

**BY-LAWS  
OF  
THURSTON COUNTY BAR ASSOCIATION**

**I.  
PURPOSE**

This Association has been organized for the following purposes:

1. To enhance the working relationship among the members by providing opportunities through periodic meetings and social gatherings to establish contacts with each other.
2. To provide opportunities for continuing legal education by periodically offering classes for the members on topics of professional growth and development.
3. To provide information about the legal profession and the legal community to the local community through a Speaker's Program, in which the TCBA membership provides, upon request, at a time mutually convenient and at no charge, an attorney or judge to speak to any school or community organization located in Thurston County.
4. To assist nonprofit organizations that provide legal services to the general public for little or no cost, and to assist charitable organizations through donations of time and money.
5. To assist the voters in making informed choices about the candidates for judicial positions through the use of a Judicial Elections Bar Poll.

**II.  
MEMBERSHIP**

1. Active Member. Any member of the Washington State Bar Association residing or practicing law publicly or privately in Thurston County may become an active member of this Association by paying the annual dues of the Association. Active members may vote and are eligible for nomination/election as an Officer or a member of the Board of Directors.
2. Associate Member. Any person who has been admitted to practice law in any other state of the United States, with the exception of the State of Washington, may become an Associate member of this Association by paying the annual dues of the Association; they shall be entitled to attend any and all meetings of the Association, but shall not hold office or vote.
3. Honorary Member. Judges of the Supreme Court of the State of Washington, Judges of the Court of Appeals of the State of Washington, and Judges of the Superior and District Courts, Court Commissioners of the Superior and District Courts, and full time Municipal Court Judges of the State of Washington for Thurston County who are attorneys, but not entitled to practice law by virtue of their office, shall be honorary members, shall have the privileges of the Association, but shall not hold office or vote. Anyone qualifying as an honorary member shall not be eligible to be an active member.

**III.  
MEETINGS OF MEMBERSHIP**

1. The membership shall hold regular meetings at such times and places as may from time to time be designated by the Board of Directors.

2. An annual meeting of the membership shall be held once a year; notice of the meeting shall be sent by regular or electronic mail or via legal messenger to each member at least ten (10) days prior thereto.

3. Ten percent of the active members shall constitute a quorum to transact business at any meeting of the membership.

4. The passage of all motions and resolutions shall be by majority vote of the active members present that represent a quorum at the meeting at which the motion or resolution is considered.

#### **IV.** **DUES**

Annual dues of the Association, payable on or before January 1 of each year, shall be fixed by the directors. Members whose dues are unpaid as of April 1 will be dropped from membership, but may thereafter be reinstated upon payment of dues for the current year.

#### **V.** **BOARD OF DIRECTORS**

1. The business of the Association shall be transacted by the Board of Directors comprised of the President, President-Elect, Secretary, Treasurer, Immediate Past-President, seven (7) additional non-officer Directors with designated positions #1 through #7. All Directors shall be members of the Association.

2. At least one (1) Director shall be a member meeting the Association's requirements of a "Young Lawyer" as provided in Section IX.

3. The non-officer Directors shall be elected to serve for two-year terms, the even-position numbers being elected in even years, and the odd-position numbers being elected in odd years.

4. Vacancies among the non-officer standard Directors shall be filled by appointment by the Board for the unexpired term.

5. The Board of Directors shall meet not less than six (6) times each year at such time and place as it, or the President, may designate from time to time.

6. A majority of the Board of Directors shall constitute a quorum for the transaction of the business.

7. The passage of all motions and resolutions shall be by majority vote of those Directors present at the meeting at which the motion or resolution is considered.

8. A Director may vote by proxy executed in writing by the Director. Such proxy shall entitle the holder thereof to vote at the time of the meeting.

#### **VI.** **OFFICERS**

1. The Officers of the Association shall be a President, President-Elect, Secretary, and Treasurer, and Immediate Past-President who shall serve for terms of one (1) year and who shall compose the Executive Board of the Association.

2. The Immediate Past-President shall serve for a one (1) year term immediately following their one (1) year term as President.

3. If a non-officer Director becomes an Officer of the Association that Director's position shall become vacant.

4. A vacancy in the office of the President-Elect, Secretary, or Treasurer shall be filled by appointment of the Board of Directors for the unexpired term.

5. If a vacancy occurs in the office of President, the President-Elect shall become the President for the unexpired term, and the Board of Directors shall fill the office of the President-Elect by appointment.

## **VII. DUTIES OF THE OFFICERS**

1. The President shall be the chief executive of the Association and shall preside at all meetings of the membership and Board of Directors. The President shall appoint such committees as may be necessary for the conduct of the business and affairs of the Association and shall have such powers as are usually exercised by a president.

2. The President-Elect shall perform the duties of the President during absence or disability; shall be responsible for programs at all bar functions; and perform other tasks as appointed by the President.

3. The Secretary shall maintain a list of the members of the Association and shall give notice of all the meetings of the membership and Board of Directors as herein provided; keep the minutes of all meetings of the membership and the Board of Directors; update necessary records with the Secretary of State following elections or any appointment to the Board of Directors; and in general perform all duties generally performed by a secretary.

4. The Treasurer shall collect, take charge of and disburse funds of the Association; make a financial report at the annual meeting of the membership; provide periodic income and expense statements to the Board of Directors; and otherwise perform all other duties generally performed by a treasurer. The books and records of the Association shall be open to inspection by any member at reasonable times.

## **VIII. COMMITTEES**

1. The President shall constitute such committees as the President believes will be useful in carrying out the functions of the Association. The President shall appoint committee Chairpersons. The President or committee Chairperson shall appoint committee members.

2. The President shall consider whether any of the following committees should be constituted each year:

- a) Bench/Bar
- b) CLE
- c) Newsletter
- d) Membership
- e) Elections
- f) Finance

3. The President shall appoint one member of the Board to serve as liaison to each committee. The liaison shall report the activities to the Board of Directors.

## **IX. SECTIONS**

1. The President shall appoint Chairpersons of any practice section in which members are interested in participating during the year.

2. The President, in consultation with the Board, shall determine the sections that will meet during the year and are in need of a Chairperson. Possible sections include, but are not limited to, the following:

- a) Criminal law
- b) Family law
- c) Real Estate, Land use and Environmental Law
- d) Pro Bono
- e) Thurston County Young Lawyers – Any active member of the Washington State Bar Association and the Thurston County Bar Association shall be a member of the section until the 31<sup>st</sup> day of December of the year in which such member attains the age of thirty-six (36) years or until the 31<sup>st</sup> of December of the fifth (5<sup>th</sup>) year in which any such member has been admitted to practice in any state, whichever is later.

The purpose of this section shall be to stimulate the interest of young lawyers in the objects, policies and goals of the Thurston County Bar Association, to carry on activities which will be of assistance to young lawyers in the practice of law, and to make recommendations to the Board of Directors and officers of the Thurston County Bar Association concerning these and other relevant matters.

## **X. ELECTIONS**

1. No later than the March Board of Directors meeting of each year, the President shall appoint a nominating committee. Such committee shall nominate one or more members to each office or position to be filled and shall report its nominations to the President prior to the next regular meeting. At the April Board of Directors meeting, the President shall announce the nominations. Names of the nominees shall be provided to the membership and additional nominations solicited therefrom. Said additional nominations shall be required to be sent to the Secretary of the Association by no later than May 5<sup>th</sup>.

2. If there are no contested positions, elections shall be held without requirement of written ballots at the general membership meeting in May or June.

3. If there are contested positions, the candidates for non-officer Directors receiving the highest number of votes shall be elected. A majority of the votes cast for the office shall be necessary for election as President, President-Elect, Secretary, or Treasurer. If no candidate receives the required majority, a second ballot with the names of the two candidates receiving the highest number of votes shall be taken.

4. All ballots shall be tabulated by the incumbent Board of Directors.

5. Terms of officer and non-officer Directors shall commence on the 1<sup>st</sup> day of June/date of the election, whichever is later and shall continue until successors are elected and take office.

## **XI.**

## **BIGELOW AWARD**

1. Prior to the March Board meeting each year, the Secretary shall cause to be sent by regular or electronic mail to each member of the Association, a solicitation for nominees for the Bigelow Award to be presented at the annual meeting. All nominations shall be required to be in writing and be received by the Secretary of the Association no later than April 5<sup>th</sup> of any year.

2. Nominees for the Bigelow Award must satisfy the following criteria: (a) the nominee must be a lawyer; (b) the nominee shall not be a current member of the Thurston County Bar Association Board of Directors; and (c) the nominee must have performed outstanding professional and community service during the course of his/her career as a lawyer.

3. All nominations shall be considered by the incumbent Board of Directors. The award winner shall be determined no earlier than the April meeting of the Board of Directors. A quorum and a majority vote of those Directors at the meeting shall be required for determination of the award winner.

## **XII.** **JUDICIAL SELECTION**

1. Judicial Appointments Bar Poll. Whenever any vacancy shall occur in the office of Judge of the Superior Court for Thurston County for any cause other than the expiration of the term for which the incumbent shall have been elected, the Association shall submit to the appointing authority the results of the Judicial Appointments Bar Poll conducted in accordance with this section.

The bar poll shall be conducted in the following manner:

a) When any incumbent shall announce his or her resignation or when a vacancy shall otherwise occur, the Board of Directors shall send by regular or electronic mail notice of said vacancy or impending vacancy to each active member of the Association. Said notice shall direct that any lawyer desiring to be considered as a candidate for such judicial vacancy shall submit to the Elections Committee, on or before a specific date not fewer than ten (10) days after the sending date of the notice, a request that he or she be considered a candidate. If practical under the circumstances, the Elections Committee may fix the date for submission of said requests on or after the date specified by the appointing authority as the application deadline for the judicial vacancy.

b) Said request shall be in writing, and signed by the candidate, who need not be a member of the Association.

c) Within three (3) business days after the date fixed for the submission of said requests, the Elections Committee shall prepare a ballot, listing the names of all candidates in alphabetical order and specifying the date by which the same shall be returned, which date shall not be later than ten (10) days after the date of mailing, as hereinafter provided.

d) Said ballot shall be in a form as approved by the Board of Directors.

e) The Elections Committee shall also prepare envelopes with the word "Ballot" prominently stamped thereon. A second envelope with a line for signature by the Association member, and pre-addressed to the Elections Committee, shall also be prepared. One ballot and one envelope of each type shall be mailed to each active member of the Association.

f) Each active member desiring to vote shall mark the ballot of one candidate only and shall enclose and seal the same in the envelope marked "Ballot." The sealed "Ballot" envelope shall then be enclosed in the pre-addressed envelope and shall be signed by the Association member. Only those ballots received by the Elections Committee on or before the designated date shall be considered. The ballot envelope shall indicate the deadline.

g) The Elections Committee shall verify each certification and then remove and discard all outer envelopes. The Elections Committee shall then count and tabulate the votes and deliver the same to the President not more than two (2) business days after the deadline for receiving the ballots.

h) The President shall submit the results of the poll to the appointing authority. Should the Washington State Bar Association so require or recommend, said results shall be forwarded to the office of the Washington State Bar Association for submission to the Governor.

i) The President shall disclose and release to the news media the results of the Bar Poll including vote tallies. The ballots shall be retained in the possession of the Board of Directors for a period of sixty (60) days following release of the results thereof; and any candidate specified on the ballot may, in the presence of two (2) or more Directors, inspect said ballots. . Not fewer than sixty (60) days after the submission of the recommendation to the appointing authority, the ballots shall be destroyed.

2. Judicial Elections Bar Poll. In all elections where two (2) or more candidates file for the same office of Judge of the Superior or District Court or of the Municipal Court of any municipality located within Thurston County, the Elections Committee of the Thurston County Bar Association shall cause to be prepared and mailed to each active member of the Thurston County Bar Association, a ballot specifying the names of all candidates who have filed for each office, listed in alphabetical order, and specifying the date by which the same shall be returned, which date shall not be later than fifteen (15) days after the date of mailing, together with a request that the recipient record one candidate preference for each contested position and return the ballot in the envelopes enclosed for that purpose. Envelopes shall be prepared and voting and tabulating shall be performed, as set forth in paragraphs XII.1e-g herein.

The President shall disclose and release to the news media the results of the Judicial Elections Bar Poll including vote tallies. The ballots shall be retained in the possession of the Board of Directors for a period of sixty (60) days following release of the results thereof; and any judicial candidate specified upon the ballot may, in the presence of two (2) or more Directors, inspect said ballots. Not fewer than sixty (60) days after releasing the results of the tabulation, said ballots shall be destroyed.

### **XIII. JUDICIAL EVALUATION SURVEY**

On or about March 1<sup>st</sup> of each odd numbered year, the Secretary of the Thurston County Bar Association shall cause to be prepared and sent by regular or electronic mail to each active member of the Thurston County Bar Association, a Judicial Evaluation Survey (hereinafter "Survey") in the form adopted by the Board of Directors. The Survey shall elicit responses on topics including the knowledge, professionalism and effectiveness of each of the Superior Court Judges, Superior Court Commissioners, District Court Judges and District Court Commissioners. The Survey shall also include a field within which respondents may write general comments for each judicial officer. The Survey shall include instructions that the Survey is to be completed and submitted by a specific date, not later than thirty (30) days from the date

the Survey or electronic link were mailed or e-mailed to the members. The results of the Survey shall be presented by the Secretary to the Board of Directors. The President shall disclose and release the results to the members of the Thurston County Bar Association, and may disclose and release the results to the news media and any other interested parties.

**XIV.**  
**AMENDMENTS**

These By-Laws, or any part thereof, may be amended or repealed, or new By-Laws may be adopted, at any regular meeting of the membership by a vote of two-thirds (2/3) of the active members present; provided, however, that a notice stating the character of the proposed change and the time and place same will be voted upon, shall be sent by regular or electronic mail to each member at least ten (10) days prior to such meeting.

**XV.**  
**EFFECTIVE DATE**

These By-Laws shall become effective immediately upon their adoption except that the number and terms of the existing Directors shall remain unchanged for the remainder of their unexpired terms.

Amended:    May 2006  
                  May 2010  
                  May 2012  
                  May 2013  
                  May 2014  
                  May 2015  
                  May 2016