

NEW YORK STATE BAR ASSOCIATION BYLAWS OF THE TRIAL LAWYERS SECTION

As Amended January 17, 2019

ARTICLE I Name and Purpose

Section 1. This Section shall be known as the Trial Lawyers 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 the problems of the trial lawyer and other branches of the law relating to trial practice and procedure.

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 in the Section upon application and payment of such annual dues as shall be determined by the Executive Committee of the Section.

ARTICLE III Officers and Executive Committee

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 Chairpersons of the Committees described in ARTICLE V, all former Section Chairs and two members from each Judicial District in the State to be elected at the Annual Meeting of the Section. Committee Chairs are not voting members of the Executive Committee unless they are former Section Chairs, Officers or District Representatives. The Chairperson of the Section shall act as Chairperson of the Executive Committee.

Section 3. Law Students may be non-voting members of the Trial Lawyers 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.

Section 4. One Young Lawyer (an attorney admitted to practice 10 years or less) and up to three Law Students (as non-voting members of the Executive Committee) shall serve on the Section's Executive Committee.

Section 5. All officers will hold office for a term of one year beginning on the first day of the month following the New York State Bar Association's Annual Meeting. (February 1st)

ARTICLE IV Duties of the Officers and of the Executive Committee

Section 1. Chair. The Chair shall preside at all meetings of the Section and 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 as set forth in Article V and any committees created as necessary. The Chair shall have the power to create and discontinue committees as necessary.

Section 2. Vice-Chair. The Vice-Chair shall assist the Chair in the performance of his or her 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. He or she shall keep a true record of the proceedings of all meetings of the Section and of the Executive Committee.

Section 4. Treasurer. The Treasurer shall be the custodian of the monies of the Section and keep all records, accounts and books of all financial matters concerning the Section. The Treasurer shall make a financial report to the Executive Committee at each regular meeting and at the request of the Chair.

Section 5. Executive Committee. The Executive Committee shall fix dues, with the approval of the Finance Committee; 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.

Section 6. The Executive Committee, during the interim between the Annual Meetings of the Section, may fill vacancies in the office of Chair, Vice-Chair, Secretary, Treasurer, Executive Committee and the Section Delegate to the House of Delegates of the New York State Bar Association by appointment. Officers so appointed shall serve as set forth in Article III, Section 3.

Section 7. District Representatives. The District Representatives shall be responsible for contacting the members of their district who have not renewed their section membership by the spring to encourage them to rejoin the Section. The district representatives shall be responsible for proposing, and if approved by the Executive Committee, organizing and hosting one event in their district each year.

Section 8. Financial Officer. The chair can appoint with the approval of the Executive Committee, a financial officer to assist the Executive Committee with any budgetary or financial decisions that need to be addressed. Said officer will have no voting rights and sits at the discretion of the Executive Committee.

Section 9. Young Lawyer Members: The Young Lawyer member of the Section's Executive Committee shall serve as a liaison to the Young Lawyers Section of the Association and Chair the Section's Young Lawyer Committee. He or she shall also serve as a liaison with the Law student committee of the Section.

Section 10. Law Student Members: At least one of the law student members of the Executive Committee shall chair the Sections Law Student Committee and serve as a liaison to the Section's Young Lawyer Committee. The other law student members of the Section's Executive Committee shall serve as members on the Section's Law Student Committee.

ARTICLE V Committees

Section 1. Prior to each Annual Meeting of the Section, the Chair shall appoint a Nominating Committee of three members of the Section, which committee shall make a report of nominations to the Section for the office of Chair, Vice-Chair, Secretary, Treasurer, members of the Executive Committee and Section Delegate to the House of Delegates. Other nominations for the same offices may be made from the floor.

Section 2. The Chair may appoint such other committees as it may from time to time be advised.

Section 3. There should be the following standing committees in the Section:

- a) Membership Committee
- b) Young Lawyer Committee
- c) Law Student Committee
- d) Legislative Committee
- e) Fast Action Committee

i. If the Executive Committee is not in session and a matter or matters arise that require an immediate response or decision before the Executive Committee can formally meet, the Fast Action Committee may take any action required or permitted by the Executive Committee.

ii. The Fast Action Committee shall consist of the current Chair, Vice-Chair, Secretary and the immediate past two Chairs. This committee can meet by any electronic means it deems appropriate including, but not limited to, telephone, email or video conferencing.

iii. If the current Chair in his or her discretion determines that the entire Executive Committee should respond and that time permits it, any action taken by the Fast Action Committee prior to implementation may be presented electronically to the entire Executive Committee for the purpose of authorizing, amending or voting down the proposed action.

iv. If the Chair authorized an emergency meeting of the Executive Committee to review the actions of the Fast Action Committee, such meeting may be done by any electronic means deemed appropriate by the Chair.

ARTICLE VI Meetings

Section 1. The Annual Meeting of the Section shall be held at a time and place designated by the Executive Committee and approved by the President of the New York State Bar Association 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.

Section 3. All binding action of the Section shall be by a majority vote of the members present. Any officer of the Executive Committee may be removed by a majority vote of members present for the failure to perform his or her duties as chair, vice chair, secretary or treasurer.

Section 4. The unexcused absence of any member of the Executive Committee from two meetings of the Executive Committee shall constitute an accepted resignation of such member and the vacancy created thereby shall be filled as provided in Article IV, Section 6. This by-law does not apply to former chairs of this Section.

ARTICLE VII Miscellaneous Provisions

Section 1. 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 may fix dues for membership in this Section, with the approval of the Finance Committee, and make payment of such amount a condition precedent for membership in the Section.

Section 3. These Bylaws may be amended after thirty (30) days' notice to the section at any Meeting of the Executive Committee by a majority vote of the members of the Executive Committee present, provided that no amendment shall be effective until approved by the Executive Committee of the New York State Bar Association.