

**BY-LAWS
BELL COUNTY BAR ASSOCIATION
PARALEGAL DIVISION**

adopted
January 2003

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AMENDMENTS

Amendment I – adopted June 1, 2003 – **revised Article VI, Sec. 1** -- fiscal year (changed from 10/01 -- 09/30, to 06/10 – 05/31)

Amendment II - adopted July 15, 2004 – **revised Article III, Sec. 1.a** – verbiage changed to reflect change in fiscal year

Amendment III - adopted July 15, 2004 – **revised Article VI, Sec. 2** -- verbiage changed to reflect change in fiscal year

Amendment IV - adopted July 15, 2004 – **revised Article VII, Elections** – verbiage amended only

Amendment V - adopted August 19, 2004 – **added Section 5 to Article II** – Membership Requirements; and **revised Article II, Sec. 1.a** – CLE requirements

Amendment VI – adopted November 28, 2004 – **added Section 1.C to Article II** -- to allow for Associate Class of members; and **revised Article II, Sec. 2** – to include dues for Associate Member Class

Amendment VII-

BYLAWS

ARTICLE I

NAME, PURPOSE AND DEFINITION

Section 1. Name.

The name of this organization shall be "Bell County Bar Associations Paralegal Division." *(Revision-Legal Assistant to Paralegal) amended June 2009)*

Section 2. Purpose.

The purpose of the Division shall be to enhance paraprofessionals' participation in the administration of justice, professional responsibility and public service in cooperation with the Bell County Bar Association and State Bar of Texas.

Section 3. Definition of a Paralegal.

A paralegal is a person, qualified through various combinations of education, training, or work experience, who is employed or engaged by a lawyer, law office, governmental agency, or other entity in a capacity or function which involves the performance, under the ultimate direction, supervision of a licensed attorney, of specifically delegated substantive legal work, which work, for the most part, requires a sufficient knowledge of legal principals and procedures that, absent such person, an attorney would be required to perform the task. *(Revision –Legal Assistant to Paralegal) amended June 2009)*

ARTICLE II

MEMBERSHIP

Section 1. Classification of Members.

A. Active Members.

Any person employed in the legal community of Bell County, State of Texas, while not admitted to the practice of law in Texas, who has, through education, training, or experience, demonstrated knowledge of the legal system, legal principles and procedures, is eligible to become an active member of the Division. A member in good standing shall ~~have completed ten (10) hours of Continuing Legal Education (CLE) by the end of the term for which membership fee is paid.~~ **A member in good standing shall have completed the number of hours of Continuing Legal Education (CLE) as required by the State Bar of Texas Paralegals Division, as that number may be amended from time to time by the State Bar. At the beginning of each new term, and no later than the July regular meeting, the CLE Committee shall make known to all members the number of CLE hours required to remain a member in good standing.**

(Revision Legal Assistant to Paralegal amended June 2009)

B. Student Members.

Any person currently enrolled in an ABA approved program/college of education and training for paralegals or currently enrolled in a paralegal program/college that consists of a minimum of sixty (60) semester hours (or equivalent quarter hours), which includes not less than fifteen (15) semester hours (or equivalent quarter hours) of substantive legal courses or be enrolled in a paralegal program/college that consists of fifteen (15) semester hours of substantive legal courses. A student member shall have all the privileges and prerogatives of an active member, except voting, holding office, or serving as the chair of any committee or subcommittee. *(Revision- defined enrollment in paralegal program/college- amended June 2009)*

C. Sustaining Members.

Any law firm, corporation, agency, institutionally accredited or ABA approved paralegal training program, or entity interested in supporting the purposes and goals of the Division shall be eligible for Sustaining Membership by paying the membership dues established by the Board of Directors. A Sustaining Member shall not be entitled to vote, hold office, or serve on a committee. *(Revision- Associate member deleted and substituted with Sustaining Member- amended June 2009)*

D. Freelance.

Any person who has established themselves as a Freelance paralegal. A freelance member shall have all the privileges and prerogatives of an active member. *(revision – added June 2009)*

E. Emeritus

Any person who is a current active member of the Division who is no longer employed as a Paralegal and who has retired from the profession, moved out of state, taken a leave of absence or changed careers may renew as an emeritus member. Mandatory CLE is not required. An emeritus member shall have all the privileges and prerogatives of an active member, except that an emeritus member may not vote, hold office or serve as the chair on any committee. *(Revision-added June 2009)*

Section 2. Dues.

Annual dues for active members of this Division shall be \$25.00. Annual dues for Student members of this Division shall be \$15.00. Annual dues for Sustaining members of this Division shall be \$50.00.vi Annual dues for Freelance members of this Division shall be \$25.00; Annual dues for Emeritus members of this Division shall be \$25.00. Any person or Member eligible under Article II, Section 1, who pays the membership fee, as determined by the Board of Directors of this Paralegal Division, shall be a member of the Division for the fiscal year in which the fee is paid. This membership shall expire

upon the last day of the fiscal year. This Division fiscal year is October 1st ~~June 1st~~ through September 30th ~~May 31st~~. (Revision changed regular member to active member; associate changed to sustaining; dues changed to \$25.00 from \$20.00 membership dues for the remaining classifications of membership were added amended June 2009)

Section 3. Code of Ethics.

All members of the Division shall be governed by the Code of Ethics and Professional Responsibility, hereinafter referred to as the "Code," adopted by the membership and as amended from time to time. Amendments of the Code may be effectuated by a two thirds vote of the active members present and voting at any meeting of the membership provided written notice of the proposed amendment is contained in the notice of the meeting.

Section 4. Disciplinary Actions.

A member may be reprimanded or have his/her membership suspended or revoked for a finding of willful misrepresentation upon the application for membership or for violation of the Division's Code. The disciplinary procedures and right of appeal herein shall be set out in the Standing Rules.

Section 5. Membership Requirements

In order to remain an active member, as defined herein, all members are required to attend at least one (1) meeting per quarter by the end of the term for which membership fee is paid. Attendance at a CLE event sponsored by the Bell County Bar Association and/or the Bell County Young Lawyers will be considered as attendance for purposes of satisfying the requirement. Any member who is not able to attend the requisite number of meetings may have his / her attendance reviewed by the Board upon written request. If the Board finds that good cause exists for the failure of the member to attend as required, his / her attendance requirement may be waived.

ARTICLE III

BOARD OF DIRECTORS

(Revision Directions changed to Directors amended June 2009)

Section 1. Composition.

A. Officers.

A President, Vice-President, Secretary, Treasurer, and Parliamentarian of the Board shall be elected by a majority vote of the members present and voting at a General meeting. Candidates for offices shall be self declared as set out in the Standing Rules. Such officers shall take office immediately following the adjournment of the May Meeting and shall serve for a term of one full year, or until their successors are elected. Vacancies shall immediately be declared in the offices which the President and Vice-President represent, and elections shall be

held as soon as practicable to elect their replacements. No Board officer shall be eligible to serve more than two consecutive one year terms in the same office. By a majority vote of the Board members present and voting the Board may establish such other offices as the Board may deem necessary. Such office shall be filled from the active members by appointment of the President, with the advice and consent of the Board. *(revision – changed that the general members elect the Officers at a General meeting-amended June 2009)*

B. Board

The President, Vice-President, Secretary, Treasurer, and Parliamentarian shall serve as the Board of Directors and shall perform such duties as from time to time may be delegated by the President or by the Board.

Section 2. Term of Office.

Each officer shall be an active member and shall hold a term of office of one fiscal year.

Section 3. Duties of Officers.

The duties of the Officers, except as herein otherwise stated shall be such as usually devolve upon such positions, and may be regulated and prescribed by either the President of the Board, and shall include the following:

A. By a majority vote of the Board members present and voting, the Board shall from time to time establish, adopt and amend Standing Rules, when such are deemed necessary to carry out these Bylaws and to serve the purpose of this Division. The Standing Rules, as adopted, shall be placed under a separate heading in the official records of the Division, along with the current Bylaws, and copies of the Bylaws and Standing Rules shall be distributed to each officer.

B. The President shall preside over all Board meetings, shall be the chief executive officer, and shall be the liaison to the Bell County Bar Association and, as necessary, the State Bar of Texas.

C. The Vice-President shall serve upon the absence or removal of the President and perform such other duties as may be designated by the President or Board of Directors.

D. The Secretary shall accurately record the proceedings of all meetings of the Division and the Board of Directions and maintain them in a permanent form. The Secretary shall preserve in a permanent file all records and letters and the minute book and these permanent files shall be delivered to the successor at the close of the term. The Secretary shall perform such other duties as may be designated by the President or Board of Directors.

E. The Treasurer shall be the chair of the Budget and Finance Committee. The Treasurer will be responsible for collecting dues from each member; maintaining an account as well as financial records of the division. The Treasurer will provide monthly reports to the Board. The Treasurer will consider financial requests from committees to be voted upon by the Board. The Treasurer will make recommendations to the Board for funding projects and prepare an annual report for presentation to the Board.

F. The Parliamentarian shall receive all written suggested amendments to the Bylaws and Standing Rules of Order, and to monitor recommendations to the Board concerning the order of the meetings of the general membership, as well as advising the President and the Directors, when called upon, regarding conduct of Division business.

Section 4. Ex Officio Members.

The immediate past President of the Division shall serve as nonvoting Executive Advisor to the Board.

Section 5. Board Meetings.

A. Regular Meetings. A regular open meeting of the duly elected Board of Directors shall be held once a month prior to the general meeting. The dates shall be announced by the President and communicated to the Board within a reasonable time prior to such meetings.

B. Special Meetings. The President may, in her/his discretion, call a special meeting of the Board at any time, or such meeting shall be called upon the written request of one third of the Board. However, if and when any such meeting is called for any purpose, the President shall notify each officer of the time, place and purpose of such meeting, within a reasonable time prior to such meeting. At any such special meeting of the Board, new matters may be added to the agenda only upon an approval of two thirds vote of the Board members present and voting.

C. Quorum. A majority of the Board shall constitute a quorum for the transaction of any business, except as otherwise provided in these Bylaws; and a majority vote of those officers present and voting during a regular or special meeting shall be required to approve items of business brought before the Board.

D. Vote by Mail, Telephone, E-mail or Facsimile. The President on her/his own volition, or upon request of one third of the Board, will conduct a vote either by mail, by telephone, e-mail or facsimile, or any combination thereof, under procedures set out in the Standing Rules.

E. Open Meetings. All meetings of the Board shall be open to members of the Division and to visitors (except at those times when executive sessions may be held for matters of a confidential nature) provided that only the elected Board members shall be entitled to vote.

F. Parliamentary Procedure. Except as provided in these Bylaws and Standing Rules, all meetings will be conducted in accordance with the current edition of ROBERT'S RULES OF ORDER NEWLY REVISED.

Section 6. Board Vacancies.

A. When a vacancy in the office of the President occurs, the Vice-President shall act as President until such time as the Board, by majority vote, shall elect a successor to serve the unexpired term of such President. Vacancies occurring in any other Board office shall be filled by a person appointed by the President with the approval of a majority vote of the Board.

B. In the event of a vacancy in the office of the Vice-President, the duties of the office of Vice-President shall be assumed by the Parliamentarian, the Secretary, or the Treasurer, in the order named, until such time as the Board, by majority vote, shall select a successor to serve the unexpired term.

ARTICLE IV.

REMOVAL OF BOARD MEMBERS

Section 1. Removal for Good Cause.

A. Generally. The Board shall have the power to remove Officers, for good cause. The procedures for such removal shall be those set out in the current edition of ROBERT'S RULES OF ORDER NEWLY REVISED, except as otherwise provided for herein or in the Standing Rules. *(Revision Directors changed to Officers-amended June 2009)*

B. Two-Thirds Requirements. It shall require at least two thirds vote of the Board in favor of removal in order to remove an Officer. *(Revision Director changed to Officer-amended June 2009)*

Section 2. Attendance Requirements.

Any Officer shall be removed for failure to attend three duly noticed Board meetings without good cause during their term. Such Officer shall be given notice in writing to appear at the next duly noticed Board meeting to show cause why they should not be removed from the Board. If at the meeting following the third absence, a majority of the Board members present and voting finds that good cause for such three absences has not been shown, the office of the non-attending Director shall become automatically vacant. *(Revision Director deleted-amended June 2009)*

ARTICLE V
COMMITTEES

Section 1. Standing Committees.

A. The standing committees of this Division shall include the following: Elections, Membership, Professional Development, and Ethics. All committees shall submit written reports to the Board at each regular meeting of the Division. The functions and responsibilities of each committee shall be set forth in the Standing Rules.

B. The President shall appoint the committee members from among the membership of the Division in accordance with the Bylaws and Standing Rules to serve at the discretion of the President.

C. The committee members present at a committee meeting shall constitute a quorum for transaction of business at such meeting.

Section 2. Special Committees.

Special committees may be established from time to time as may be deemed necessary by the President of a two thirds vote of the Board members present and voting at a Board meeting.

ARTICLE VI
FINANCES

Section 1. Fiscal Year.

The fiscal year of the Division shall begin June 1 in each calendar year and shall end May 31st the following calendar year.

Section 2. Annual Budget.

The Treasurer and Board of Directors, shall prepare a detailed budget for the ensuing fiscal year, based upon anticipated revenues, and present same to the new Board for approval at their first regular meeting in June.

Section 3. Amendments to Annual Budget.

At any meeting, the Board shall have the authority, by a majority vote of those present, to amend the allocation of the budgeted funds, provided that the total amount of the amended budget shall not be increased beyond available revenue plus retained funds from any other source.

Section 4. Annual Report.

The Treasurer shall prepare an annual report in writing showing all assets and liabilities, included in unallocated or unspent funds, plus receipts and expenditures, of the Division for the preceding fiscal year and shall submit same to the Board for review at the regular meeting of the Board immediately prior to the meeting of the general membership.

Section 5. Expenditures.

All expenditures shall be approved by the appropriate committee chair, director or officer, so long as such expenditures fall within the Board approved budget. Interim emergency expenditures, i.e. those expenditures not covered under the Board approved budget, must be approved by the Board.

ARTICLE VII

ELECTIONS

Section 1. Qualifications and Requirements to Hold Office, to Nominate Candidates for Office and to Vote in Elections.

A. Eligibility. To be eligible to become a candidate for any office, nominate candidates for the Board of Directors and/or vote in elections, a person must be:

1. Active Membership. Be an Active Member or other qualifying member defined in these Bylaws; and
2. Other Requirements. Satisfy all other requirements for voting prescribed by these Bylaws and the Division's Standing Rules for the election of Directors **and/or Officers.iv.**

ARTICLE VIII

RESIGNATIONS

Section 1 - Officers. Any Officer may resign his/her position at any time by written notice delivered to the Secretary. *(Revision deleted Director amended June 2009)*

Section 2 - Committees. Any committee member may resign his/her committee upon written notice delivered to the Secretary.

