



NEW YORK STATE BAR ASSOCIATION

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JUDICIAL SECTION

2012-2013 Executive Committee

HON. PAUL G. FEINMAN

Presiding Member
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Hon. Deborah H. Karalunas

October 5, 2012

Seymour W. James, Jr., Esq.
The Legal Aid Society
199 Water Street
6th Floor
New York, NY 10038

Dear President James:

On behalf of the Executive Committee of the Judicial Section, I ask for NYSBA Committee review and approval of proposed updates to the Section Bylaws.

The changes are precipitated on the anticipated approval by the House of Delegates in January 2013 of the additional seat for the Judicial Section in the House. We also used this occasion to review the Bylaws in general, and we noted that there were several areas in need of updating:

- Clarification of alternate HOD representative appointment
- Nominating Committee quorum regarding voting on new officers
- Up to date listings of judicial organizations represented in the Council of Judicial Associations

Should you have any questions, please contact me in my Chambers at 646-386-3375.

Thank you for your consideration.

Sincerely,

Hon. Paul G. Feinman
Presiding Chair

New York State Bar Association
Bylaws of the Judicial Section
As Amended November 19, 2004 November 2, 2012

1. **Jurisdiction.** The Judicial Section shall promote the discussion and interchange of ideas and the efficiency, effectiveness and standing of the judiciary.
2. **Membership.** Any dues paying member of the Association, who is or has been a judge or justice of any court of the State of New York, or who resides in New York State and is or has been a judge or justice of a United States Court, 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 Section, with the approval of the Association's Finance Committee.

3. **Meetings and Officers.** The Section shall meet at least annually, and at its annual meeting shall elect a Presiding Member, Assistant Presiding Member, Secretary and a Treasurer. The Presiding Member may also appoint a Communications Officer. Corresponding Secretary. The officers shall hold their offices beginning June 1. Upon the death, resignation or during the disability of the Presiding Member, the Assistant Presiding Member shall perform the duties of the Presiding Member for the remainder of the term or the duration of the disability whichever comes first. Upon the death or resignation of the Assistant Presiding Member or upon the Assistant Presiding Member assuming the duties of the Presiding Member, the Nominating Committee may fill the vacancy occurring in said office.

The Nominating Committee shall be made up of the last five former Presiding Members, or their designees. Three former Presiding Members shall constitute the quorum.

The Presiding Member shall preside at all meetings of the Judicial Section and shall perform such other duties and acts as usually pertain to the office of Presiding Member.

The Assistant Presiding Member shall assist the Presiding Member in the performance of all duties when requested to do so.

The Secretary shall keep a record of the proceedings conducted by the Judicial Section and other matters as may be directed by the Judicial Section; will keep an accurate roll of officers and members, and notify officers and members of committees of their election or appointment; will issue notices of all meetings, with a brief note in case of special meetings of the object for which they are called; and will promptly furnish the Treasurer with the names of said elected members.

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The Treasurer will collect and keep a regular account. The report, at each annual meeting of the Judicial Section, shall exhibit a statement of receipts and expenditures for the year, and of outstanding obligations and appropriations, and an estimate of resources and expenditures for the ensuing year.

~~The Corresponding Secretary shall keep all correspondence received by the Section and will respond to correspondence at the direction of the Presiding Member. The Corresponding Secretary will be a non-voting member of the Executive Committee. The Corresponding Secretary may, but will not automatically assume another office in the Section~~

4. Delegates to House of Delegates.

Section 1. The Section shall be represented at meetings of the House of Delegates of the Association by its Section Delegates.

Section 2. Term. The Section Delegates shall be the immediate past Presiding Member and the current Presiding Member elected at the Annual Meeting to serve for a one year term to commence on June 1 of the year of such Annual Meeting. The Section may designate the Assistant Presiding Member as an alternate delegate to serve in the event that a Delegate is unavailable.

4. **Powers.** The Section shall have the power to fix dues, with the approval of the Association's Finance Committee, and adopt Bylaws. It may appoint standing committees as follows: Civil Law, Criminal Law, Jury, Lawyer Relations, Public Relations, Judicial Training, and such special committees as it deems necessary.

5. **Council of Judicial Associations.** Within the Judicial Section there shall be a Council of Judicial Associations with the following composition, purposes, powers and procedures:

A. **Composition of the Council**

1. The officers of the section and all former presiding members.
2. The chair of the standing committees of the Judicial Section.
3. The Chief Executive Officer of each of the following named judicial associations, and one additional member from each such association, appointed in accordance with that association's bylaws, (neither of whom need be a member of the New York State Bar Association), provided such judicial association shall have accepted affiliation with the Council in accordance with these bylaws:

Association of Justices of the Supreme Court of the State of New York

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Association of Supreme Court Justices by Designation

The Surrogates Association of the State of New York

County Judges Association of the State of New York

Court of Claims Judges Association

Association of Judges of the Family Court of the State of New York

Family Court Judges Association of the City of New York

District Court Judges Association of the State of New York

Association of Civil Court Judges of the City of New York

Association of Criminal Court Judges of the City of New York

New York State Association of City Court Judges

Supreme Court Justices Association of the City of New York

Association of Housing Judges of the Civil Court of the City of New York

New York State Magistrates Association

~~The National Association~~ New York State Association of Women Judges, New York State Chapter

Association of Judges of Hispanic Heritage

The Judicial Friends

The Gay and Lesbian Judicial Association of Lesbian and Gay Judges

4. Until such times as the Association of United States District Court Judges is formed, the judges sitting in this court shall be represented in the Council by two judges designated as follows:

The judges of the United States District Court shall be designated by the Chief Judge of the United States Court of Appeals or in such manner as such judge shall prescribe.

5. The following persons shall be ex-officio members of the Council:

President, New York State Bar Association

Chair, New York State Bar Association House of Delegates

Chair, New York State Bar Association Committee on Legislative Policy

Chair, New York State Bar Association Committee on Court Structure and Operations ~~Judicial Administration~~

~~Chair, New York State Bar Association Special Committee on Courts and the Community~~

Chief Judge of the State of New York

Chief Administrator of the Courts

Administrative Judge New York City Civil Court

Administrative Judge New York City Criminal Court

Deputy Chief Administrative Judge New York City Courts

Deputy Chief Administrative Judge Outside New York City

Presiding Justice, Appellate Division First Department

Presiding Justice, Appellate Division Second Department

Presiding Justice, Appellate Division Third Department

Presiding Justice, Appellate Division Fourth Department

B. Purposes of the Council

1. To promote improvement in the administration of justice in the courts of the State.

2. To study the relationship of the federal and state courts sitting within the state and to promote effective cooperation between the two systems.
3. To promote effective cooperation between the members of the bench and members of the bar.
4. To unify the efforts of judicial associations in the state.
5. To recommend and seek the passage of legislation consistent with its purposes, and to review legislation affecting its purposes and to make recommendations covering same.
6. To arrange programs and panel discussions of interest and assistance to judges and their courts, to federal-state court relations, or to bench and bar relations.

C. Powers and Procedures of the Council

1. The Council shall act as a clearing house for all programs, legislative and otherwise, affecting the administration of the courts, the judges and justices thereof, in collaboration with appropriate committees of the New York State Bar Association, but no action taken by the Council shall be binding upon any constituent judicial association without its express consent, the intention being that the constituent associations shall continue to be autonomous.
2. The Council shall be presided over by the Presiding Member of the Judicial Section. As nearly as may be feasible, each committee shall have a member from each of the appropriate courts within the state having jurisdiction of the area of work of such committee. Such committees shall also serve the Council.
3. The Council shall meet not less than four times per year, one such meeting being held at the time and place of the Annual Meeting of the New York State Bar Association, and the other three meetings being held at such times and places as the Council may decide. Special meetings of the Council may be held at the call of the Presiding Member or any six members of the Council.
4. These bylaws may be amended at any meeting of the Council, provided that no amendment shall be effective until approved by the Executive Committee of the New York State Bar Association.