMBERSHIP

SECTION 1. Each member of the Section shall pay to the State Bar of Michigan annual dues in an amount to be set by the Council ~~subject to approval by the Board of Commissioners~~. Any member of the State Bar of Michigan, upon request to the Executive Secretary of the State Bar of Michigan and upon payment of dues for the current year, shall be enrolled as a member of the Section. Thereafter said dues shall be paid in advance each year beginning on the January first next succeeding such enrollment. 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.

SECTION 2. Newly admitted members to the State Bar of Michigan, upon written request, shall become members of the Section for the balance of the fiscal year in which application is made, ~~and the next subsequent fiscal year~~, without payment of dues to the Section, if such written request is made in the first year of membership in the State Bar of Michigan.

SECTION 3. Members of the Law Student Section of the State Bar of Michigan may, subject to any State Bar rules, become student members of the Section upon ~~payment to the State Bar of Michigan of annual dues of TWO (\$2.00) dollars for student membership in this Section~~ written request and without payment of dues to the Section. Student members shall have no voting rights, ~~will not be eligible for Council membership~~, and shall not be eligible to hold office in the Section, but may assist in the activities of the Section as requested and shall be entitled to all other privileges accorded to Section members by the Section.

SECTION 5. Persons other than State Bar of Michigan members may become, with the approval of the Council, non-voting affiliates of the Section, upon payment of annual dues as defined in Section 1. Affiliates will not be eligible for Council membership, but may assist in the activities of the Section as requested and shall be entitled to all other privileges accorded to Section members by the Section.

#### ARTICLE IV

##### NOMINATION AND ELECTION OF OFFICERS

SECTION 2. ELECTIONS. All elections shall be by ~~the Section by written ballot unless otherwise ordered by resolution duly adopted by the~~ show of hands of the majority of the Section members ~~Section~~

at in attendance at the Annual Meeting at which the election is held, unless a written ballot is requested prior to the meeting.

## ARTICLE VI DUTIES AND POWERS OF THE COUNCIL

**SECTION 4.** The Council shall act by a majority vote of the whole Council or by the majority vote of a quorum at the Council's regular or annual 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 (including electronically), 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 (including electronically) over their respective signatures, to the Secretary, who shall record upon his 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 the results. If the votes of a majority of the members of Council so recorded shall be in favor of such proposition or if such majority shall be against such proposition, such majority vote shall constitute the binding action of the Council.

## ARTICLE VII MEETINGS

**SECTION 3.** ~~The members of the Section present at any meeting shall constitute a quorum for the transaction of business.~~The Council shall act by a majority vote of the whole Council or by the majority vote of a quorum at the Council's regular or annual meetings. Seven Council Members will constitute a quorum.

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

## ARTICLE VIII MISCELLANEOUS PROVISIONS

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

**SECTION 4.** Any action by this Section must be approved by the Commissioners of the State Bar of Michigan before the same be-

~~comes effective as the action of the State Bar of Michigan. Any resolution adopted or action taken by the Section may, on request of the Section, be reported by the Chairperson of the Section to the Commissioners or the Annual Meeting of the State Bar of Michigan for that association's action thereon. Any action by this Section related to Public Policy shall be made in accordance with the provisions of the SBM Bylaws Article VIII and the protocol(s) adopted by the Council.~~

**SECTION 5.** These Bylaws shall become effective upon the approval thereof by the Commissioners of the State Bar of Michigan ~~upon recommendation of the President of the State Bar of Michigan and by the Section in the same manner provided in Article XIX for their amendment.~~

**SECTION 6.** ~~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 IX 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 approved by a majority of the Council and provided, further, that no amendment so adopted shall become effective until approved by the Commissioners of the State Bar of Michigan ~~upon recommendation of the President 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 ~~the 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 amendments, which shall be published in the *Michigan State 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 as Labor Relations Law Section

Name changed to "Labor and Employment Law Section" in 1992

Revised 5/97, Revised 1/09, Revised 1/12