

BYLAWS OF THE ANIMAL LAW SECTION OF THE FLORIDA BAR

ARTICLE I NAME AND PURPOSE

Section 1 Name. The section is "The Animal Law Section of The Florida Bar" ("the section"). The section may not change its name without the approval of The Florida Bar Board of Governors in accordance with Florida Bar policies and procedures.

Section 2 Purpose. The section's purpose is to promote the study and understanding of laws, regulations, and court decisions involving animals by:

- (a) providing a forum for members to exchange ideas, study, and understand laws, regulations, and case law pertaining to all areas of Animal Law;
- (b) conducting Animal Law continuing legal education seminars;
- (c) publishing a newsletter and other written materials and documents furthering the section's objectives to its members, subject to the approval by The Florida Bar;
- (d) providing a listserv;
- (e) publishing informational pamphlets to the public on legal issues pertaining to animals, subject to the approval by The Florida Bar;
- (f) acting as a liaison between The Florida Bar, its Board of Governors, and animal law sections and committees of national organizations, animal law sections and committees of other nations, states, counties and cities, and animal law-related organizations;
- (g) educating members of The Florida Bar and the public about laws relating to animals, including the development and modification of existing law;
- (h) promoting legislation relating to animals through the use of the legal system;
and
- (i) undertaking other service to benefit the section's members, The Florida Bar, the legal profession and the public.

Section 3 Limitations. No position may be taken by the section or its members in the name of the section that advocates or advances a political or social policy position in violation of The Florida Bar's policies, the Rules Regulating The Florida Bar, or any other applicable state or federal law. The section's purpose is not to promote animal rights, and the section will not undertake or participate directly or indirectly in any activity that promotes animal rights.

ARTICLE II MEMBERSHIP

Section 1 Enrollment. Any member of The Florida Bar in good standing may be enrolled as a member of the section by applying for and paying annual section dues as determined by the executive council.

Section 2 Membership. Members who are enrolled and whose dues are paid under this article constitute the membership of the section.

Section 3 Annual Dues. The annual dues are determined by the section's executive council, subject to approval by the Board of Governors of The Florida Bar. No annual dues will be prorated. Dues must be paid in advance of each membership year at the beginning of The Florida Bar's fiscal year.

Section 4 Delinquency. Any member of the section whose annual dues are more than three (3) months past due will be removed from the section automatically.

Section 5 Affiliate Membership. The Executive Council may enroll affiliates as defined below, on application and payment of the prescribed dues as affiliate members of the section (referred to as "affiliates").

(a) **Students of Accredited Law Schools - Affiliate Membership.** Any student in good standing of an American Bar Association (ABA) accredited U.S. law school interested in the purposes of the section is eligible for affiliate membership on application and payment of the section's annual dues for student affiliate members, which may be established by the executive council. Any student affiliate member who ceases to be a student in good standing of an ABA accredited U.S. law school, for any reason other than graduation, will be removed from the section automatically.

(b) **Florida Registered Paralegals (FRP), Florida Legal Assistants, Paralegals, and Legal Administrators - Affiliate Membership.** Any FRP, Florida legal assistant, paralegal or legal administrator interested in the purposes of the section is eligible for affiliate membership on application and payment of the section's annual dues for FRPs, legal assistants, paralegals, and legal administrators affiliate members.

(1) **Definition of FRP, Legal Assistant, and Paralegal.** A FRP, legal assistant or paralegal is a person who is qualified through education, training, or work experience who assists a lawyer in the delivery of legal services involving the performance of specifically delegated work under the supervision and direction of a lawyer who is a member in good standing of The Florida Bar that requires a sufficient knowledge of legal concepts that the lawyer would perform the task absent the legal assistant or paralegal, and who has satisfied the following minimum requirements:

(A) Florida Registered Paralegal as outlined in the requirements set forth by The Florida Bar.

(B) successful completion of the certified legal assistant or paralegal (CLA/CP) examination of the National Association of Legal Assistants, Inc.;

(C) graduation from an ABA-approved program of study for legal assistants or paralegals;

(D) successful completion of a course of study for legal assistants or paralegals that is institutionally accredited and that requires not less than the equivalent of 60 semester hours of classroom study;

(E) graduation from a course of study for legal assistants or paralegals, other than those set forth above, plus no fewer than 2 years of in-house training as a legal assistant or paralegal, and whose lawyer/employer attests that the person is qualified;

(F) a bachelor's degree in any field, plus no fewer than 3 years of in-house training as a legal assistant or paralegal, and whose lawyer/employer attests that the person is qualified; or

(G) seven years' continuous employment as a legal assistant, or paralegal and whose lawyer/employer attests that the person is qualified.

(2) Definition of Florida Legal Administrator. A Florida legal administrator is any person employed for 3 continuous years by a law firm, corporate legal department, government, judicial or legal agency, or other entity devoted primarily to the practice of law, regardless of the title by which the person is classified, if the majority of the person's working time is devoted to the performance of managerial and administrative duties connected with that entity.

(c) Renewal of Affiliate Membership by FRPs, Florida Legal Assistants and Paralegals. Every application by a FRP, Florida legal assistant or paralegal for renewal of an affiliate membership in the section must be accompanied by evidence satisfactory to the section of completion by the FRP, Florida legal assistant or paralegal of the minimum number of continuing education credits required by the National Association of Legal Assistants and an attestation of continued employment as a legal assistant or paralegal by the member of The Florida Bar in good standing who supervises or employs the FRP, Florida legal assistant or paralegal.

(d) Restrictions on Affiliate Membership. Affiliate members enjoy all the benefits and privileges accorded full members of the section except affiliate members may not vote, hold section office, or serve on the executive council. Affiliate members may serve the section or executive council in an advisory nonvoting capacity in the executive council's discretion. The number of affiliates may not exceed 1/3 of the section membership.

Section 6 Member. The word "member" wherever used in these bylaws includes both full members and affiliate members, subject to the restrictions applicable to affiliate members.

Section 7 Member Expulsion. Any member of the section may be expelled for cause from membership in the section by a majority vote of the executive council.

ARTICLE III OFFICERS

Section 1 Officers. The officers of the section are a chair, chair-elect, secretary, and treasurer.

Section 2 Chair-Elect, Secretary, and Treasurer. On or before May 1 of each year, the chair will appoint a nominating committee of no fewer than 4 members and no more than 6 who must nominate 1 active member of the section for each of the offices of chair- elect, secretary, and treasurer. The nominating committee will present its report at the annual meeting of the section for the vote of the membership assembled. The candidates receiving a majority vote of those present will be declared elected. Any person nominated for the position of chair-elect must have served on the executive council for a minimum of 12 months prior to the election. Other nominations may be made by section members if made in writing and submitted to the chair or nominating committee not less than 15 days prior to the annual meeting.

Section 3 Duties of Officers.

(a) Chair. The chair presides at all meetings of both the section and of the executive council. The chair appoints the membership of all committees and committee chairs. The chair prepares all reports to be submitted to The Florida Bar or to the Board of Governors of The Florida Bar, and performs other duties as customarily pertain to this office. The chair is an ex-officio member of each committee of the executive council and section.

(b) Chair-elect. The chair-elect becomes the chair on the completion of the chair's term of office or in the event of the death, resignation, or failure of the chair to serve for any reason. In case of temporary disability or absence of the chair, the chair-elect serves as acting chair only for the duration of the chair's disability or absence. The chair-elect is responsible for duties designated by the chair. The chair-elect is an ex-officio member of each committee of the executive council and the section.

(c) Secretary. The secretary keeps the permanent files and records of the section, including minutes of meetings of both the section and executive council, and keeps various committee reports, except those that are performed by The Florida Bar. Section minutes and reports must be timely submitted to The Florida Bar.

(d) Treasurer. The treasurer accounts for all funds of the section, approves all disbursements, and prepares financial statements in accordance with Florida Bar policies. The treasurer must keep an accurate record of all monies appropriated to it by the Board of Governors and expended by The Florida Bar for the purposes of the section. The treasurer monitors all accounts, reports, and other documents relating to the section's funds, revenues, and expenditures to ensure their accuracy. The treasurer

reports on the section's present and projected financial condition at each executive council meeting. The treasurer advises the officers and executive council on the financial impact of any proposed action by the officers, executive council or section which, in the treasurer's judgment, would have a significant impact on the financial condition of the section. The treasurer annually prepares a projected budget for the executive council for approval or modification at the meeting, or as directed by the executive council. The treasurer submits to the section a report on the section's financial affairs and financial condition at the annual meeting. The treasurer prepares other recommendations and special reports on financial affairs of the section as requested by the chair.

Section 4 Term of Office.

(a) Chair. The term of office of the chair begins at the conclusion of each annual meeting of the section and ends at the conclusion of the next annual meeting of the section, at which time that individual is automatically succeeded by the chair-elect.

(b) Chair-elect. The term of office of the chair-elect runs concurrently with that of the chair, beginning at the conclusion of the annual meeting of the section during which that person was elected chair-elect and ending at the conclusion of the next annual meeting of the section when that individual becomes chair.

(c) Secretary and Treasurer. The term of office of the secretary and the term of office of the treasurer begin at the conclusion of each annual meeting of the section and end at the conclusion of the next annual meeting of the section.

(d) Chair Emeritus. Any past chair who remains a member in good standing of the section may apply and become a chair emeritus member of the executive council with approval of the executive council. An emeritus member may not vote, but may attend the executive council meetings and is encouraged to participate in meeting discussions. An emeritus member's presence is not counted to establish a quorum for the executive council.

(e) Immediate Past Chair. The immediate past chair remains on the executive council for 1 year immediately following service as chair. Following this 1- year period of service on the executive council, the immediate past chair then serves for 1 year as chair emeritus liaison to the executive council. The chair emeritus liaison is responsible for overseeing chair emeriti in providing work product to the executive council. After this 1-year term, the chair emeritus liaison is eligible to return to the executive council if nominated and elected. Otherwise, the chair emeritus liaison will remain in chair emeritus status.

Section 5 Vacancies. The chair fills all vacancies except vacancies in the offices of chair and chair-elect, which latter vacancies are filled in the manner provided by these bylaws. In the event that the offices of both chair and chair-elect become vacant, the executive council must fill the vacancy of chair from among its members for the unexpired term, and at the next annual meeting of the section a chair and a chair-elect will be elected and take office in the manner provided for in these bylaws.

ARTICLE IV EXECUTIVE COUNCIL

Section 1 Governing Body – The Executive Council. The executive council is the governing body of the section between the annual meetings of the section. The chair of the section is the chair of the executive council, the secretary of the section is the secretary of the executive council, and the treasurer of the section is the treasurer of the executive council. The executive council has general supervision and control of the affairs of the section, subject to the Rules Regulating The Florida Bar, Standing Board Policies of The Florida Bar, and bylaws of this section. It must review all commitments or contracts and submit them to The Florida Bar through the section’s program administrator for review and approval in accordance with Florida Bar and section policy. No expenditure of section funds may be made without authorization of the executive council and the approval of The Florida Bar. The executive council may not authorize commitments, contracts or expenditures involving amounts of money in excess of the total amount that is budgeted as disbursements for that fiscal year. It has the authority to adopt policy concerning the affairs and purposes of the section that are not inconsistent with the policies of The Florida Bar. The executive council conducts its business at regular and special meetings as provided for in these bylaws. The business of the executive council between regular meetings may be conducted by correspondence, telephone, facsimile, email, or other electronic means as authorized by the chair.

Section 2 Membership of the Executive Council. The executive council consists of the chair, chair-elect, immediate past chair, secretary, treasurer, and 6 additional voting members. On or before May 1 of each year, the chair will appoint a nominating committee of no fewer than 4 members and no more than 6 members who must nominate 6 active members for 6 positions on the executive council. The nominating committee will present its report at the annual meeting of the section for the vote of the membership assembled. All nominees must have agreed to accept the nomination before their names are presented to the membership. Other nominations may be made by section members if made in writing and submitted to the chair or nominating committee not less than 15 days prior to the annual meeting. The candidates receiving a majority vote of those section members present will be declared elected.

Section 3 Voting. Members of the executive council must vote in person when present in person at an executive council meeting. Members of the executive council who are absent from an executive council meeting may communicate their vote no less than two days before the meeting in writing to the secretary regarding any matter on which the executive council will act at that meeting and the vote will be counted with the same effect as if cast personally at the meeting.

Section 4 Propositions. The chair of the section may, and on the request of any member of the executive council must, submit or cause to be submitted, in writing, to each of the members of the executive council, any proposition on which the executive council may be authorized to act, and the members of the council may vote regarding that proposition by communicating their vote in writing to the secretary. The secretary will record the vote of each member of the executive council and keep the written votes on file.

Section 5 Quorum. Six members of the executive council constitute a quorum at a meeting of the executive council. A majority vote of those members present at a meeting at which a quorum is present is binding on the section.

Section 6 Term of Office. All members of the executive council serve a term of 1 year with the term commencing with the conclusion of the annual meeting of the section following their election and ending at the conclusion of the annual meeting of the section 1 year later.

Section 7 Vacancies. The chair appoints section members to fill the balance of any executive council position that is vacant because:

- (a) the position was not filled at the annual meeting of the section;
- (b) death, resignation, or ineligibility of an executive council member;
- (c) a member of the executive council missed any 3 meetings in 1 fiscal year (irrespective of any excused absences);
- (d) a member of the executive council has 2 unexcused absences from meetings during that member's term of office; or
- (e) a member of the executive council has been terminated for cause.

Section 8 Termination for Cause. The executive council has the right to terminate any member of the executive council for cause, including failure or unwillingness to perform duties or for other terminable cause, by a majority vote of the executive council members.

Section 9 Absences. Requests for an excused absence must be sent to the chair, with a copy to the section's program administrator, no later than 7 days following the meeting for which an excused absence is requested or the absence will automatically be deemed unexcused. The chair must determine if a person's absence from an executive council meeting is excused. If the chair determines that a person's absence is unexcused, that decision may be appealed to the executive council and may be overruled by majority vote of the executive council.

Section 10 Executive Committee. The members of the executive committee consist of the chair, chair-elect, secretary, and treasurer. The executive committee has the powers delegated to it by the executive council, including managing the affairs of the section during the interim between meetings of the executive council. In so doing, the executive committee has the same powers as the executive council, but may not take any action that conflicts with the policies and expressed wishes of the executive council, or be inconsistent with policies of The Florida Bar.

Section 11 Actions Binding. A majority vote of the executive committee is binding on the section. The executive committee may take action by correspondence, telephone, facsimile, e-mail or other electronic means as authorized by the chair.

ARTICLE V COMMITTEES

Section 1 Committees. The executive council of the section is authorized to establish, or to empower the chair of the section to establish, committees to effectively promote the activities of the section within the jurisdiction of the section. The executive council will establish committees and the chair will appoint committee chairs annually. The executive council will state the area of each new committee's proposed activities.

Section 2 Committee Meetings. Committee meetings will be called as necessary by the section or committee chairs. Committee meetings may be held in person or via telephone, video conference, or other electronic means.

Section 3 Reports. The chair of each committee will submit a written report of committee activities during the preceding year to the executive council. This report is due no later than 40 days prior to the annual report required to be submitted by the section's chair to The Florida Bar. The chair may also require verbal reports throughout the year from each committee.

ARTICLE VI MEETINGS OF SECTION MEMBERS

Section 1 Meetings. The section will hold an annual meeting of section members in conjunction with the annual convention of The Florida Bar. The section may hold other meetings of section members throughout the year with the approval of the executive council.

Section 2 Quorum. The members of the section present in person at any meeting of the section members constitutes a quorum for the transaction of business as long as members have been given written notice of the meeting date and location at least 14 days before the meeting.

Section 3 Controlling Vote. A majority vote of section members present at a properly noticed meeting is binding on the section.

Section 4 Voting Eligibility. Any member of the section whose membership in good standing with The Florida Bar may be verified for the 30-day period prior to the vote is eligible to vote.

Section 5 Agenda. The chair or executive council determines items to be included on the agenda. Election of officers and executive council members must be on the agenda for the section's annual meeting.

Section 6 Executive Council.

(a) Organizational Meeting of the New Executive Council. Each new executive council must hold its organizational meeting during the annual meeting of the section.

(b) **Regular Meetings of the Executive Council.** The executive council may hold additional regular meetings between each annual meeting in person or by telephone or other electronic means. The date and location of the regular meeting of the executive council will be designated by the chair of the section. The chair must give written notice of the date and location to each member of the executive council at least 14 days prior to the meeting.

(c) **Special Meetings of the Executive Council.** Special meetings of the executive council may be held at times and places as the chair designates by written notice to each member of the executive council at least 14 days prior to the meeting. The majority of the executive council present, either in person or by telephone, constitutes a quorum. In determining the quorum of the executive council, the immediate past chair will not be counted.

(d) **Business of the Executive Council between Regular Meetings.** The business of the executive council may be conducted between its regular meetings by correspondence, telephone, video conference, facsimile, email, or other electronic means as authorized by the chair.

Section 7 Committees. Committees will meet at the discretion of their chairs.

Section 8 Annual Meeting Program. The executive council is responsible for the section program for the annual meeting of the section. Any program must provide adequate time for the annual meeting of the section. The chair and chair-elect must prepare the agenda for the business meeting of the section.

ARTICLE VII ELECTIONS

Section 1 Elective Officers. At each annual meeting of the section, the membership will elect:

- (a) a chair-elect to serve a term of 1 year;
- (b) a secretary and a treasurer for a term of 1 year; and
- (c) 6 members to serve on the executive council for a term of 1 year.

Section 2 Succession of Chair. The chair-elect automatically succeeds to the office of chair. The chair-elect serves a term of 1 year. In the event the office of chair-elect becomes vacant, a chair will be elected in the manner set forth in section bylaws.

Section 3 Eligibility for Office. Any member of the section whose membership in good standing with The Florida Bar may be verified for the 30-day period prior to the vote is eligible for section office.

Section 4 Nominations and Voting. A nominating committee, as provided forth elsewhere in these bylaws, will nominate 1 or more members of the section for each of the section officers. The section members will be notified of the nominations at least 5 business

days prior to the annual meeting. Additional nominations for any office may be made at the annual meeting. Officers are elected by a plurality of votes cast. If 2 or more candidates for 1 office receive an equal number of votes, a second ballot will be taken immediately.

Section 5 Terms of Office. The term of office begins with the adjournment of the annual meeting following the election and ends following the adjournment of the annual meeting at which a successor has been elected. If at the close of any term of office a successor has not been elected, then the term will be extended until a successor is elected.

Section 6 Elections. All elections must be by written or electronic ballot unless ordered by resolution adopted by the section at the annual meeting at which the election is held.

ARTICLE VIII SUCCESSION OF OFFICERS AND VACANCIES

Section 1 Chair-Elect. The chair-elect automatically assumes the office of the chair for a term of 1 year at the adjournment of the annual meeting of the section following the election unless the chair-elect refuses to act as chair-elect or is disqualified.

Section 2 Officers and Executive Council. Between annual meetings of the section, the executive council may fill vacancies in its own membership, or in the offices of chair, chair-elect, secretary, or treasurer. Members of the executive council and officers so elected serve until the next annual meeting of the section, at which time the membership of the section will elect officers or executive council members to fill any unexpired terms existing at the time.

ARTICLE IX AMENDMENTS

Section 1 Vote. These bylaws may be amended at any meeting of the section at which a quorum is present by a two-thirds vote of the members of the section present and voting only if first submitted to the executive council for its recommendation. No amendment becomes effective until approved by the Board of Governors of The Florida Bar.

Section 2 Amendment Form. Any proposed amendment must be submitted in writing to the executive council in the form of a petition by at least 10 members of the section. The executive council will consider the proposed amendment, prepare recommendations, and publish a complete and accurate text of the proposed amendment either in the section newsletter or in a special e-mailing to all section members at least 30 days prior to the meeting of the section at which it will be considered.

ARTICLE X FISCAL YEAR

The fiscal year of the section is the same as that of The Florida Bar.

**ARTICLE XI
DISBURSEMENTS**

Any bills incurred by the section to be forwarded to The Florida Bar for payment must first be approved by the chair, chair-elect, treasurer, or as directed by the executive council. Expenses or obligation \$500 or greater require advance approval by The Florida Bar in accordance with its standing board policies.

**ARTICLE XII
COMPENSATION**

No salary or compensation for services may be paid to or by any officer or member of the executive council or any committee member . Officers and executive council members may be reimbursed for actual expenses for section business specifically authorized by the executive council and in compliance with the Standing Board Policies of The Florida Bar.

**ARTICLE XIII
EFFECTIVE DATE**

These bylaws become effective on approval by The Florida Bar Board of Governors.

**ARTICLE XIV
MISCELLANEOUS**

No action of this section will be contrary to the policies of The Florida Bar as established by its Board of Governors.

Bylaws created 2-9-2015