

BY-LAWS
FAMILY LAW SECTION
COLORADO BAR ASSOCIATION

[amended September 2022 as passed by Section membership]

The Family Law Section of the Colorado Bar Association is comprised of members of the Association with a commitment to improve the family law system in Colorado. The purposes of the Section include promoting the welfare of Colorado children and families; aiding practitioners in the development of skills and resources for the practice of family law; furthering the field of family law through appropriate legislation, rules and education; fostering a mutually cooperative relationship with courts handling family law matters, and, coordinating work with those interested in improvement of the administration of justice in family law.

I. MEMBERSHIP IN SECTION

1. A member of the Family Law Section must be a member of the Colorado Bar Association and have paid Association and Section dues.

2. Persons who are associate or patron members of the Colorado Bar Association may be associate or patron members of the Section upon payment of Section dues. Associate or patron members shall not be entitled to vote in Section elections.

II. MEETINGS

1. Regular Meetings. Meetings of the Executive Council shall be scheduled by the Chair. Regular meetings of the Executive Council will occur at least four (4) times each year. The Chair shall provide reasonable notice of 14 days to the members of the Executive Council. The Chair shall provide an agenda for all Executive Council meetings prior to the meeting and include with the agenda any materials necessary to assist the Executive Council members in making informed decisions. The agenda will clearly identify what items will be submitted to a vote by the Executive Council.

2. Quorum. A quorum for transacting business of the Executive Council shall consist of 15 members.

3. Approval. Ordinary business of the Executive Council shall be approved by a majority vote by those in attendance; provided however that all action taken at a regular or special meeting of the Executive Council on pending legislation, Amicus briefs, and non-agenda matters shall require approval by a 2/3 vote by those who are in attendance.

4. Special Meetings. Special meetings of the Executive Council may be convened at the request of the Chair or at the request of no less than 3 members of the Executive Council. Notice by mail, facsimile, email, or other verifiable electronic method of at least 7 days shall be required when time permits, but at least 72 hours notice by methods above-noted shall be required for special meetings. Notice shall include the agenda and materials for any matters to be submitted to a vote of the Executive Council.

5. Attendance. Members may attend meetings in person or by phone conference if such conferencing is available at the necessary location. The member is to provide the Secretary with reasonable notice of the need for a phone conference so that appropriate tele-conference arrangements can be made.

III. EXECUTIVE COUNCIL

1. The governing body of the Section shall be an Executive Council consisting of: twenty-two members at large, eleven of whom are elected by the membership every year for a two-year term; five officers including a Chair, Chair-Elect, Secretary, Treasurer, Immediate Past Chair; and all Past Chairs of the Section who maintain their membership on the Council and exception from the election requirements as stated in III (5) below. Commencing with the elections in the year 2003, at least four members-at-large shall be members whose offices are situated outside of the Denver Metropolitan area. The Denver Metropolitan area is defined as the counties of Denver, Jefferson, Adams, Broomfield, Arapahoe and Douglas counties. These out-of-Metro-Denver members shall be lawyers who maintain their primary office and the majority of their legal practice occurs outside of the Denver Metropolitan area. Commencing with the 2018 election, at least two young lawyer members shall be members-at-large on the Executive Council. In 2018 one young lawyer shall be elected for a two-year term and in 2019 another young lawyer shall be elected for a two-year term, and the election of a young lawyer to the Executive Council shall be staggered thereafter to assure that at least two young lawyers are members-at-large on the Executive Council at all times. “Young Lawyer” is defined according to the criteria of the Young Lawyers Division of the Colorado Bar Association (currently age 37 or less, or less than 5 years in practice).

2. Commencing with the 2021 election, at least two lawyers who are members of one or more underrepresented groups shall be members-at-large on the Executive Council. Attorneys who are from “underrepresented groups” shall be defined as attorneys who identify as: (a) Black, Indigenous, or Persons of Color (“BIPOC”); (b) members of the LGBTQIA+ community; or (c) persons with disabilities. In 2021, one such lawyer shall be elected for a two-year term and in 2022, another such lawyer shall be elected for a two-year term, and the election of such attorneys to the Executive Council shall be staggered thereafter to assure that at least two such attorneys are members-at-large on the Executive Council at all times. One individual may fulfill multiple election requirements. It is the intention of the Family Law Section to promote the goals of diversity, equity, and inclusivity in its leadership, and the election requirements above are intended as the minimum rather than maximum requirements.

3. Nominating Committee.

a. Selection and Composition. The Nominating Committee shall consist 5 *members*: the immediate Past Chair and four (4) additional members appointed by the Past Chair. Of the four (4) additional members, two (2) members must be members of the Executive Council, one (1) member must be a young lawyer, and one (1) member must be a member of the Diversity, Equity, and Inclusivity Committee. The Past Chair will be the chair of the Nominating Committee. If the Past Chair is unavailable, the Chair will appoint a member to Chair the Nominating Committee. The Nominating Committee shall be formed no later than January 15th of each year.

b. Application for Election to Executive Council. The Nominating Committee established herein shall solicit applications to be placed on the ballot for election to the Executive

Council. A solicitation shall be sent to the Family Law members no later than February 15 of each year. Any member of the Section seeking to be placed on the ballot must submit a written application for candidacy no later than March 15 of each year. Any member seeking to be placed on the ballot shall retain proof of their timely submission of their application to the Nominating Committee. In the event of a dispute concerning the timeliness of a nominating application submission to the Nominating Committee, proper proof of the timeliness of the submission by the member seeking to be nominated shall be presented to the Nominating Committee.

c. Selection of Candidates for Election to Executive Council. After all applications for election to the Executive Council are received, the Nominating Committee shall nominate no more than 24 persons for the ballot from anywhere in Colorado, with at least 2 persons for the ballot being members from outside the Denver Metropolitan areas as defined above, at least one young lawyer, and at least one attorney from underrepresented group(s) pursuant to the requirements of Section III(1) and (2). The Nominating Committee shall select nominees on the basis of ability and willingness to serve the needs of the CBA and the Section, rather than as a method of conferring honors. The Nominating Committee shall consider and be sensitive to the need for diversity of age, experience level, race, ethnicity, gender, gender identity/expression, sexual orientation, area of practice, and geographic composition of the Council so that all Members of the Section may recognize that their interests and aspirations are being given attention both in the selection of officers and members of the council in the conduct of the Section's affairs. The committee may also consider prior Section involvement, number of members from the same firm, and the desirability of opening up positions on the Executive Council.

d. Election Process and Deadlines: Candidates for election shall be selected by the Nominating Committee no later than April 15th of each year and the Committee shall notify persons who applied as to whether or not they have been nominated. The ballot shall be provided to the membership by April 15th and shall include the application of each candidate. The ballot shall state that the ballot must be received by the committee no later than May 10th of each year. All ballots shall be returned no later than May 10th of each year. The then-sitting Chair of the Section shall not vote in the election unless and until there is a tie. The Chair has a right and duty to vote whenever the Chair's vote will break the tie. The election results shall be announced no later than May 31st of that election year. Applications will be destroyed 60 days after the date the election results are announced.

4. Positions on the Executive Council shall be filled with the persons receiving the most votes except as necessary to fulfill the residency, young lawyer, and underrepresented group membership requirements of Section III (1) and (2). Further, if a member accedes to the position of Treasurer leaving an un-expired term, the remainder of the term shall be filled by the next highest vote recipient, except as necessary to fill the residency, young lawyer, and underrepresented group requirements of Section III (1) and (2).

5. There shall be no limit to the number of terms a member may serve on the Executive Council.

6. Past Chairs are exempt from the election requirement unless they miss four (4) consecutive Executive Council meetings during a fiscal year. Past Chairs who miss four consecutive meetings in a fiscal year will no longer be members of the Executive Council unless they are reinstated by a vote of the Executive Council.

7. The duties of the Executive Council shall include:

- a. Supervision of Section financial matters;
- b. Representation of the Section on policy matters and legislative matters;
- c. To undertake short range and long range planning for all areas of concern to the Section;
- d. Nomination of a slate of officers and candidates for Executive Council and conduct the annual elections as provided for in these By-Laws;
- e. Publication of a periodic newsletter for all Section members;
- f. Presentation of a CLE program for the Section as appropriate;
- g. All things necessary to conduct the business of the Section;
- h. Each member of the Executive Council should also be a member of a Committee of the Family Law Section.

IV. OFFICERS

1. The officers of the Section shall consist of a Chair, Chair-Elect, Secretary, Treasurer and Immediate Past Chair. The Chair-Elect shall become the Chair of the Section during the next term of office following his or her tenure as Chair-Elect. These officers will act as the Executive Committee.

2. The Nominating Committee shall nominate member(s) of the Executive Council for the position of Treasurer each year. The person elected Treasurer shall serve one year as Treasurer and thereafter be nominated and elected Secretary and then nominated and elected as Chair-Elect and thereafter serve one year as Chair; provided, however, that said officer shall meet all attendance requirements for service on the Executive Council and properly perform the duties of each office.

V. TERM OF OFFICE

The term of all officers shall be for one year. The term of all Executive Council members shall be two years except as specifically provided in Paragraph III(3) and Paragraph IX of these By-Laws.

VI. ELECTIONS

Elections shall be by mail, facsimile, email or other electronic or wireless ballot as determined by the Nominating Committee and shall be conducted as per the requirements of Article III.

VII. COMMITTEES

The following shall be the standing committees of the Section and the rules governing their functions.

1. Executive Committee. The Executive Committee shall consist of the Chair, Chair-Elect, Secretary, Treasurer and Immediate Past Chair. It shall be responsible for planning and monitoring Section

Activities. The Executive Committee shall have the authority to act on behalf of the Section between Executive Council meetings. The Executive Committee shall not take any action in conflict with established Section policies and shall inform the Executive Council of all actions taken by the Committee at the next meeting of the Council. If immediate action is required and it is not possible for the Executive Committee to meet, the Chair may act on behalf of the Section and shall inform the Executive Committee and Executive Council of actions taken at their meetings.

2. Nominating Committee. There shall be a Nominating Committee, which shall function as directed in Sections III (2) and IV (2).

3. Legislative Committee.

A. The Legislative Committee shall consist of members chosen jointly by the Chair of the Committee and the Chair of the Section. The Committee shall be responsible for reviewing all pending legislation that may impact family law in Colorado, provide technical assistance to members of the state legislature, draft proposed legislation to improve family law in the state and perform such other functions as are necessary to pursue the legislative agenda of the Section. The Chair of the Committee shall be appointed by the Chair of the Section. In order to preserve continuity of relationship with the state legislature, the Chair of the Committee may normally be re-appointed if he or she has actively pursued the legislative goals of the Section. The Executive Council shall set the legislative policy of the Section. The Executive Committee may authorize the Executive Council to vote on legislative matters by telephone, facsimile or email if necessary between meetings of the Council. The Executive Committee may make necessary decisions between meetings of the Council, and shall report those decisions to the Council at the next meeting. The Legislative Committee may make necessary decisions between meetings of the Executive Council and Executive Committee and shall report those decisions to the Council at the next meeting. All legislative activities of the Section must conform to the By-Laws and policies of the Colorado Bar Association.

B. The Chair of the Legislative Committee, with the approval of the Section Chair, may from time-to-time appoint apprentice members to the Legislative Committee to help with that Committee's work. Apprentices must be members of the Family Law Section. The Executive Council shall be notified of the apprentices' appointments.

4. Education Committee. The Education Committee shall consist of at least three (3) members of the Executive Council and shall be responsible for all CLE programs for the Section.

5. Amicus Curiae Committee. The Amicus Curiae Committee shall consist of at least two members of the Executive Council and shall be responsible for reviewing requests for Family Law Section support of Amicus briefs, making recommendations as to the importance of Family Law Section participation in Amicus matters and filing briefs when a case is of general interest to the Section if authorized by the Section. The Chair of the Amicus Committee shall be appointed by the Chair of the Section. The Executive Committee may authorize the Executive Council to vote on Amicus matters by telephone, facsimile or email if necessary between meetings of the Council.

6. The Chair may from time to time appoint such other committees as are necessary to conduct the work of the section. The Chair shall appoint the Chairs and members of each committee.

7. The Chair shall appoint a Board of Governors Representative for the Family Law Section.

8. The Chair shall appoint a Communications Representative to assist the Chair in ongoing communications within the Section.

VIII. DUES

The dues of the Section shall be as determined by the Executive Council.

IX. VACANCIES

Any vacancy on the Council in any office or member vacancy may be filled by vote of the Council, except for Chair, which shall be assumed by the Chair-Elect.

A member of the Executive Council may be removed by vote of the Executive Council if the member fails to attend three (3) meetings each term without good cause.

X. AMENDMENTS

These By-Laws may be amended by mail, facsimile, email or other verifiable electronic method in a ballot of the Section members by a vote of two-thirds of those voting.