

BYLAWS OF THE CRIMINAL LAW SECTION OF THE NEW JERSEY STATE BAR ASSOCIATION

Article I

Name and Purpose

Section 1. This Section of the New Jersey State Bar Association shall be known as the Section on Criminal Law.

Section 2. The purposes of this Section shall be:

(a) To promote the objectives of the New Jersey State Bar Association;

(b) To stimulate interest of the members of the New Jersey Bar in the administration of the criminal justice system by:

(1) improving the administration of justice by continuously examining the problems of law enforcement and criminal justice from the standpoint of the laws and rules relating thereto the end that no innocent person be persecuted or unjustly punished and that the guilty be properly brought to justice.

(2) preparing studies, holding conferences, publishing reports and articles and disseminating information pertaining to the criminal justice system.

Article II

Membership And Dues

Section 1. Membership in this Section shall consist of all members in good standing of the New Jersey State Bar Association who shall signify their desire in writing, to become members of this Section and who shall satisfy the dues obligations imposed by these Bylaws.

Section 2. (a) Annual dues for this Section shall be as designated by the New Jersey State Bar Association.

(c) Dues shall be payable at the same time and in the same manner as the dues of the New Jersey State Bar Association.

Article III

Officers

Section 1. The officers of this Section shall be:

1. Chair

2. First Vice Chair

3. Second Vice Chair

4. Secretary

Section 2. The officers shall constitute an Executive Board with authority to conduct the affairs of the Section between meetings of the Board of Trustees of the Section, if necessary. Any such actions must be taken by a majority vote.

Section 3. The officers shall be elected in the manner as hereinafter set forth in Article V at the time designated by the Board of Trustees for such election.

Section 4. The officers shall hold office for a term of one year beginning at the close of the meeting at which they shall have been elected, and continuing thereafter until the close of the following year's meeting at which their successors have been elected.

Section 5. No officer may be elected to consecutive terms in the same office but shall again become eligible for election to that office after not having served in the same office for at least one term.

Article IV

Duties of Officers

Section 1. The Chair shall:

(a) Preside at all meetings of the Section. (b) Formulate and present at each Annual Meeting of the New Jersey State Bar Association an oral or written report of the work of the Section for the then past year. (c) Perform such other duties and acts as usually pertain to such office.

Section 2. The Chair Elect, or in his absence, the Vice-Chair, shall (a) in the absence of the Chair, perform the duties of the Chair, or in the event of the death, resignation or disability of the Chair, shall (b) automatically succeed to his/her office.

Section 3. The Vice-Chair shall perform such duties as the Chair may reasonably request.

Section 4. The Secretary shall be custodian of all books, papers, documents and other records which are the property of the Section, including its finances, and shall keep a true record of all proceedings and minutes of all meetings of the Section and its Board of Trustees.

Article V

Nomination and Election of Officers

Section 1. A slate of officers shall be nominated by the Nominating Committee and published to the membership of the Section prior to the meeting at which they are proposed for election.

Section 2. The Nominating Committee shall be composed of the immediate past chair, who shall preside, and two additional members who shall be appointed by the present Section Chair. The Nominating Committee shall accept nominations for the election of officers from any member of the Section or by petition filed with the Secretary of the Section at least 10 days in advance of the meeting of the Section Board of Trustees at which such nominations shall be considered. That meeting, to be held on a date

prior to the Annual Meeting of the New Jersey State Bar Association (hereinafter referred to as “the Annual Meeting”), will be a general meeting of the Section membership. During that meeting, a final slate of Officers and Trustees will be nominated by the Section members in attendance. No further nominations will be allowed after that meeting.

Section 3. Election of the officers and trustees of the Section shall be by a majority vote of the members of the Board of Trustees present at the Annual Meeting. Election of the slate of Officers and Trustees for the coming year nominated at the first general meeting shall be the sole item of business on the agenda for this general meeting.

Article VI

Vacancies

Section 1. In the event of a vacancy of any office or any position on the Board of Trustees, other than the Chair, which shall be filled Pursuant to Article IV, Section 2, the vacancy may be filled for balance of the term by appointment by the Chair with the advice and consent of the Board of Trustees.

Section 2. In the event any Trustee fails to attend three consecutive meetings of the Section, the Chair, with the vote of two-thirds of the members present at a meeting of the Section may declare that position vacant.

Article VII

Board of Trustees

Section 1. The Section shall have a Board of Trustees, consisting of the Officers and eighteen other members of the Section. As vacancies arise, members of the Section Board of Trustees, exclusive of Section officers, shall be elected by vote of the Board following nomination by the Nominating Committee or by nomination by any member of the Section or by petition filed with the Secretary of the Section at least 10 days in advance of the meeting of the Section Board of Trustees at which such nominations shall be considered.

Section 2. All past Chairs of the Section shall serve as Trustees of the Section following the expiration of their term as Chair of the Section. Past Chairs shall be considered in determining a quorum pursuant to Article VII, Section 5.

Section 3. The eighteen elected members of the Board of Trustees shall be elected for a term of three years with one third or six Trustees being nominated at the first general meeting of the Section and elected at the Annual Meeting.

Section 4. The Board of Trustees shall meet regularly but no less frequently than every alternate month, except during the months of June, July and August.

Section 5. Seven members of the Board of Trustees shall constitute a quorum for the transaction of any business. To bind the Section Board of Trustees, there shall be required a two-thirds vote of the Section trustees who are present and entitled to vote, with at least seven trustees voting in the affirmative. The breakdown of each vote and the rationale for each vote shall be reported to the State Bar Association Board of Trustees where appropriate.

Section 6. The Board of Trustees shall have the full power and authority to direct the activities and affairs of the Section subject only to the direction of the Trustees of the New Jersey State Bar Association.

Section 7. Meetings of the Board of Trustees shall be open to any member of the Section.

Article VIII

Meetings and Actions of the Section

Section 1. The meetings of this Section shall be held at the time and place designated by the Trustees of the Section and special meetings may be held at such other times and places as the officers may deem necessary. There shall be at least 7 days written notice of such regular and special meetings. A general meeting of the Section will be held prior to the Annual Meeting, as set forth in Article V, Section 2. of these Bylaws.

Section 2. The second general meeting of this Section shall be held at the Annual Meeting. The agenda for this meeting shall conform to the limitations set forth in Article V, Section 3 of these Bylaws.

Section 3. No action of this Section shall be construed to determine the policies of the New Jersey State Bar Association, nor shall any recommendations or resolutions of the Section be acted upon or publicized until after approval by the Board of Trustees of the New Jersey State Bar Association.

Article IX

Committees

Section 1. The business of the Section may be conducted with the assistance of such committees as shall be deemed necessary or desirable.

Section 2. The Chair shall appoint the membership and the Chair of any Committee.

Section 3. The Chair, with the advice and consent of the Section Board of Trustees, shall appoint the Delegates to the General Council of the New Jersey State Bar Association.

Article X

Amendments

Section 1. Upon thirty days notice published in the Section Newsletter or mailed to each member of the Section, these bylaws may be amended at any meeting of the Section by a two-thirds vote of the members of the Section present who are entitled to and do actually vote thereupon.

Section 2. Such amendments shall not take effect until they have been approved by the Board of Trustees of the New Jersey State Bar Association.

Article XI

Authority

Section 1. The Section shall be organized and conducted in all respects subject to the bylaws of the New Jersey State Bar Association.

Approved by the NJSBA Executive Committee on
behalf of the Board of Trustees April 2020