

**BYLAWS**  
**APPELLATE PRACTICE SECTION**  
**NORTH CAROLINA BAR ASSOCIATION**

**ARTICLE I**

**Name and Purpose**

Section 1. Name. This Section shall be known as the Appellate Practice (“Section”) of the North Carolina Bar Association (“NCBA”).

Section 2. Purpose. The purpose of the Section shall be to further the purposes of the NCBA as stated in Article 1.2 of the NCBA Bylaws and to bring together members of the NCBA with a special interest in the practice of appellate law.

**ARTICLE II**

**Membership**

Section 1. Eligibility. Any member in good standing of the NCBA shall be eligible for membership in the Section.

Section 2. Admission to Membership. Admission to membership shall be by application and by payment of then applicable dues or other fees.

Section 3. Quorum for Meeting of Membership. Those members of the Section present at meetings of the Section membership duly called as provided for in these Bylaws shall constitute a quorum.

**ARTICLE III**

**Officers**

Section 1. Chair and Vice-Chair. The Chair and Vice-Chair of the Section shall be appointed by the President-elect of the NCBA. The Section Council may submit recommendations for each office in writing to the President-elect by no later than March 1 of each year. The Chair

shall perform the duties and have the responsibilities of the Chief Executive Officer of the Section. The Chair shall preside at meetings of the Section Council and at meetings of the Section. The Chair shall have such other and further duties as the Section, from time to time, may provide. The Vice-Chair shall assume the duties of the Chair in the absence of the Chair and shall have such other and further duties as the Chair or the Section, from time to time, may provide.

Section 2. **Secretary.** The Section Council shall elect a Secretary who shall, in consultation with the Director of Section Activities of the NCBA, maintain the rolls and records of the Section and shall have the further responsibility of preparing and maintaining such other records and reports of the Section as may become necessary. The Secretary shall have such other duties as the Chair or the Section Council, from time to time, may provide.

Section 3. **Treasurer.** The Section Council shall elect a Treasurer who shall, in consultation with the Director of Section Activities of the NCBA, maintain the financial records of the Section and shall provide such reports and records of the Section as may become necessary. The Treasurer shall have such other duties as the Chair or the Section Council, from time to time, may provide.

Section 4. **Eligibility for Officer and Council Positions.** Only members in good standing with the Section shall be eligible for consideration as an Officer under Article III or as a Section Council member under Article IV, and such members shall remain in good standing with the Section during their tenure as an Officer or Council member hereunder.

## **ARTICLE IV**

### **Section Council**

Section 1. **Composition.** The Section shall have a Council composed of the officers of the Section and 15 members-at-large elected by the membership of the Section. The Council's initial 15 members-at-large shall be appointed by the Section Chair.

Section 1.a. **Young Lawyers.** At least one voting member on the Section Council shall be 36 years of age or younger at the time of election.

Section 2. **Nomination.** Except for the initial 15 members-at-large of the Section Council, the members-at-large shall be nominated by the Section nominating committee, to be comprised of the current Section Chair, Vice-Chair, Secretary and Treasurer. The Section Chair shall serve as chair of the nominating committee. The nominating committee shall present its nominations for the 15 members-at-large of the Council at the annual meeting of the Section. For the initial 15 members-at-large of the Council appointed by the Section Chair, 5 members shall serve one-year terms, 5 members shall serve two-year terms, and 5 members shall serve three-year terms. Thereafter, the nominating committee shall present its nominations at each annual meeting for expired terms. All terms, except for the initial Section Council, shall be for three years and each Council member's term shall begin in June just prior to the next annual meeting of the NCBA.

Section 2.a. **Vacancy.** The nominating committee shall make nominations at the annual meeting of the Section to fill any vacancies which may occur on the Section Council. Additional nominations may be made from the floor in accordance with the election procedures to be specified by the Section.

Section 3. **Powers.** The Section Council shall be the governing body of the Section subject to the control of the Board of Governors of the NCBA.

Section 4. **Regular Meetings.** The Section Council shall hold an annual meeting and other meetings as needed.

Section 5. **Quorum.** A majority of the members of the Section Council shall constitute a quorum for the purpose of transacting business.

Section 6. **Special Meetings.** Special meetings of the Section Council shall be held at any time at the call of the Section Chair, or of the President or the Board of Governors of the NCBA.

Section 7. **Notice of Meetings.** All meetings of the Section Council, except the annual meeting, shall be upon not less than ten days advance notice by email or regular mail to all Council members.

Section 8. **Eligibility for Council Positions.** Only members in good standing with the Section shall be eligible for consideration as an Officer under Article III or as a Section Council member under Article IV, and such members shall remain in good standing with the Section during their tenure as an Officer or Council member hereunder.

## **ARTICLE V**

### **Committees**

Section 1. **Committees.** The Section Council may designate such standing or special committees as it may deem appropriate.

Section 2. **Jurisdiction.** The Section Council shall establish the jurisdiction of the Section committees and shall resolve any dispute among its committees. The Board of Governors of the NCBA shall govern any disputes concerning the jurisdiction of the Section committees in relation to the jurisdiction of the various Sections, Standing and Special Committees of the NCBA.

## **ARTICLE VI**

### **Miscellaneous Provisions**

Section 1. **Annual Meeting of the Section.** The Section shall have an annual meeting for the entire membership of the Section. The Section may hold such other meetings of the entire Section as the Section Council or Chair may deem necessary. The date of each annual meeting of the Section shall be selected by the Section Chair. The nominating committee of the Section shall make its report and the Section shall hold elections for the members of the Council at the annual meeting.

Section 2. **Amendments.** Any amendments to these Bylaws shall be approved by a majority of the members of the Section present and voting at the annual meeting. Upon such approval by the Section, such amendments shall be presented to the Board of Governors of the NCBA for approval. No amendments shall be effective until approved by the Board of Governors of the NCBA.

Section 3. **Publications.** The Section may produce and distribute a newsletter or other publications in furtherance of its purposes. Any such publications shall be produced in consultation with appropriate officials of the NCBA.

Section 4. **Continuing Legal Education.** In order that the NCBA may continue to coordinate Continuing Legal Education (“CLE”) programs so as to benefit all members of the NCBA, all CLE programs sponsored or presented by the Section shall be conducted in consultation with the Continuing Legal Education Committee of the NCBA.

Section 5. **Expenditure of Funds.** Except as otherwise provided herein or in the Bylaws of the NCBA, the Section may expend the funds it collects through the payment of dues and other fees in the manner that it sees fit. However, the Section is not empowered to spend funds in excess of those actually on hand, nor may it obligate the NCBA in any financial matter.

Section 6. **Authentication.** These Bylaws were approved by the Board of Governors of the North Carolina Bar Association on October 5, 2013.