

WASHINGTON STATE BAR ASSOCIATION

LITIGATION SECTION

Bylaws

As last amended and approved by the
Washington State Bar Association Board of Governors on July 27, 2017.

ARTICLE I. NAME, CREATION AND PURPOSE

1.1 Name and Creation

The name of the section is Litigation Section (the "Section"). This Section was established pursuant to the Bylaws of the Washington State Bar (the "Bar").

1.2 Purpose

The purpose of the Section shall be to seek the participation of all interested members of the Bar, and of state and local bar associations, in order to benefit such members, their clients and the general public:

- a. By providing the opportunity and forum for the interchange of ideas in the areas at trial advocacy, practice and procedure;
- b. By initiating and implementing common projects within said areas;
- c. By review of pending legislation and development of proposed statutory enactments to improve and facilitate the administration of justice;
- d. By assisting the courts in establishing rules and methods for the more certain and expeditious administration of justice; and
- e. By undertaking such other services as may be of benefit to the members, the legal profession and the public.

1.3 Limitations

These bylaws have been adopted subject to the applicable Washington statutes and the Bylaws of the Bar.

1.4 Principal Office

The principal office of the Section shall be maintained in the offices of the Bar.

1.5 Fiscal Year

The fiscal year of the Section shall coincide with that of the Bar.

ARTICLE II. MEMBERSHIP

2.1 Enrollment

Any Active member in good standing at the Bar may be enrolled as a voting member at the Section by the payment of annual Section dues in the amount and for the purpose approved by the Board of Governors of the Bar. Inactive members of the Bar, law students, and members of the public may be enrolled as a non-voting member ("subscriber") by paying the annual dues. Subscribers may not hold a Section office.

2.2 The Membership

Members enrolled as provided in Section 2.1 shall constitute the membership of the Section.

2.3 Dues

Dues in the amount approved by the Board of Governors of the Bar shall be paid annually in advance. Any person who shall have failed to pay the annual dues shall cease to be a member of the Section. With the exception of law students, the Section dues fee for subscribers shall be the same amount as that established for voting members. The Section dues fee for law students shall be set at a standard amount annually determined by the Board of Governors.

ARTICLE III. MEETINGS OF THE MEMBERSHIP

3.1 Meetings

Meetings of the membership of the Section may be called by any officer at such time and place as the officers may determine.

3.2 Quorum

The voting members of the Section present at any meeting shall constitute a quorum for the transaction of business.

3.3 Controlling Vote

Action of the Section shall be by majority vote of the voting members present.

ARTICLE IV. EXECUTIVE COMMITTEE

4.1 Powers And Duties

The executive committee shall be vested with the powers and duties necessary for the administration of the affairs of the Section and perform duties assigned to it by the Board of Governors.

4.2 Composition

The executive committee shall be composed of the following persons who all have voting rights:

- a. The officers (Chair, Chair-elect and Secretary/Treasurer);
- b. The Immediate Past Chair;
- c. Six At-Large members elected to the executive committee; and
- d. The Young Lawyers Liaison.

4.3 Controlling Vote

Action of the executive committee shall be by majority vote of the voting members of the executive committee, after a quorum (a majority of the voting members of the executive committee) is established. Executive committee members may vote by email in accord with the Bar's bylaws.

4.4 Meetings

Meetings shall be held at the time and place as may be designated by the Chair or a majority of the executive committee. The executive committee may meet as necessary throughout the year with notice and agenda to be provided before the meeting.

ARTICLE V. OFFICERS

5.1 Officers

The officers of the Section shall be the Chair, the Chair-elect, and the Secretary/Treasurer.

5.2 Chair

The Chair shall preside at all meetings of the Section and of the executive committee. The Chair shall formulate and present a report of the work of the Section for the past year annually to the Board of Governors. The Chair shall perform such other duties as usually pertain to the office or as may be delegated by the executive committee.

5.3 Chair-elect

Upon the death, resignation, or during the disability of the Chair, or upon the Chair's refusal to act, the Chair-elect shall perform the duties of the Chair for the remainder of the Chair's term except in case of the Chair's disability and then only during so much of the term as the disability continues.

5.4 Secretary/Treasurer

The Secretary/Treasurer shall take minutes of all meetings of the Section and of the executive committee and provide approved minutes to the Bar for publication and record retention. The Secretary/Treasurer will also work with the Bar to ensure that the Section complies with Bar fiscal policies and procedures, work with the Bar and the other officers to prepare the Section's annual budget, and review the Section's monthly financial statements for accuracy and comparison to budget. In conjunction with the Chair and as authorized by the executive committee, he/she shall attend generally to the business of the Section.

ARTICLE VI. ELECTIONS

6.1 Elective Offices.

- a. OFFICERS. Each year a Chair-elect and a Secretary/Treasurer shall be elected to serve a one-year term.
- b. EXECUTIVE COMMITTEE. Each year two members of the Section shall be elected to the executive committee to serve a two-year term, and they shall replace the two at-large executive committee members whose terms then expire.

6.2 Chair

The Chair-elect shall automatically succeed to the office of Chair. In the event the office of Chair-elect shall be vacant, then a Chair shall be elected in the same manner as set forth in Section 6.1 hereinabove.

6.3 Nominations

The Chair or executive committee shall annually appoint a nominating committee of not less than three members of the Section, at least one of whom is not a current member of the executive committee. The nominating committee shall make and report nominations for the offices of Chair-elect, Secretary/Treasurer, and At-Large members of the executive committee to succeed those whose terms will then expire, and to fill vacancies then existing for unexpired terms. Nominations shall be submitted to the Bar at least 30 days in advance of the scheduled election. Other nominations for the same offices may be made by the membership and must be submitted at least 15 days in advance of the scheduled election. Nominations and elections for open executive committee positions will be held between March and May each year. All applicants will apply through an electronic process administered by the Bar. The executive committee will approve the list of nominees for each open position.

6.4 Voting

The Bar will administer the elections by electronic means and certify the results, unless the Section develops its own equivalent electronic election process. In the event of a tie, the winner will be determined by coin toss or other random tiebreaker.

6.5 Term Of Office

All executive committee position terms will begin October 1 each year.

6.6 Interim Appointments

The executive committee will appoint, by majority vote, members to fill vacancies on the executive committee. When a member is appointed to fill a vacancy in an unexpired term, the member will do so until the next annual election, when an individual will be elected to serve the remainder of the vacated term.

ARTICLE VII. SUBSTANTIVE RESPONSIBILITIES

7.1 Committees

The executive committee may appoint committees to perform such duties and exercise such powers as the executive committee may direct.

7.2 Budget

The duties of the executive committee officers and Immediate Past Chair include working with the Bar to prepare the Section's annual budget request.

ARTICLE VIII. AMENDMENTS

These bylaws may be amended at any meeting of the Section by a majority vote of the voting members of the Section present and voting, or at an executive committee meeting by a majority vote of the voting executive committee members once a quorum is established, provided that no amendment shall become effective until approved by the Board of Governors of the Bar.

As amended and approved by the WSBA Board of Governors on July 23, 2010. Article 2. Membership, amended to allow for law students and other "subscriber" types to enroll in the Section.

As last amended and approved by the WSBA Board of Governors on July 27, 2017.