

By-Laws of the
SECTION OF ADMINISTRATIVE LAW
of the Maryland State Bar Association, Inc.

Approved October, 1976

ARTICLE I

Name, Purposes and Powers

SECTION 1. This Section shall be known as the Section of Administrative Law of the Maryland State Bar Association, Inc.

SECTION 2. The purposes of the Sections are to promote the administration of justice in the State of Maryland in the subject area of administrative law; to bring together members of the Association having a special interest in the subject; to study and work for reform and improvements in the administrative law of the State of Maryland by legislation and otherwise, to report and make recommendations to the Executive, Legislative and Judicial branches of State and local governments as to the improvement of administrative law; to present programs to educate members of the bar and the public in developments in administrative law; and generally to promote the interest of the public and of members of the Bar of Maryland in the subject of administrative law.

SECTION 3. The Section through its membership and/or Council, shall have the following powers to accomplish its purposes:

A. To implement policies and resolutions as may be referred to it by the President or the Board of Governors of the Association.

B. To act to improve the administration of justice in administrative law in the State of Maryland by study, research, reports and recommendations to the Governor of Maryland, the Maryland Legislature, the Court of Appeals of Maryland or to any other public official, legislative body, judiciary or judge, or any other governmental or public agency or body.

C. To coordinate and work with the appropriate committee or section of the American Bar Association and other associations and with organizations, committees, study groups or other entities concerned with Administrative Law in the United States, the State of Maryland and the other States for the improvement of that law in the State of Maryland.

ARTICLE II

Membership and Dues

SECTION 1. Any members in good standing of the Association may, upon written request to the Executive Director of the Association and upon payment of any dues as may be prescribed by the Council of the Section, become a member of the Section effective with written notification from the Executive Director.

SECTION 2. Only those members of the Association whose names are contained in the current membership roster of the Section shall be deemed members thereof entitled to participate in the activities of the Section and to vote upon matters presented at any meeting of the Section. Termination of membership for cause, including non-payment of dues, shall be determined by resolution or vote of the Section Council.

SECTION 3. Dues for membership in the Section and to pay the expenses of its operations may be prescribed by the Council of the Section subject to any approval required by the Association or its Board of Governors. Procedures for the collection, deposit and expenditure of such dues shall be prescribed by the Section Council.

ARTICLE III

Meetings and Elections

SECTION 1. The annual meeting of the Section shall be held during the Annual Meeting of the Association, in the same city or place as such Annual Meeting of the Association is held with such agenda, program and order of business as the Council may arrange.

SECTION 2. The Council of the Section shall hold regular meetings of its members each year as such time and place as the Mid-Winter Meetings and Annual Meetings of the Association are conducted. The presence of the Chairman, the Vice-Chairman, and Secretary-Treasurer, or any two of them, and three members-at-large of the Council shall constitute a quorum of the Council for the transaction of all business at such meeting.

SECTION 3. Special meetings of the Council or of the Section may be called by the Chairman, and shall be called upon request of four members of the Council, at such times and places as the Chairman selects from among those places approved by the Council. Written notice, specifying the time, place and business to be transacted, shall be given to each member of the Council at least five days in advance of all special meetings of the Council. Notice of special meetings of the Section may be given in the Maryland Bar Journal or in a written notice to each member at least ten days in advance of such meeting.

SECTION 4. Five members of the Section present at any meeting shall constitute a quorum for the transaction of all business of the Section.

SECTION 5. All binding actions of the Section shall be by majority vote of the members present.

ARTICLE IV

Officers and Council

SECTION 1. The officers of this Section shall be Chairman, a Vice-Chairman, Secretary-Treasurer and the last retiring Chairman of the Section, who shall be retained as an officer so that the Council and the Section may have the value and benefit of his advice and experience.

SECTION 2. There shall be a Council, which shall consist of the officers provided in this Article, and twelve members-at-large to be elected by the Section as hereinafter provided. Each of the foregoing shall be entitled to vote upon any matter to be determined by the Council.

SECTION 3. The last retiring Chairman shall assume such office, upon the election of his successor as chairman. The Chairman, Vice-Chairman, and the Secretary-Treasurer shall be nominated and elected in the manner hereinafter provided, at each annual meeting of this Section, to hold office for term beginning at the close of the annual meeting at which they shall have been elected, and ending at the close of the next succeeding annual meeting of the Section. The Council shall have authority to fill any vacancy among the officers.

SECTION 4. At the annual meeting of the Section 1978 and at each annual meeting thereafter, members-at-large of the Council shall be elected to serve for terms of three years, beginning at the close of the annual meeting at which they shall have been elected. The Council shall have authority to fill any vacancy among the members-at-large for the interim period ending with the next annual meeting of the Section. Terms of members-at-large shall be staggered so that one-third of said members-at-large shall be elected each year.

SECTION 5. A nominating committee appointed by the Chairman with the approval of the Section Council, shall submit each year a list of nominees for the offices and for Section Council members whose terms expire in that year, which list of nominees shall be forwarded to the membership at least sixty days before the annual meeting of the Section. Other candidates may be submitted as nominees upon petition of at least ten members of the Section which petition shall be submitted to the Section Council Chairman at least thirty days prior to the annual meeting and circulated to the membership at least twenty days prior to the annual meeting. Elections from the list of nominees shall be held at the annual meeting in each year.

SECTION 6. No person shall be eligible to serve more than two consecutive terms as a member of the Council; provided, however, that officers of the Section may be re-elected without regard to this prohibition.

SECTION 7. Unless excused therefrom by the Chairman, or by vote of the Council, if any officer or member of the Council shall fail to attend two successive regular meetings of the Council, the office or membership held by such officer or member of the Council shall be declared by the Council to be vacated and the Council shall thereupon fill the vacancy for the unexpired term.

ARTICLE V
Officers - Duties and Powers

SECTION 1. The Chairman shall preside at all meetings of the Section and of the Council. He shall formulate and present to the Board of Governors of the Association at each annual meeting of the Association a report of the work of the Section for the then past year. He shall be responsible for all activities of the Section and of its various Committees. He shall perform such other duties and acts as usually pertain to his office.

SECTION 2. The Vice-Chairman shall aid the Chairman of the Section in the performance of his responsibilities to the extent that the Chairman may request. He shall perform such further duties as are set forth in these By-Laws and as usually or logically pertain to his office or as may be designated by the Chairman or the Council. During the absence or disability of the Section Chairman, the Vice-Chairman and, if the office of Chairman shall become vacant, the Vice-Chairman shall thereupon become Chairman of the Section for the unexpired term.

SECTION 3. The Secretary-Treasurer shall keep a true record of the proceedings of all meetings of the Council of the Section. He shall perform such other duties as may be requested of him by the Chairman of the Section and shall, in cooperation with him, draft an appropriate report for publication in the Annual Report of the Maryland State Bar Association. He shall be the custodian of, and maintain appropriate accounts of, the funds of the Section, subject to any regulations or operating procedures imposed by the Maryland State Bar Association.

ARTICLE VI
Council - Duties and Powers

SECTION 1. The Council shall have a general supervision and control of the affairs of the Section subject to the provisions of the Charter and By-Laws of the Maryland State Bar Association and the By-Laws of this Section. During the interval between the meetings of the Section, the Council shall have full authority to act for the Section in any way in which the Section itself would be authorized to act, and any such action taken by the Council pursuant to this provision shall be reported to the members of the Section at the next annual meeting of the Section. The Council shall especially authorize all commitments or contracts which shall entail the payment of money, and shall authorize the expenditure of all monies for the use or benefit of the Section. It shall not, however, authorize commitments, contracts, or expenditures which would entail the payment of more money during the fiscal year than the funds currently available to the Section.

SECTION 2. The Council may authorize the Chairman to make commitments or expend money within the limits of a budget approved by the Section Council and to appoint committees to perform such duties and exercise such powers as the Council may direct, subject to the limitations of these By-Laws and the Charter and By-Laws of the Maryland State Bar Association.

SECTION 3. Except as otherwise provided in these By-Laws, the Council, during the interim between annual meetings of the Section, shall have the power to remove any officer or member of the Council, and to fill vacancies in any office, in its own membership, or in any committee. Members and officers so selected shall serve until the adjournment of the next annual meeting of the Section or until their successors shall have been elected and qualified.

SECTION 4. A quorum of the Council shall consist of not less than five of its members as provided in Section 2, Article III of these By-Laws. Except where elsewhere specifically provided all binding actions of the Council shall be by majority vote of the members present.

SECTION 5. Proxy voting shall not be permitted.

ARTICLE VII *Committees*

SECTION 1. The Chairman shall appoint such standing and special Committees of the Section relating to the subject matters within the Section's field of activities, and with such powers, duties and procedures as the Council may from time to time determine. All reports of standing or special Committees shall be transmitted to the Chairman of the Section by the Chairman or other authorized member of the Committee. No report or any part thereof shall be made public unless and until approved by the Council and authorized and approved by the Board of Governors of the Association.

SECTION 2. Each of the Committee Chairman of the Section shall be responsible during his term of office for the work of the Committee for which he is chairman. He shall, at times to be fixed by the Chairman or the Council, (a) prepare and transmit to the Chairman a program for any time allotted to his Committee at the Annual Meeting of the Section, (b) be responsible for reports by his Committee, for securing speakers for any program, and for the conduct of the meetings of his Committee, (c) formulate and present to the Chairman a report of the Committee so that it may be incorporated in the report of the Chairman to the Board of Governors of the Maryland State Bar Association, and (d) coordinate the work of his Committee with that of the Section as it may from time to time be outlined by the Chairman or the Council. He shall perform such other duties and acts as may be assigned to him by the Chairman.

ARTICLE VIII *Miscellaneous Provisions*

SECTION 1. The Fiscal Year of the Section shall be the same as that of the Maryland State Bar Association which at the present time begins on July 1st and ends on June 30th.

SECTION 2. All bills incurred by the Section, the Committees or officers, before being paid shall be approved by the Chairman, or as the Council may from time to time direct.

SECTION 3. No salary or compensation may be paid to any member of the Section.

SECTION 4. These By-Laws shall become effective immediately upon their approval by the present Council.

ARTICLE IX

Amendments

These By-Laws may be amended at any meeting of the Section Council by a majority of the members of the Section Council present and voting.