

## **MARYLAND STATE BAR ASSOCIATION**

### **SECTION OF IMMIGRATION LAW BY-LAWS**

#### **ARTICLE I**

##### **Name and Purpose**

Section 1. This Section shall be known as the Section of Immigration Law.

Section 2. The purposes of this Section shall be to promote the objectives of the Maryland State Bar Association by improving the administration of justice in the field of immigration law, to promote the continuing legal education of the bar in the area of immigration law, and to bring together for furtherance of their mutual interests' members of the Maryland State Bar Association concerned with immigration law.

#### **ARTICLE II**

##### **Membership and Dues**

Section 1. All members of the Section of Immigration Law shall be members of the Maryland State Bar Association in good standing who have paid their annual dues to the Association and any annual Section dues as may be from time to time determined by the Section Council.

Section 2. The administrative and fiscal year of the Section shall be concurrent with the administrative and fiscal year of the Maryland State Bar Association.

Section 3. Procedures and policies governing the collection, deposit, expenditure, and accounting of Section dues, including termination of Section membership for non-payment, shall be as prescribed by the Board of Governors.

#### **ARTICLE III**

##### **Officers and Council**

Section 1. The officers of this Section shall consist of a Chair, Chair-Elect, Secretary, Treasurer, and Immediate Past Chair. At each annual meeting, the existing Chair-Elect shall become the Chair, the existing Secretary shall become the Chair-Elect and the existing Treasurer shall become the Secretary. The office of Treasurer shall be filled at the 2009 annual meeting and annually thereafter in accordance with these By-Laws.

Section 2. There shall be a Section Council, the voting members of which shall consist of the officers and no fewer than nine (9) and no more than sixteen (16) voting members-at-large (which may include one (1) "academic" member, appointed for a term of one year (renewable) who shall be associated, either full or part-time as a professor, with the Immigration Law programs and/or clinics at a university, college or law school in the state of Maryland). The non-voting members shall consist of all other past chairs of the Section and may include a non-voting institutional member,

who meets all of the requirements of membership within the Maryland State Bar Association, from one of the following Government agencies: U.S. Department of Justice, U.S. Department of Homeland Security, U.S. Department of Health and Human Services, and Social Security Administration. The other past chairs shall be given notice of all meetings of the Council and shall have the right to attend and participate in discussions, provided they remain members of the Section.

Section 3. Each officer shall hold office for the term beginning upon the adjournment of the annual meeting at which the officer takes office and ending upon the adjournment of the next succeeding annual meeting of the Section. Any member wishing to resign from the Council shall notify the Chair and Secretary in writing via email of his/her intention to resign from the Council. Such resignation shall be effective immediately upon such notification.

Section 4. Three (3) to five (5) members-at-large shall be elected at each annual meeting of the Section for terms of three (3) years beginning at the close of such annual meeting, except that the Nominating Committee may nominate, and the Section may elect, such number of members-at-large as may be necessary to fulfill the number of Section Council members provided for in Article III, Section II. One (1) member-at-large who is associated either full or part-time as a professor with a university, college or law school (the “academic member”) shall be elected for a term of three (3) years upon the conclusion of the term of the academic member serving on the Council; however, the Council, by a majority vote, may decrease or continue the term of the academic member after consideration of any facts or circumstances the Council deems appropriate to maintain continuity in the relationship between the Council and the respective academic institutions. Notwithstanding the above, additional at-large members shall be elected at each annual meeting of the Section as necessary to ensure that the council will have at least 3 at-large members with terms expiring in 1 year, and at least 3 at-large members with terms expiring in 2 years.

#### ARTICLE IV Duties and Powers of Officers

Section 1. Chair. The Chair, or Chair-Elect in the absence of the Chair, shall preside at all meetings of the Section and of the Council. The Chair shall supervise the performance of all activities of the Section. The Chair shall appoint all committees and shall keep the Council informed of all section activities for which the Chair shall be responsible. The Chair shall present at each annual meeting of the Maryland State Bar Association a report of the work of the section for the then closing year. The Chair shall perform such other duties as usually pertain to that office or as may be designated by the Council.

Section 2. Chair-Elect. The Chair-Elect shall assist the Chair in the performance of all the latter’s duties and perform such further duties as usually pertain to his office or as may be designated by the Council or the Chair. In case of the death, resignation or disability of the Chair, the Chair-Elect shall perform the duties of the Chair for the remainder of the latter’s term or disability, as the case may be.

Section 3. Secretary. The Secretary shall keep a true record of the proceedings of all meetings of the

Council and of the Section. The Secretary further shall perform such other duties as may reasonably be requested of the Secretary by the Chair of the Section or as may be prescribed by the Council and, in cooperation with the Chair, shall draft an appropriate report of Section activities for publication in the annual report of the Maryland State Bar Association.

Section 4. Treasurer. The Treasurer shall keep a record of the expenditures of the Council and the Section and report on all financial matters to the Council. The Treasurer further shall perform such other duties as may reasonably be requested of the Treasurer by the Chair of the Section or as may be prescribed by the Council and, in cooperation with the Chair, prepare and submit the proposed annual budget to the Maryland State Bar Association.

## ARTICLE V

### Duties and Powers of the Council

Section 1. The Council shall have general supervision and control of the affairs of the Section subject to the provisions of the Constitution 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.

Section 2. The Council shall meet at or about the time and place of each Annual meeting of the Maryland State Bar Association and may meet in regular or special session at any other time or place as may be scheduled by the Council or on the call of the Chair or six members of the Council. Attendance at meetings of the Council may be by teleconference, at the direction of the Chair and based on the feasibility of such attendance

Section 3. The Council may authorize the Chair to appoint committees of Section members to perform such duties and exercise such powers as the Council may direct, subject to the limitations of these By-Laws and the Constitution and By-Laws of the Maryland State Bar Association.

Section 4. Except as otherwise provided in these By-Laws, the Council, during the interim between the Annual meetings of the Section, shall fill vacancies in its own membership and in Section offices. 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. Unless excused therefore by the Chair, or by vote of the Council, if any officer or member-at-large of the Council shall fail to attend three successive regular meetings of the Council without reasonable excuse for such absences, the office held by such officer or member-at-large shall thereafter be deemed vacant automatically, and the Council shall thereupon fill the vacancy for the unexpired term.

Section 5. Except where elsewhere specifically provided all binding action of the Council shall be by a vote of at least five (5) members thereof.

Section 6. Proxy voting shall not be permitted.

## ARTICLE VI

### Nomination and Election of Officers

## and Council Members

Section 1. A Nominating Committee of not fewer than three (3) nor more than seven (7) persons shall be appointed by the Chair with the approval of the Council at least sixty (60) days prior to the Annual meeting of the Maryland State Bar Association each year.

Section 2. The Nominating Committee shall, in the selection of nominees for the Council, Treasurer and any vacant officer positions, receive and consider suggestions for nominations of qualified persons, taking into consideration the nominee's geographic location, familiarity with the Section, capability, availability to serve, and past service to the Section.

Section 3. The names of all nominees shall be transmitted to the Section membership through the Maryland State Bar at least forty-five (45) days prior to the Annual meeting of the Section. By petition of fifteen (15) members of the Section, additional nominations may be made and submitted at least thirty (30) days prior to the Annual Meeting. If no additional nominations are made, the slate offered by the Nominating Committee, or so much thereof as may be unopposed, shall stand elected.

Section 4. The Section, at its Annual meeting, shall elect the Treasurer and any vacant officer positions and fill the vacancies of the members of the Council from persons duly nominated in accordance with this Article. In contested elections, voting may be by voice vote or by written ballot in the discretion of the Chair. Electronic voting (e-voting) or virtual voting shall be allowed, provided that electronic voting shall commence no later than 15 days prior to the Annual Meeting.

## ARTICLE VII

### Meeting of the Section

Section 1. The Annual meeting of the Section shall be held in one or more sessions at or about the time of the Annual meeting of the Maryland State Bar Association, in the same place that such Annual meeting is held, with such program and order of business as may be arranged by the Chair with the approval of the Council. The Annual meeting of this section may be held in a hybrid manner which allows for in-person or virtual attendance. Attendance will be confirmed via roll call. The Section Council may designate an alternate time and place within the State of Maryland for the annual meeting of the Section.

Section 2. Special meetings of the Section may be called by the Chair upon approval of the Council, at such time and place as the Council may determine. The Section may permit attendance at meetings by teleconference or virtual attendance at the direction of the Chair and based on the feasibility of such attendance. Attendance will be confirmed via roll call.

Section 3. Except as otherwise provided, the members of the Section present, including those present by teleconference or virtually, at any Section meeting shall constitute a quorum for the transaction of business.

Section 4. Except as otherwise provided, all binding action of the Section shall be by majority vote of the members present.

## ARTICLE VIII

### Miscellaneous Provisions

Section 1. All bills incurred by the Section, or by any of its officers, before being paid shall be cleared with the Chair, notwithstanding the expenditure may have been authorized by the Council.

Section 2. No salary or compensation may be paid to any member of the Section.

ARTICLE IX  
Amendments

These By-Laws may be amended at any meeting of the Council by a vote of at least two-thirds of the voting Section Council Members or at any Annual meeting of the Section by two-thirds of the members there present and voting.

ARTICLE X  
Effective Date

These By-Laws, as amended, shall become effective on April 7, 2022. A copy hereof shall be transmitted to the Board of Governors of the Maryland State Bar Association for publication.