

**NEW YORK STATE BAR ASSOCIATION  
TORTS, INSURANCE AND COMPENSATION LAW  
SECTION  
BYLAWS  
(As amended April 3, 2009)**

**ARTICLE I. Name and Purpose**

**Section 1.** This Section shall be known as the Torts, Insurance and Compensation Law Section of the New York State Bar Association.

**Section 2.** The purpose of this Section shall be to bring together for furtherance of their mutual interests such members of the New York State Bar Association as are interested in Torts, Insurance and Compensation Law and such other branches of the law related to insurance. In furtherance of this purpose, the following goals are intended to serve as guidelines:

- a) To promote improvements in the system of dispute resolution in the tort and insurance fields.
- b) To evaluate and improve the manner and efficiency of the delivery of legal services in the tort and insurance fields.
- c) To provide leadership in the development and recommendation of proposals to improve the law in the fields of tort and insurance practice.
- d) To increase understanding of the legal system in the tort and insurance fields.
- e) To promote the highest standards of professional competence and ethical responsibility.
- f) To promote full and equal participation by all members of the Section and to enhance the professional growth of Section members.

**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 Section secretary and payment of such annual dues as shall be determined by the Executive Committee of the Section.

**ARTICLE III. Officers**

**Section 1.** The officers of the Section shall be a Chairperson, Vice-Chairperson, Secretary and Treasurer to be elected at the Annual Meeting of the Section.

**Section 2.** There shall be an Executive Committee of the Section consisting of the officers of the Section, the Editor of the TICL Journal, the Chairpersons of the Standing Committees described in ARTICLE VI, the Chairpersons of the Section for the last preceding five years and two members from each Judicial District in the State to be elected at the Annual Meeting of the Section. There shall also be a member of the Executive Committee to represent all members of the Section who reside outside the

State. The Chairperson of the Section shall act as Chairperson of the Executive Committee.

**Section 3.** Former chairpersons of the Section who are not members of the Executive Committee of the Section as defined in Section 2 hereof shall be known as “Chairpersons Emeritus” and shall be entitled to attend all meetings of the Executive Committee of the Section, and shall be entitled to be heard at and to participate in those meetings without vote.

**Section 4.** All officers, as well as all members of the Executive Committee, will hold office for term beginning February 1.

## **ARTICLE IV, Nomination of Officers**

**Section 1.** Prior to each Annual Meeting of the Section, the Chairperson shall appoint a Nominating Committee of five members of the Section, which committee shall make and report

nominations to the Section for the offices of Chairperson, Vice-Chairperson, Secretary and

members to be elected to the Executive Committee. Other nominations for the same office may

be made from the floor. No persons serving on the Executive Committee shall be eligible for reelection

if they have been absent for four (4) consecutive regular meetings of the Executive Committee, regardless of whether such absence has been excused or unexcused.

**Section 2.** The Section shall solicit nominations from the membership of the Section by placing

an announcement in the TICL Journal, the TICL Newsletter, or by such other manner of communication as the Nominating Committee may determine.

**Section 3.** When considering candidates for office, the Nominating Committee shall select

nominees who reflect the diversity of the Bar in compliance with New York State Bar Association resolution adopted in June, 1986.

## **ARTICLE V, Duties of the Officers and Executive Committee**

**Section 1. Chairperson:** The Chairperson shall preside at all meetings of the Section and shall perform such other duties and acts as usually pertain to the office of Chairperson, including the appointment of the Chairperson and members of the Standing Committees.

**Section 2. Vice-Chairperson:** The Vice-Chairperson shall assist the Chairperson in the performance of his/her duties when requested to do so. On the death, resignation or during the disability of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson for the remainder of the Chairperson’s term, except in the case of the Chairperson’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. He/she shall keep a true record of the proceedings of all meetings of the Section and of the Executive Committee.

**Section 4. 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 and for the expenditure of all monies collected by the Section or appropriated by the use and benefit of the Section.

**Section 5.** The Executive Committee, during the interim between Annual Meetings of the Section, may fill vacancies in the offices of the Secretary and Vice-Chairperson, or in the event of a vacancy in the offices of Chairperson and Vice-Chairperson, then in the office of Chairperson. The Executive Committee may also fill any vacancy arising in the committee during the interim between Annual Meetings of the Section. Such officers and committee members shall be selected in accordance with Article IV, Section 3 and shall serve a term in accordance with ARTICLE III, Section 3.

## **ARTICLE VI. Committees**

**Section 1.** There shall be such Standing Committees and Divisions within this Section as may from time to time be authorized by the Executive Committee. The Chairperson of the Section shall appoint the Chairs of the Standing Committees and Chairs of the Divisions. The Chairperson shall appoint such Chairs who reflect the diversity of the Section in compliance with New York State Bar Association policy and such Chairpersons shall serve a term in accordance with ARTICLE III, Section 3. Said Chair's responsibilities shall include the goal of diversifying the members of the Standing Committee or Division who reflect the diversity of the Section in compliance with the New York State Bar Association policy.

**Section 2.** Standing Committees shall be divided into two classes: Standing Committees whose focus is area(s) of substantive law (Substantive Committees") and Standing Committees whose focus is aspect(s) of the administration and functioning of the Section ("Administrative Committees"). The Executive Committee shall designate each Standing Committee as either a Substantive or Administrative Committee.

**Section 3.** The responsibilities of the Chairs of the Standing Committees and the Divisions shall be such of the following as are adopted by the Executive Committee from time to time and included in the Section's Executive Committee Manual:

- a) To organize said committee's or division's contribution to the Section's sponsored CLE programs.
- b) To produce said committee's or division's contribution of articles to the Torts, Insurance and Compensation Law Section Journal.
- c) To identify and propose appropriate young lawyers for consideration for the annual Sheldon Hurwitz Young Lawyers Award., as well as individuals meriting consideration for other Section honors.

**Section 4.** Additional committees may be created by the Section or by the Executive Committee when the Section is not in session. The Chairpersons of such committees, however, shall not be members of the Executive Committee until such time as the committee is created by the Section.

**Section 5.** Divisions may promulgate and adopt bylaws subject to approval by the Executive Committee of this Section and the House of Delegates of the New York State Bar Association.

## **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.

**Section 2.** The members of the Section present at any meeting shall constitute a quorum for the transaction of business. If less than 50% of the full membership of the Executive Committee are present, action by that body may not be approved by that body unless 75% of those present vote in favor thereof.

**Section 3.** All binding action of the Section shall be by a majority vote of the members present.

## **ARTICLE VIII. Miscellaneous Provisions**

**Section 1.** Any action taken by any Standing Committee or Division must be approved by the Executive Committee according to such protocol (including by not limited to such “fast action” protocol(s) as the Executive Committee may from time to time adopt) before the same is given publicity or becomes effective as the action of this Section. Any action taken by this Section must be approved by the New York State Bar Association before the same is given publicity or becomes effective as the action of the New York State Bar Association.

**Section 2.** The Executive Committee shall fix dues for membership in the Section and may make payment of such amount as is fixed for dues a condition precedent for membership in the Section.

**Section 3.** 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 Section and the Executive Committee of the New York State Bar Association.