

BYLAWS OF THE MUNICIPAL COURT PRACTICE SECTION
OF THE
NEW JERSEY STATE BAR ASSOCIATION

Article I

Name and Purpose

Section 1. Name. This Section shall be known as the Municipal Court Practice Section of the New Jersey State Bar Association.

Section 2. Purpose. The purpose of this Section shall be as far as practicable within the field of municipal court practice to promote the objectives of the New Jersey State Association and Section bylaws including but not limited to:

- a. Bring together attorneys who practice or are interested in municipal court practice to study and exchange information and expand their breadth of knowledge in municipal courts practice including motor vehicle and other offenses cognizant in New Jersey municipal courts; and
- b. Inform members of the New Jersey Bar and the general public of significant issues in municipal court practice, and, as applicable, to suggest changes in the law and to develop such changes; and
- c. Foster professional relationships among municipal court judges, prosecutors, public defenders, defense counsel, and related governmental agencies and interest groups in an effort to improve civility and recognition of this field of law; and
- d. Report periodically to the Association its recommendations for action by the Association Board of Trustees.

Article II

Membership

Section 1. Membership in this section shall consist of all members of the New Jersey State Bar Association in good standing who shall signify their desire in writing to become members of this section and shall pay section dues in the amount as determined by the NJSBA Board of Trustees.

Section 2. Section dues are payable to the NJSBA as established by the New Jersey State Bar Association.

Article III

Officers

Section 1. Officers. The officers of this section shall be a Chair, Chair-Elect, Vice Chair, two legislative coordinators, chair of the Municipal Court Practice Education Committee, a Secretary, and an immediate Past-Chair.

Section 2. Nomination and Election of Officers and Directors. Each officer and director shall be elected in a manner as hereinafter set forth. Each officer shall be nominated at the Section's Annual Meeting as defined in Article V, Section III. All elections to the board of directors shall be by majority vote of those present at the annual meeting of the section which shall occur at the annual meeting of the New Jersey State Bar Association,. All officers and directors shall hold office for a term beginning at the close of the annual meeting once elected, and continuing thereafter until the close of the following year's annual meeting, or until their respective successors shall have been elected. An officer or director may be elected to a maximum of (two) consecutive terms in that office but shall again become eligible for election to that office after not having served as an officer for at least one term. During the section's annual meeting the existing chair automatically moves to the office of immediate past chair unless the exiting chair is elected to govern the section for a second consecutive one-year term. If the latter shall occur, the immediate past chair shall automatically serve a consecutive term. Elections shall proceed by written ballot in the event that more than one nomination is made for any office, and a total of five members request a written ballot.

Section 3. Removal. The Board of Directors may at any time, by resolution, remove any officer for cause; provided, however, that a vote of two-thirds of the whole Board of Directors shall be required for the removal of any Officer.

Section 4. Vacancy. The Chair-Elect shall act as chairperson during any vacancy in the office of chairperson, for whatever reason. The Board of Directors shall by resolution, adopted by a majority of the entire Board, fill any permanent vacancy in any office for any reason. An officer so elected by the Board shall hold office for the remaining unexpired term so filled and until his or her successor shall have been elected.

Article IV

Duties of Officers

Section 1. Chair. The chair shall preside at all meetings of the section and Board of Directors. He or she shall formulate and present at each annual meeting of the New Jersey State Bar Association a written report of the work of the section for the past year. He shall further perform other duties and acts as usually pertain to such office.

Section 2. Chair-Elect. The chair-elect shall, in the absence of the chair, perform the duties of the chair, or in the event of death, resignation or disability of the chair, shall succeed to his/her office.

Section 3. Other Officers. The Vice Chair and Immediate Past Chair shall perform such additional duties as the chair shall delegate to them

Section 4. Legislative Coordinator. There shall be two (2) Legislative Coordinators, a Senior Legislative Coordinator and a Junior Legislative Coordinator, whose assignment shall be the review of new laws, legislation and regulations received from the NJSBA Legislative Department.

Section 5. Chair of the Municipal Court Practice Education Committee. The Chair of the Municipal Court Practice Education Committee shall be responsible for coordinating the activities of the Municipal Court Practice Education Committee, as outlined elsewhere in these bylaws.

Section 6. Secretary. The secretary shall be the custodian of all books, papers, documents and other records which are the property of the section including finances and shall keep a true record of all proceedings and minutes of all meetings of the section.

Article V

Board of Directors

Section 1. Authority. The section shall be governed by a Board of Directors, who shall have full power to direct the activities and affairs of the section, subject only to the Bylaws and the direction of the officers and Board of Trustees of the New Jersey State Bar Association.

Section 2. Board Constitution. The Board of Directors shall consist of twelve (12) members of the section, and the officers, as hereinafter provided, for a total number of nineteen (19) members. All directors shall hold office for a term beginning at the close of the annual meeting of this section at which elected and continue thereafter for a period of one (1) year or until their respective successors have been elected.

Section 3. Nomination and Election. 12 members shall be nominated and elected to the Board of Directors. All elections to the Board of Directors shall be by majority vote of those present at the annual meeting of the section.

Section 4. Meetings. The Board of Directors shall meet regularly, no less frequently than two times annually at such times and places as the chair shall determine in consultation with the board. Special meetings may be called by the chair upon three days written notice, or upon the request of five members of the board not less than three days after service of such request on the chair and the board. Section members are invited to attend any regularly scheduled board meeting.

Section 5. Quorum/Voting. Five members of the Board of Directors of the section, present at any regular or special meeting, shall constitute a quorum for the transaction of business. A majority vote of a quorum shall bind the Board of Directors.

Section 6. Executive Committee. The section shall have an Executive Committee consisting of all the officers of the section. The Executive Committee shall have the authority to bind the section in the case of an emergent matter where immediate action is necessary before the entire board meet. In the case of a meeting of the executive committee, four (4) members shall constitute a quorum.

Article VI

Amendments

Section 1. The Bylaws may be amended at any meeting of this section by a majority vote of the members of the section present, but such amendments shall not take effect until they have been approved by the Board of Trustees of the New Jersey State Bar Association.

Section 2. Notice of any proposed amendments shall be given to the members of the section by written notice via mail or e-mail at least ten (10) days prior to the meeting of the section at which such amendments will be voted upon.

Article VII

Section Committees

Section 1. The Chair shall have the authority to appoint and dissolve committees of the section to study matters of concern to the section.

Section 2. The following Standing Committees of the section shall exist:

- a. Committee on Municipal Court Practice Education whose mandate shall be to develop materials and programs highlighting issues specific to the municipal court practitioner. Such efforts may include providing ICLE program ideas, putting on seminars, inviting speakers to meetings, acquiring information from the Administrative Office of the Courts and other issues.
- b. Committee on the Appointment of Judges and the Appearance of Impropriety whose mandate shall be to investigate the current appointment process to ascertain what improvement can be made in the appointment and reappointment of municipal court judges. Also, survey the prosecutorial and municipal public defender relationships make recommendations to resolve potential conflicts and the appearance of impropriety.
- c. Committee on Annual Municipal Court Practice Award whose mandate shall be to solicit nominations for an annual Municipal Court Practice Award and make recommendations to the Section for the selection of a recipient in accord with the following standards. Nominations shall be of a lawyer, prosecutor or judge, in good standing, who has evidenced: 1. Public service in advancing the development of municipal court practice in New Jersey in the preceding year or cumulatively as lifetime achievements in the field. 2. Dedication to the positive development of municipal court practice by publishing, teaching and serving on municipal court practice committees. 3. Commitment to significant and sustained pro bono representation of pro bono service in order to positively effect the administration of justice in municipal courts. 4. Leadership in municipal court practice activities on a state, county and local bar association level. A sitting chair of the Section shall be ineligible to be considered for the Award.
- d.. Committee on Legislation whose mandate shall be to review legislation, policy and regulations including those referred by the NJSBA Legislative Committee making recommendations for committee action. This committee shall also work with other committees to develop reforms in the law wherever necessary.

Article VIII

Authority

The section shall be organized and conducted in all respects subject to the Certificate of Incorporation and Bylaws of the New Jersey State Bar Association.

As Amended June 2024