

AGENDA ITEM

July 54-132

Trusts & Estates Section
Bylaw Request for Change

DATE: June 12, 2008
TO: Board Committee on Member Oversight
FROM: Tricia Horan, Manager, Section Education and Meeting Services
SUBJECT: Trusts & Estates Section Bylaw Change

BACKGROUND

The Trust and Estates Section Executive Committee would like to change their section bylaws to: 1) maintain 15 members for 3 years with an additional 2 members serving as Vice-Chair in his/her fourth year and Chair in his/her fifth year of service on the committee; and 2) conform the bylaws to the section's practice of using electronic communications to notice meetings, send meeting materials, and to poll members electronically.

FISCAL/PERSONNEL IMPACT

No impact to the General Fund.

BOARD BOOK/ADMINISTRATIVE MANUAL IMPACT

Should a resolution pass, the Administrative Manual would require revision.

RESOLUTION

Should the Board Committee on Member Oversight agree with the request of the Executive Committee of the Trusts & Estates Section, the following resolution would be in order:

RESOLVED, the Board Committee on Member Oversight, upon the recommendation of the Executive Committee of the Trusts & Estates Section, recommends that the Board of Governors amend the Trusts & Estates Section bylaws as follows:

Bylaws of the Trusts & Estates Section

§4. *Executive Committee*

- c. **Term of Office:** Five (5) members of the executive committee shall be appointed each year for terms of three (3) years each except that a member's term of office shall be extended for two (2) additional years provided said member is serving as vice-chair or chair of the executive committee during the additional years of office. Any vacancy in membership occurring prior to the normal expiration of the term shall be filled by the Board of Governors for the unexpired term.

The term of office of each member of the executive committee shall commence on the last day of the Annual Meeting of the State Bar.

The Board of Governors may, upon the recommendation of the executive committee, remove and replace any member who shall fail to attend three (3) out of any six (6) consecutive meetings of the executive committee.

- d. **Meetings and Action Without a Meeting:** Meetings of the executive committee may be called by the chairperson or by a majority of the members of the executive committee. Written notice of such meetings shall be mailed to members of the executive committee at least five (5) days prior to such meeting or shall be given by telephone or any electronic method at least two (2) days prior to such meeting. At meetings of the executive committee, the majority of its members shall constitute a quorum for the transaction of any business of the committee.

The executive committee may act without a meeting by a poll of its members. In such event, a majority of the entire executive committee membership must agree on any action taken. A poll of the members of the executive committee may be conducted by the chairperson by telephone, mail, or any electronic method.