

By-Laws of the
SECTION OF DELIVERY OF LEGAL SERVICES
of the Maryland State Bar Association, Inc.

As of 2002

ARTICLE I

Name, Purposes and Powers

SECTION 1. This Section shall be known as the Section on Delivery of Legal Services of Maryland State Bar Association, Inc.

SECTION 2. The purposes of the Section are to promote the administration of justice in the State of Maryland by providing and encouraging others to provide legal services in those areas of law practice in which legal representation is not adequately and routinely available through the normal fee-for-services private law practice, either because adequate fees are not available or because the client needs to identify a lawyer to represent him. Those areas of law practice may include, for example, legal services for the indigent, both civil and criminal; public interest law; civil rights law; law clinics for persons of modest means; consumer advocacy; legal services for the handicapped; prepaid legal service plans; and lawyer referral service.

SECTION 3. The Section, through its 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, and to make recommendations to the Association for the delivery of legal services in the State of Maryland.

B. To act to improve the administration of justice in the delivery of legal services to the public 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, and also to the Association.

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 delivery of legal services in the United States, the State of Maryland and the other States for improvement in the availability of legal services in the State of Maryland.

ARTICLE II

Membership and Dues

SECTION 1. Any member in good standing of the Association may, upon 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 regular 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 regular 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 regular membership for cause shall be determined by resolution or vote of the Section Council, after notice and hearing (if required by the member concerned).

SECTION 3. Any person not a member of the Association, who, through professional, business, civic or personal interest is concerned with the delivery of legal services in Maryland, may, upon request, and subject to such limitations as may be imposed by the Council of the Section, including any dues that may be prescribed by the Council of the Section for such members, become associate members of the Section. Associate members shall have all the privileges of regular members of the Section except the right to vote at Section meetings and to hold office, or Section Council membership.

SECTION 4. Only those persons whose names are contained in the current roster of associate members of the Section shall be deemed associate members thereof entitled to participate in the activities of the Section. Termination of associate membership for cause, including non-payment of dues, shall be determined by resolution or vote of the Section Council, after notice and hearing (if required by the member concerned).

SECTION 5. 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 as prescribed by the Association's By-Laws and its Treasurer.

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 at such time and place as the Mid-Winter Meetings and Annual Meetings of the Association are conducted, and such intervals and places between such meetings as the Council may determine. The presence of any two officers of the Section and of 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 Chairperson, and shall be called upon request of six members of the Council, at such times and places as the Chairperson 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 at least ten days in advance of such meeting (i) by notice to regular members in the Maryland Bar Journal or Newsletter and by written notice to associate members, or (ii) in a written notice to each member.

SECTION 4. Five regular 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 action of the Section shall be by majority vote of the regular members present.

ARTICLE IV *Officers and Council*

SECTION 1. The officers of this Section shall be a Chairperson, a Vice-Chairperson, a Secretary-Treasurer, and the last retiring Chairperson of the Section (Past Chairperson) 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 other 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 Chairperson shall assume the office of Past Chairperson, without vote, upon the election of a successor as Chairperson. The Chairperson, Vice-Chairperson, 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 a 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 in June 1979 and at each annual meeting thereafter the officers of the section shall be elected by the regular members of the Section. The Council shall have authority to fill any vacancy among the officers, except that of Past Chairperson, for the interim period ending with the next annual meeting of the Section.

SECTION 5. At the annual meeting of the Section in June 1979 and at each annual meeting thereafter, members-at-large of the Council shall be elected to serve for staggered 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.

SECTION 6. No person shall be eligible to serve more than six consecutive years as a member of the Council. No officer shall be eligible to serve more than two consecutive terms in the same office.

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

ARTICLE V

Officers - Duties and Powers

SECTION 1. The Chairperson shall preside at all meetings of the Section and of the Council. He shall formulate and present to each annual meeting of the Maryland State Bar 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-Chairperson shall aid the Chairperson of the Section in the performance of his responsibilities to the extent that the Chairperson 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 Chairperson or the Council. During the absence or disability of the Section Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson and if the office of Chairperson shall become vacant the Vice-Chairperson shall thereupon become Chairperson of the Section for the unexpired term.

SECTION 3. Each of the Committee Chairpersons of the Section shall be responsible during his term as Chairperson for the work of the Committee for which he is Chairperson. He shall, at times to be fixed by the Chairperson or the Council, (a) prepare and transmit to the Chairperson 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 Chairperson a report of the Committee so that it may be incorporated in the report of the Chairperson 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 Chairperson or the Council. He shall perform such other duties and acts as may be assigned to him by the Chairperson.

SECTION 4. 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 Chairperson 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 maintain appropriate records 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 moneys for the use or benefit of the Section, subject to the By-Laws and procedures of the Association. 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 Chairperson to make commitments or expend money 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. Except where elsewhere specifically provided all binding action of the Council shall be by a majority vote of the members present.

SECTION 5. Proxy voting shall not be permitted.

ARTICLE VII

Committees

SECTION 1. The Chairperson 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 Chairperson of the

Section by the Chairperson or other authorized member of the Committee. No report or any part thereof shall be made public unless and until approved by the Council.

ARTICLE VIII

Miscellaneous Provisions

SECTION 1. The Fiscal Year of the Section shall be the same as that of the Maryland State Bar Association.

SECTION 2. All bills incurred by the Section, the Committees or officers, before being paid shall be approved by the Chairperson, 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 of the Section.

SECTION 5. Terms in the masculine gender are intended to include the feminine.

ARTICLE IX

Amendments

These By-Laws may be amended at any meeting of the Section by a majority of the regular members of the Section present and voting; provided that such proposed amendment shall first have been submitted to and approved by a majority of the Council.