

**CRIMINAL LAW COMMITTEE
FEDERAL BAR ASSOCIATION
PHILADELPHIA CHAPTER
BY-LAWS**

ARTICLE I. NAME AND JURISDICTION.

Section 1. Name. The name of the Committee shall be the Criminal Law Committee of the Federal Bar Association, Philadelphia Chapter.

Section 2. Purpose. The purpose of this Committee is to concern itself with every aspect of Federal substantive and procedural criminal law and law enforcement and to further the achievement of fair, speedy and effective administration of criminal justice.

ARTICLE II. MEMBERSHIP AND DUES.

Section 1. Enrollment. Any attorney admitted to practice in Pennsylvania and practicing in the Federal Courts of any jurisdiction who is a member of the Federal Bar Association, and any judge of any State or Federal Court, upon request to the Secretary of this Committee, and, except as provided in Section 2 of this Article, upon payment of the initial dues prescribed in these By-Laws, shall be entitled to become a member of the Committee. Once so enrolled, the member shall remain as a member of the Committee provided they pay the annual dues of the Committee as prescribed in these By-Laws. Members so enrolled whose dues are

paid shall constitute the membership of this Committee. Any other person employed by or associated with any organization concerned in the Federal criminal justice system in Philadelphia, upon request to the Secretary of this Section and upon payment of the initial dues prescribed in these By-Laws, shall be entitled to become an Associate member of the Committee. Associate members shall have the right to attend all meetings and to be heard, but not to vote or to hold office.

Section 2. Dues. No member of the judiciary shall be required to pay dues to the Committee. Annual dues for attorney and associate members shall be \$25.00. Dues may be changed by Amendment of these By-Laws as provided hereinafter. Any member of the Committee whose annual dues shall be more than six months past due shall thereupon cease to be a member of this Committee, after reasonable notice from the Secretary of this delinquency.

ARTICLE III. OFFICERS, EXECUTIVE COMMITTEE.

Section 1. Officers. The officers of this Committee shall be a Chair, Vice Chair, Secretary and Treasurer.

Section 2. Term of Office¹. Each officer of the Committee shall hold office for a term beginning on the first day of January next following the annual meeting of the Committee at which they are elected and ending on December 31st of that year, and until their successor shall have been elected and qualified, except as provided in Article IV Section 4.

¹Amended _____ . Term of office changed to calendar year from July 1 to June 30.

Section 3. Duties of Officers. The functions, duties and authorities of the officers of this Committee shall be as follows:

(a) The Chair shall preside at all meetings of the Committee and of the Executive Committee, and shall perform the usual duties and functions of a Chair, including but not limited to keeping the Executive Committee duly informed and carrying out its policies and decisions.

(b) The Vice Chair shall automatically succeed to the office of Chair in case of the death, resignation or disability of the Chair and shall fill the office of the Chair for the remainder of the Chair's term or disability. The Vice Chair shall perform the usual duties and functions pertaining to such office or as may be designated by the Executive Committee or the chair.

(c) The Secretary shall perform the usual duties and functions pertaining to such office. The Secretary shall be the custodian of all principal books and documents of the Committee, but not of money. The Secretary shall keep records of all meetings of the Committee and of the Executive Committee and make a record of all action that may be taken by consent of the Executive Committee without a meeting and shall perform such further duties and have such further powers as may be designated by the Executive Committee or the Chair.

(d) The Treasurer shall be the custodian of all funds of the Committee, and shall keep an accurate record of all monies appropriated to and expended for the use of this

Committee. The Treasurer shall prepare an annual budget which shall be submitted to the Executive Committee for its approval, and shall present to the membership at its annual meeting a Financial Report, and to the Executive Committee such interim financial reports as it may request.

Section 4. Executive Committee. There shall be an Executive Committee which shall consist of the four officers of this Committee, together with the four (4) most recently retired and available Chairs of the Committee, and such Subcommittee Chairs as may be appointed by the Chair of the Committee for a term to run concurrently with the Chair of the Committee.

Section 5. Ex-Officio Members. One Judge of the Third Circuit Court of Appeals, one judge of the District Court for the Eastern District of Pennsylvania, and one United States Magistrate Judge, chosen by the elected and appointed members of the Executive Committee shall serve as ex-officio members hereof. As such, they shall be given notice of and shall have the right to attend any and all meetings of the Executive Committee, to participate in any discussion, but shall not vote.

Section 6. Vacancies. Except as provided in Section 3(b) of this Article, vacancies in any office or of any Ex-Officio member during a term, occurring more than one month prior to the annual meeting, may be filled by the action of a majority of the Executive Committee remaining in office.

Section 7. Attendance. The Executive Committee shall adopt such rules as it deems appropriate with respect to attendance at meetings of the Executive Committee, and may

provide that failure to comply with such rules shall result in removal from the Executive Committee.

Section 8. Duties of Executive Committee. The Executive Committee shall, subject to action of the members taken at annual meetings of this Committee , have general supervision and control of the affairs of this Committee, and shall set policy for the Committee, but only in accordance with the provisions of the By-Laws of this Committee. The Executive Committee may create and terminate standing sub-committees. The Executive Committee shall authorize the expenditure of all monies of this Committee appropriated for its use.

Section 9. Executive Committee Meetings. The Executive Committee may meet at any time and place on the call of the Chair or any three (3) members of the Committee on not less than three (3) days oral or written notice to all members entitled to notice.

Section 10. Quorum. A majority of the Executive Committee shall constitute a quorum for the transaction of business. No business may be transacted at a meeting while a quorum is not present. All binding actions of the Executive committee shall be by majority vote of the members present. Ex-officio members shall not be counted in determining whether a quorum is present.

Section 11. Powers. Between meetings of the Committee the Executive Committee shall have full power to do and perform all acts and functions which the Committee itself might do or perform, not inconsistent with any action taken by the Committee. Any action taken by the Executive Committee shall be reported to the

Committee at its next meeting.

ARTICLE IV. QUALIFICATIONS OF CANDIDATES, NOMINATIONS AND ELECTIONS.

Section 1. Qualification of Candidates. Any member of the Committee in good standing, except for associate members and members of the judiciary, is eligible for any office.

Section 2. Nominations for Office. At least sixty (60) days before the annual meeting of the Committee, the Chair shall appoint a committee of five (5) members of this Committee, who may not become candidates for office. The Chair shall designate one of the members of the Nominating Committee as the Chair of the Nominating Committee. The names and addresses of the Nominating Committee shall be circulated to the members of the Committee within a reasonable time after their appointment. The Nominating Committee shall seek out nominees for all offices. The Nominating Committee shall meet as often as necessary, at the call of its chair, to receive nominee suggestions from the membership and to select its slate. The Nominating Committee shall make a report of its nominees to the Committee by written notice to members of the Committee, not less than thirty (30) days before the annual meeting. Additional candidates may be nominated for any office by written nomination, signed by a member in good standing of the Committee. Such written nominations must be delivered to the Secretary of the Committee not later than twenty (20) days before the annual election. The Secretary shall circulate to each member of the Committee the entire list of nominees for office together with notice of the date, time and location of the annual meeting. Such written nominations must be delivered to Committee members not

later than ten (10) days before the annual meeting. Thereafter, where there is a contested office for election, the Secretary shall prepare a printed ballot, containing all nominees for each office. Such ballot shall be given to each member of the Committee attending the annual meeting who shall return their ballot to the Secretary of the Committee when called for at the annual meeting. All ballots shall be counted at the annual meeting by two (2) tellers appointed by the Executive Committee prior to the annual meeting, neither of whom shall be candidate for office.

Section 3. Counting the Ballots. The tellers shall first count the ballots cast for the office of Chair, then for Vice Chair, then for Secretary, then for Treasurer. For each office the candidate receiving the highest number of votes shall be elected.

Section 4. Initial Officers. Within sixty (60) days of the approval of these By-Laws, the then incumbent co-chairs of this Committee shall initiate the nomination and election process set forth in Section 2 of this Article, above. The officers elected pursuant to that process shall remain in office until July 1, 1995 when new officers shall take office following the nomination and election process set forth herein.

ARTICLE V. MEETINGS OF THE COMMITTEE.

Section 1. Regular and Annual Meeting. At least six (6) regular meetings (including the Annual Meeting) shall be held annually at a time and place in the City of Philadelphia to be designated by the Executive Committee. A schedule of meetings shall be distributed to the membership by the Chair at the

beginning of the new term of officers and timely notice of each meeting shall thereafter be given to the membership. The annual meeting of the Committee shall be held at a time and place in the City of Philadelphia to be designated by the Executive Committee. At least ten (10) days notice shall be given to the membership of the time and place of the annual meeting.

Section 2. Special Meetings. Special Meetings of the Committee may be called by the Chair upon approval of the Executive Committee at such time and place as the Executive Committee may determine and when such program and order of business as may be arranged by the Chair, subject to the direction and approval of the Executive Committee.

Section 3. Quorum and Proxies. At least ten (10) members of the Committee (not counting Associate members) shall constitute a quorum for the transaction of business at any meeting. All binding action of the Committee shall be by a majority vote of the members present. Proxy votes shall be permitted in accordance with Rules established by the Executive Committee.

Section 4. Plebiscite of Committee. The Executive Committee may direct that a proposition be submitted to the members of the Committee for vote. In such event, adoption by the Committee shall be a majority of votes received, or such greater proportion of the vote as the Executive Committee may fix for the purpose, in accordance with Rules fixed by the Executive Committee; otherwise, the proposition shall be rejected.

ARTICLE VI. MISCELLANEOUS.

Section 1. Bills. All bills incurred by the Committee, shall be approved by the Chair or the Treasurer, or if the Executive Committee shall so direct, by both of them.

Section 2. Salaries. No salary or compensation shall be paid to .any officer of this Committee, member of Executive Committee, or member of any subcommittee.

Section 3. Effective Date. These By-Laws shall become effective upon approval by a majority of the Committee members present and voting. Notice of the date, time and location of the meeting for consideration of the adoption of these By-Law, together with a copy hereof, shall be provided to each member of the Committee not less than fifteen (15) days prior to such meeting. Upon adoption, the present Co-Chairs and Officers of the Committee shall continue in office until such time as election of officers is held in compliance with these By-Laws. Such election shall take place not more than sixty (60) days following the adoption hereof.

ARTICLE VII. AMENDMENTS.

These By-Laws may be amended at any annual or special meeting of the Committee by a majority vote of the members of the Committee present and voting, provided that such proposed amendment shall first have been presented to the Executive Committee, which shall vote on such proposed amendment and shall report it out to the next meeting of the Committee with a report of the vote of the Executive Committee on such amendment. Notice of intention to present the proposed amendment shall be given to the membership of the Committee not less that twenty (20) days in advance of said

meeting.

**BY-LAWS APPROVED AND ADOPTED THIS
22ND DAY OF SEPTEMBER, 1993.**