NEW YORK STATE BAR ASSOCIATION BYLAWS OF THE CRIMINAL JUSTICE SECTION (~~As Amended April 9, 2010~~)(January 26, 2012)

ARTICLE I
Name and Purpose

Section 1. This Section shall be known as the Criminal Justice Section of the New York State Bar Association.

Section 2. The purpose of this Section shall be to anticipate, recognize and address such issues of crime, criminology, criminal procedure, correction and the administration of criminal justice as properly come before or should come before the New York State Bar Association.

ARTICLE II
Membership

Section 1. Any member of the New York State Bar Association shall be eligible for membership in this Section, and shall be enrolled as a member of the Section upon application to the New York State Bar Association and/or the Section Secretary and payment of such annual dues as shall be determined by the Executive Committee of the Section and approved by the New York State Bar Association's Finance Committee.

Section 2. Law students may be non-voting members of the Criminal Justice Section and may serve as adjunct members of the committees of the Section to the extent that the Chair of each committee shall determine.

ARTICLE III
Officers and Executive Committee

Section 1. Members of this Section, at the Annual Meeting of the Section, which shall be held during the week in which the Annual Meeting of the New York State Bar Association is held, shall elect the following officers: a Chair, a Vice-Chair, Secretary and a Treasurer. In addition, members shall also elect at this same meeting a Representative to the Executive Committee who resides or

practices law from each judicial district in the State. The Chair shall appoint a Diversity Representative as a voting member of the Executive Committee.

Section 2. The Executive Committee will consist of the Chair, Vice-Chair, Secretary and Treasurer of the Section, all former Section Chairs, all committee chairs and co-chairs, the Attorney in Chief of The New York City Legal Aid Society or designee, the Executive Director of the New York State Office of Indigent Legal Services or designee, the President of the New York State District Attorney's Association or designee, the Chairperson of the Board of the New York Prosecutors Training Institute or designee, the Office of the Attorney General of the State of New York or designee, the President of the New York State Defenders' Association or designee~~ginee~~, ~~the President of the County Judges' Association, the President of the Supreme Court Justices' Association~~., the Director of the State Division of Criminal Justice Services or designee~~ginee~~, the President of the New York State Association of Criminal Defense Lawyers, ~~the Capital Defender of New York State~~. and the Executive Director of the New York State Defenders' Association and, in addition thereto, one member who resides or practices law from each judicial district in the state. The Chair may appoint up to ~~five~~ eleven additional individuals to serve as members of the Executive Committee. All members of the Executive Committee must be members of the New York State Bar Association and Criminal Justice Section.

Section 3. All officers, members of the Executive Committee and committee chairs and co-chairs of Standing Committees designated in Article VI, Section 2, will hold offic~~er~~ for a term of one year beginning June 1st. All chairs and co-chairs of other committees shall be for the period of the committee's duration or as determined by the Chair. The Chair, the Vice-Chair, ~~and~~ Secretary and Treasurer may be elected to each office for a one-year term and may be re-elected for not more than one additional term in each office except for the Treasurer as to whom there is no term limitation.

Section 4. A quorum of the Executive Committee shall consist of at least six members of the Committee. Any member of the Executive Committee who fails to attend three consecutive meetings of the Executive Committee may be removed as a member of the Executive Committee.

ARTICLE IV
Nomination of Officers

Section 1. Prior to each Annual Meeting of the Section, the Chair shall appoint a Nominating Committee of three members of the Section. The Nominating Committee shall make and report nominations to the Section for the election of the Chair, Vice-Chair, Secretary, Treasurer and Representatives to the Executive Committee. The Nominating Committee shall meet not less than forty-five days before the Annual Meeting and shall circulate to the

membership of the Section its slate of nominees not less than thirty days before the Annual Meeting. Other nominations may be made upon a petition of three members of the Section other than the member being nominated, provided that such nominations are filed with the Secretary of the Section not less than twenty days before the Annual Meeting. The Secretary of the Section shall circulate to the membership of the Section all such additional nominees not less than ten days before the Annual Meeting. ~~No nomination not so made shall be considered or voted upon at the Annual Meeting.~~ Nominations shall only be by the methods enumerated in this section.

ARTICLE V
Duties of Officers and of the Executive Committee

Section 1. Chair: The Chair shall preside at all meetings of the Section and of the Executive Committee, and shall perform such other duties and acts as usually pertain to the office of Chair. The Chair shall appoint the Chairs and co-chairs and members of the Committees of the Section as set forth in Article VI, Section 1 and any committees created as necessary, who shall serve for terms as set forth in Article III, Section 3, unless sooner removed by the Chair, who shall have the power to remove. The Chair shall have the power to create and discontinue committees as necessary, except for Standing Committees enumerated in Article VI, Section 1.

Section 2. Vice-Chair: The Vice-Chair shall assist in the performance of duties when requested to do so. On the death, resignation or during the disability of the Chair, the Vice-Chair shall perform the duties of the Chair for the remainder of the Chair's term, except in the case of the Chair's disability, and then only for 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; and shall mail notices of all meetings of the Executive Committee and the committees of the Section to the members of those committees, and shall keep minutes of the proceedings of all meetings of the Section and of the Executive Committee. Minutes of meetings of the Executive Committee shall be distributed to the members of the committee not later than thirty days following each meeting. ~~It shall also be the responsibility of the Secretary to prepare periodic reports, by way of newsletter or otherwise, to the membership of the Section concerning its activities. Such reports shall be prepared in consultation with the Chair and the Vice-Chair. At least two such reports shall be distributed each year.~~ .

Section 4. Treasurer: The Treasurer shall be responsible for ensuring that an accurate record is kept of all receipts and expenditures and transmitted to all appropriate persons within the New York State Bar Association, shall advise

the Chair concerning the Section's annual budget request, and shall report periodically to the Executive Committee on the finances of the Section.

Section 5. Executive Committee: The Executive Committee shall have general supervision and control of the affairs of the Section subject to the Bylaws of the New York State Bar Association and the Bylaws of this Section. It shall be responsible for the authorization of all commitments and contracts which shall entail the payment of money, for the expenditure of all monies collected by the Section or appropriated for the use and benefit of the Section.

Section 6. The Executive Committee, during the interim between the Annual Meetings of the Section, may fill vacancies in the offices of ~~Chair~~, Vice-Chair and Secretary, or any vacancy that may arise. Officers and Committee members so elected shall serve a term in accordance with Article III, Section 3.

ARTICLE VI
Committees

Section 1. The term committee as used in these bylaws shall include any group appointed by the Chair to address issues set forth in Article I, Section 2, regardless of the specific name used to designate such group.

Section ~~1~~.2. There shall be the following standing committees in the Section:

a) ~~Committee on Law Enforcement~~ PROSECUTION COMMITTEE

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b) ~~Committee on The Prosecution~~ DEFENSE COMMITTEE

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c) ~~Committee on The Defense~~. AWARDS COMMITTEE

d) ~~Committee on The Criminal Courts~~. BYLAWS COMMITTEE

e) ~~Committee on The Correctional System~~.NOMINATIONS COMMITTEE

f) ~~Committee on Revision of the Criminal Law~~. JUDICIARY COMMITTEE

g~~) Committee on Legislation~~.

~~h) Such other committee or committees as the Executive Committee may from time to time designate or appoint.~~

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Section 2. The Chair of each committee is responsible for scheduling meetings of said committee which, in the absence of special circumstances, shall be held at least twice per year.

Section 3. The chair of each committee shall submit a written report of the activities of the committee when requested by the Chair of the Section ~~but in any event at least once a year, no later than June 1~~.. Such reports shall be distributed to the membership of the Section.

ARTICLE VII
Meetings

Section 1. The Annual Meeting of the Section shall be held at a time and place designated by the Executive Committee during the week in which the Annual Meeting of the New York State Bar Association is held. Notice of the Section's Annual Meeting shall be sent by the Secretary to all section members at least ten days prior to the meeting. Regional meetings may be held from time to time during the interim between Annual Meetings at such times and places as may be designated by the Executive Committee.

Section 2. The members of the Section present at any meeting shall constitute a quorum for the transaction of business.
Section 3. A majority vote of the Section members present at the Annual Meeting shall constitute binding action by the Section.

Section 4. Reimbursable Travel Expenses - Travel expenses shall be reimbursed to ~~the chair, vice-chair, secretary, district representatives or any~~ members of the Executive Committee except as provided below~~committee chair giving a report,~~ who ~~travels~~ travel from home or office to a meeting held at a place 100 miles or more away, exclusive of the annual meetings of the Section, and shall consist of air, train or bus fares, taxi or other group transportation costs; or toll and parking charges for meals and overnight hotel or motel accommodations up to $500 per meeting. Such reimbursement shall only apply to committee chairs and co-chairs who are giving a report.

ARTICLE VIII
Miscellaneous Provisions

Section 1. Any resolution or action taken by this Section in the name of the New York State Bar Association must be approved by the Association's Executive Committee or the House of Delegates before the same is given publicity as or becomes effective as the action of the New
York State Bar Association.

Section 2. These Bylaws shall become effective upon approval by the House of Delegates of the New York State Bar Association.

Section 3. The Executive Committee, with the approval of the Finance Committee, shall fix dues for membership in this Section and make payment of such amount a condition precedent for membership in the Section.

Section 4. These Bylaws may be amended at any annual meeting of the Section by a majority vote of the members of the Section present, provided that no amendment shall be effective until approved by the Executive Committee of the New York State Bar Association.