

**COLORADO BAR ASSOCIATION
BYLAWS OF THE ELDER LAW SECTION**

Article I

Name and Purpose

Section 1. This Section shall be known as the Elder Law Section of the Colorado Bar Association, hereinafter the "Section."

Section 2. The purpose of this Section shall be to promote the objectives of the Colorado Bar Association within the field of Elder Law. To that end, the Section shall endeavor to create better understanding and cooperation among those attorneys engaged in a practice involving Elder Law to foster, recommend and promote legislation in the furtherance of this field, and to educate attorneys and the elderly community concerning the legal problems of the elderly and legislation related to those problems.

Article II

Membership and Dues

Section 1. Any member of the Colorado Bar Association, any law student, and any other persons who are eligible to be associate members of the Colorado Bar Association may become a member of the Section upon payment of the annual Section dues.

Section 2. The Council (as determined in Article III) of the Section shall have the power to fix the amount of annual dues paid by members of the Section and to establish any classifications it deems appropriate for such purposes. The Council shall fix the amount of the dues and establish any classifications on or before March 1 of each year. If they shall fail to do so, scheduled dues and classifications of the preceding year shall remain in full force and effect.

Section 3. Section dues shall be due and payable, in advance of the first day of July of each year. Any member of the Section whose annual dues are not paid by a date in October set by the Colorado Bar Association shall cease to be a member of the Section. Termination of membership in the Colorado Bar Association shall automatically terminate membership in this Section.

Article III

Officers, Council

and Appointees

Section 1. The officers of the Section shall be a Chair, Chair-Elect, a Secretary, and

a Treasurer. The Chair and Chair-Elect shall serve for successive one-year terms. The remaining officer positions will be two-year terms. All officers of the Section shall be members of the Colorado Bar Association and of the Section.

Section 2. The Council of the Section shall consist of the Chair, the Chair-Elect, the Secretary, the Treasurer, the Communications Representative, LPC Point Person, Outreach Coordinator, any prior Co-Chair who opts-in to remain a voting member, and four At-Large members to be selected by the Section members as hereinafter provided. Only those prior Chairs who respond in writing to the Chair request to serve as voting members of the Council shall be allowed to serve as voting members for the upcoming year, except for good cause found to be acceptable to a majority vote of the other members of the Council. The voting quorum of the Council shall be established by July 1st. For a measure to pass, there shall be a majority vote of the quorum.

Section 3. The four At-Large members of the Council shall be nominated and elected in accordance with the procedures set forth in Article IV. The term of each At-Large member of the Council shall begin on July 1st or the date of his or her election, whichever is later, and shall continue until June 30th of the year of the expiration of the At-Large member's term, or until a successor is elected and takes office. The first three At-Large Council members shall serve no more than two consecutive two-year terms; however, an At-Large member shall be eligible for re-election after the lapse of one year from the expiration of such member's most recent term. The criterion for the 4th At-Large member is that this attorney has been in practice for five years or less or is less than 37 years of age. This position is to remain vacant until such time as an appropriate nomination can be made. The term for the 4th At-Large member shall be two years. The 4th At-Large position may only serve one term unless there is a vacancy that must be filled.

Section 4. The Outreach Coordinator shall be appointed as a voting member of the Council and shall serve a term of two years and shall have no term limits. The LPC Point Person shall be appointed as a voting member of the Council to serve a term of one year and shall have no term limits. The Communications Representative shall be appointed a voting member of the Council to serve a term of two years and shall serve no more than one term. Those candidates may run for a different At-Large council position once their terms expire.

Section 5 The duties of the Council are as follows:

1. The Council shall have general supervision and control of the affairs of the Section, subject to the Constitution and Bylaws of the Colorado Bar Association and the Bylaws of this Section.
2. The Council shall authorize all commitments or contracts which shall entail the payment of money and shall, by the adoption of a budget or otherwise, authorize the expenditure of all monies available for the use or benefit of the Section. It shall not, however, authorize commitments or contracts which entail the payment of money during any fiscal year in excess of the amount available to the Section for that year.
3. The Council shall determine dues as described in Article II.

4. The Council shall facilitate the work of the sub-committees and assist the chair of each sub-committee in reporting to the Section.
5. The Council shall make decisions regarding the official position of the Section on legislative matters and any other matters for which an official position of the Section is required or requested.
6. The Council shall appoint a past Chair or Co-Chair to be the Section's Representative to the CBA Board of Governors. The Representative shall be appointed for a two-year term. The Representative may be appointed for additional terms not to exceed two consecutive two-year terms. The appointment of the Representative shall follow the procedures in Article IV. The Representative sits at the will of the Council, and may be removed by the majority vote of the officers and the At-Large Council Members. If the Representative shall be unable to attend any meeting of the Board of Governors, he/she shall immediately notify either the Chair or Chair-Elect of the Section, who shall either attend the meeting or shall appoint another proxy from the Section membership. Unless otherwise directed by the Council, the Representative shall be entitled to use his/her best judgment, as the Section's Representative, in voting on matters that come before the Board of Governors.
7. The Council shall appoint a sitting or past member of Council to serve as the Outreach Coordinator. The Outreach Coordinator shall be appointed for a two-year term but this position shall not be term limited. The Outreach Coordinator shall serve as an ambassador to all new Section members. The Outreach Coordinator shall oversee implementation of practices to identify new members at Section events and promote attendance at Section events, including, facilitating ambassador assignments, identifying new lawyer and law students to engage with the Section, and handling all new and potential member communications. The Outreach Coordinator shall promote and facilitate partnerships and mentorship opportunities between new or young lawyers and members of the Section. The Outreach Coordinator shall also be responsible for identifying, coordinating, promoting and cross-promoting outreach activities to other CBA Sections.
8. The Council shall appoint a member of the section as the Communications Representative. The Communications Representative shall be appointed for a two-year term but this position shall not be term limited. The Communications Representative shall be responsible for website content, leading and appointing listserv monitors and marketing of Section events on social media. The Communications Representative shall create and manage a calendar of all Section activities or activities of interest including but not limited to sub-committee meeting times and locations, CBA/CLE events, Section outreach activities such as Senior Law events, and public hearings. The Communications Representative shall work with the CBA Section liaison, Chair and Chair-Elect to manage, monitor, and transmit all Section communications and notices.
9. The Council shall appoint an LPC Point Person to attend meetings of the Legislative Policy Committee and respond to requests from the CBA Director of Legislative Relations. The LPC Point Person shall be appointed for a one-year term, but this position shall not be term limited. The Chair-Elect, LPC Point Person, or the Chair, shall attend in-person or by phone every meeting of the Legislative Policy Committee. The Chair-Elect, LPC Point Person and Chair shall be included on all communications from the CBA Legislative Relations Director related to legislative

matters of interest to the Section.

Section 6. If any member of the Council shall fail to attend two successive meetings of the Council, except for reasons acceptable to a majority of the other members of the Council, the position held by such member shall be vacated upon a majority vote of the other members of the Council. If any officer or any member of the Council at any time after his or her election shall die, resign, or cease to be a member of the Section, then his or her office shall be automatically vacated, without action other than to note such fact in the minutes of the Council. Any officer or any member of the Council may resign at any time by sending a written notice of such resignation to the Secretary of the Section; such resignation shall take effect upon the receipt thereof by the Secretary. In the event of a vacancy created by operation of this Section 5 or any other circumstance, the remaining members of the Council shall, by majority vote, elect a member of the Section to fill such vacancy and to serve for the unexpired term of the office vacated.

Article IV

Nomination and Elections

Section 1. Elections shall be held in May of each year to elect the Chair, Chair-Elect, the Secretary, the Treasurer, and At-Large members of the Council.

Section 2. The Chair, no later than the January meeting of each year, shall appoint a nominating committee consisting of a past-chair, a young lawyer and a member from out of the Denver metro area. The young lawyer and outstate member do not need to be voting council members, only current Section members.

Section 3. The nominating committee shall, no later than February 1st, solicit nominations from the section members for any council member positions whose terms have expired and appointee positions. The committee shall then have until March 15th to send a list of nominees for all Council and Officer positions to the Council to be put on the ballot.

Section 4. The Council shall send a ballot to the section members no later than April 15th. The members shall have until the annual meeting in May to return their ballots. The membership of the Section shall vote in person by written ballot, or by electronic mail ballot received at or before the annual meeting, for each of the officers and At-Large members of the Council and on other business appropriately noticed.

Section 5. The incoming Council shall have until July 1st to make any appointments, including but not limited to LPC Point Person, Outreach Coordinator, and the Communications Representative.

Article V

Duties of Officers.

Section 1. Chair. The Chair shall preside over all meetings of the Section and the Council. They shall formulate and present at each annual meeting of the Section a report of the work of the Section for the past year. They shall perform such other duties and acts as usually pertain to this office. The Chair shall support and monitor the duties and activities of the Chair-Elect and LPC Point Person throughout the legislative session.

Section 2. Chair-Elect. The Chair-Elect shall preside over any meeting that the Chair cannot. The Chair-Elect shall also represent the Section on the Legislative Policy Committee and shall be responsible for providing the Council guidance on legislative matters of importance to the Section and its members.

Section 3. Secretary. The Secretary shall be the custodian of all books, papers, documents and other property of the Section, except money. He or she shall keep a true record of the proceedings of the annual, regular and special meetings of the Section and all meetings of the Council.

Section 4. Treasurer. The Treasurer shall be the custodian and keep accurate records of the appropriation and expenditures of money for the use of the Section and maintain an annual budget of Section funds. In conjunction with the Chair, Chair-elect and the Secretary, the Treasurer shall attend generally to the business of the Section, and advise the Council regarding monetary requests from Section members.

Article VI

Meetings

Section 1. The annual meeting of the Section shall be held in May at the same location as the regular meetings of the Section.

Section 2. Special meetings of the Section may be called by the Chair upon approval of the Council, at such time and place, and upon such reasonable notice as the Council may determine.

Section 3. Regular meetings of the Section shall be held the third Thursday of each month at 8:30 a.m. at the offices of the Colorado Bar Association, or as otherwise designated by the Notice.

Section 4. The members of the Section present at any meeting shall constitute a quorum for the transaction of business.

Section 5. All binding action of the members of the Section shall be by a majority of the members present at a meeting.

Article VII

Miscellaneous Provisions

Section 1. The fiscal year of the Section shall be the same as that of the Colorado Bar Association.

Section 2. All bills incurred by the Section before being forwarded to the Colorado Bar Association for payment shall be approved by the Chair, Chair-Elect or the Treasurer.

Section 3. No salary shall be paid to any officer, Council member or member of the Section, however, Officers and Council members may be reimbursed for tuition and other Section related activity expenses approved by the Section membership.

Section 4. Any action of the Section must be approved by the Colorado Bar Association before the same becomes effective as the action of the Colorado Bar Association.

Section 5. These bylaws shall become effective upon approval by the Section and by the Executive Council of the Colorado Bar Association.

Section 6. Any vote necessary for the Council or Section to make, may be done by electronic mail.

Article VIII

Amendments

These bylaws may be amended by a majority vote of the membership present. At the discretion of the Council, a vote may be conducted by ballot through electronic mail.

I, the undersigned Secretary of the Colorado Bar Association Elder Law Section, hereby certify that the foregoing Bylaws, consisting of six pages, constitute the Bylaws of the Colorado Bar Association Elder Law Section as amended and adopted by the Section and approved by the Executive Council of the Colorado Bar Association.

Date