

**NEW YORK STATE BAR ASSOCIATION  
CRIMINAL JUSTICE SECTION BYLAWS  
(As Amended May 16, 2015)**

**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. Up to three law students, upon appointment by the Section Chair, may serve as non-voting members of the Section's Executive Committee or any committee of the Section.

**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, an Executive Director of a Legal Aid Society outside of New York City or designee, a law school professor at a New York law school, a district attorney or designee from a District Attorney's office in the First or Second Department, a district attorney or designee from a District Attorney's office in the Third or Fourth Department, 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, the Director of the State Division of Criminal Justice Services or designee, the President of the New York State Association of Criminal Defense Lawyers, the Executive Director of the New York State Defenders Association, one Young Lawyer (an attorney admitted to practice 10 years or less), the current YLS liaison, and up to three Law Students (as non-voting members of the committee) and, in addition thereto, one Representative who resides or practices law from each judicial district in the state. The Chair may also appoint up to 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 office for a term of one year beginning June 1<sup>st</sup>. 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, 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 and Executive Committee Representatives**

**Section 1.** Upon the Chair's induction, he/she shall appoint a Nominating Committee of five 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, a representative who resides or practices law from each judicial district in the state to represent that district. The Nominating Committee's report is subject to approval by the Executive Committee. The Chair will appoint district representatives when there are vacancies between terms. 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. 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. .

**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 Chair, during the interim between the Annual Meetings of the Section, may fill vacancies in the offices of, 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.

**Section 7.** The District Representatives shall be responsible for contacting the dropped members of their district once a year in the spring to encourage them to rejoin the Section. Each representative shall be responsible for organizing and hosting one event in their district each year.

## **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 2.** There shall be the following standing committees in the Section:

- a) COMMITTEE ON PROSECUTION
- b) DEFENSE COMMITTEE
- c) AWARDS COMMITTEE
- d) BYLAWS COMMITTEE
- e) NOMINATIONS COMMITTEE
- f) JUDICIARY COMMITTEE
- g) MEMBERSHIP COMMITTEE

**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. 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 Officers of the Section and members of the Executive Committee, except as provided below, who 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. Each reimbursement shall not exceed \$600 per meeting. Such reimbursement shall only apply to Executive Committee members 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.