



UNIFORM SECTION BY-LAWS

Worker's Compensation Section

ARTICLE I NAME AND PURPOSE

Section 1 - NAME:

This Section shall be known as the Worker's Compensation Section of the Idaho State Bar.

Section 2 - FIELD:

Section activities shall pertain to the field of workers compensation.

Section 3 - OBJECTIVES:

This Section is created to enhance the skills of its members, and to serve the interests of the public.

In the furtherance of these objectives, this Section shall:

- (a) study problems relating to the designated field of law enumerated above;
- (b) disseminate information on problems relating to such field of law by preparing articles for publication in the Advocate, circulating a newsletter to its members, presenting lectures or seminars at its annual meeting and at other meetings during the year which may be held for that purpose, promoting the publication of appropriate practice manuals, handbooks and forms, and meeting to discuss problems which are common to the practitioners in the above designated field of law;
- (c) propose such legislation as the Section may from time to time deem appropriate in the public interest, and offer, when requested, advice or assistance to any legislative committee or other legislative body on proposed legislation dealing with its designated field of law, provided, that any position taken, statements issued, or legislation proposed must first be approved by the Board of Commissioners of the Idaho State Bar;
- (d) prepare statements pertaining to the field of law on issues which affect the public interest, provided that any position taken, statements issued, or legislation proposed must first be approved by the Board of Commissioners of the Idaho State Bar. The Section, or any member acting on its behalf, shall clearly state that such position, statement or proposed legislation does not represent the policy of the Idaho State Bar, but only the policy of the Section, except where the statement, position, or proposed legislation has been formally approved or adopted by the members of the Idaho State Bar pursuant to the provisions of Rule 906 of the Idaho State Bar Commission rules. Statements of policy of the Section shall be adopted only in accordance with Article VII, Section IV of these by-laws; and
- (e) engage in such other activities not hereinabove enumerated which are consistent with the objectives of the Section.

Section 4 - CLE POLICY:

Any educational programs conducted by the Section shall be coordinated with and cosponsored by the Idaho State Bar or the Idaho Law Foundation, Inc., for purposes of avoiding conflicts in schedules, duplication of educational programs, and for the purposes of receiving assistance from the Idaho State Bar/Idaho Law Foundation staff in the preparation of program content and pricing. It is specifically recognized that the profits and/or losses from such continuing legal education offerings shall inure to Idaho State Bar.

**ARTICLE II
MEMBERSHIP AND DUES**

Section 1 - MEMBERSHIP:

- (a) Any lawyer who is a member in good standing of the Idaho State Bar may become a voting member of this Section and shall be eligible to serve as an officer of the Section.
- (b) Any lawyer who is a member in good standing in another jurisdiction and who resides in Idaho may become a voting member of this Section and shall be eligible to serve as an officer of the Section.
- (c) Members of the general public, including lawyers who do not qualify to serve as officers and voting members under subsection (a) or (b) above, may become members of this Section but shall not be eligible to vote or to serve as officers of the Section.
- (d) Application for membership shall be made upon the appropriate form supplied by the Idaho State Bar.
- (e) Membership in the Section shall be for the calendar year.

Section 2 - DUES:

Members of the Section shall pay such annual dues as the Council of the Section may direct, subject to the approval of the Board of Commissioners of the Idaho State Bar. The dues shall be set at a level adequate to cover the expenses of operating the Section, including, but not limited to, administrative expenses of the Idaho State Bar, Section officers' travel and meeting expenses, and publications of the Section. Sections may not charge members annual dues of more than \$50 without prior approval by the Board of Directors.

**ARTICLE III
COUNCIL MEMBERS; SELECTION; TERM OF OFFICE**

Section 1 - NUMBER:

The affairs of this Section shall be managed by a Council of seven (7) Council members, all of whom shall be members of the Section.

Section 2 - TERM OF OFFICE:

At the 1989 annual meeting, four members of the Council shall be elected for a term of two (2) years and three members for a term of one (1) year. Thereafter, the term of office for Council members shall be for two (2) years until the election of their respective successors.

There shall be two (2) members of the Council from the First and Second Judicial Districts combined; two (2) members of the Council from the Third, Fourth, and Fifth Judicial District combined; and two (2) members from the Sixth and Seventh Judicial Districts combined. There shall be one (1)

member of the Council elected at large. For the one year term elected at annual meeting in 1989, one member shall be from the First and Second Judicial Districts combined; one member shall be from the Third, Fourth, and Fifth Judicial Districts combined; and one member shall be from the Sixth and Seventh Judicial Districts combined.

For the 2-year term elected at the 1989 annual meeting, one member shall be from the First and Second Judicial Districts combined; one member from the Third, Fourth, and Fifth Judicial Districts combined; and one member from the Sixth and Seventh Judicial Districts combined, and one member at large.

ARTICLE IV POWERS AND DUTIES OF THE COUNCIL

Section 1 - OFFICERS:

The officers of the Section shall be a Chairman, a Vice Chairman and a Secretary/Treasurer, who shall at all times be members of the Council. In addition, the Executive Director of the Idaho State Bar will serve as Assistant Treasurer without voting rights.

Section 2 - ELECTION OF OFFICERS:

The election of officers shall take place at a Council meeting called immediately after the annual meeting of the members.

Section 3 - TERM:

The officers of this Section shall be elected annually by the Council, and each shall hold office for one year unless he shall sooner resign or be removed or otherwise be disqualified to serve.

Section 4 - POWERS AND DUTIES OF OFFICERS:

Chairman: The chairman shall preside at all meetings of the Section and the Council. He shall formulate and present to each annual meeting of the Idaho State Bar a written report of the work of the Section for the preceding year. In addition, he shall give such periodic written or oral reports to the Board of Commissioners of the Idaho State Bar as they may require. He shall perform such other acts as usually pertain to such office.

Vice Chairman: Upon the death, resignation or inability for any reason of the chairman to act, the vice chairman shall perform the duties of the chairman.

Secretary/Treasurer: The secretary/treasurer shall keep an accurate record of the proceedings of all meetings of the Section, the council and the executive committee of the Section. He shall keep duplicate records of all dues collected and all expenses of the Section and shall present a report to the membership at each regular meeting of the Section.

Executive Director/Assistant Treasurer: The Executive Director of the Idaho State Bar shall serve as assistant treasurer, without voting privileges, and shall be responsible for receiving dues money, disbursing funds, keeping the books of the Section, and seeing that the Section operates in accordance with the rules and procedures of the Idaho State Bar, including, but not limited to, the expenditure of funds and the payment of expenses.

ARTICLE V FINANCIAL MANAGEMENT

Section 1 - ACCOUNTING

All funds of practice sections shall be funds of the Idaho State Bar and shall be administered by the Idaho State Bar. Section funds are subject to the financial rules and procedures of the Idaho State Bar. As with Idaho State Bar funds, section funds will be accounted for by the accrual method of accounting.

Section 2 - EXPENSE POLICY

Section expenditures are subject to the same restrictions as Idaho State Bar funds. The Idaho State Bar is an integrated bar, and as such, is limited in its ability to engage in legislative and political activity. This limitation applies to section activities, programs and the expenditure of section funds. Expenditures must be for activities that are within the scope of the purposes of the Section and the Idaho State Bar.

Section 3 - GRANT REQUESTS

No section shall, without prior authorization of the Board of Commissioners, make a grant request to an outside entity in the name of the section or the Idaho State Bar.

Section 4 - FISCAL YEAR

The fiscal year for section accounts shall be the calendar year.

Section 5 – SECTION FUNDING

Sections are required to comply with the Policy on Funding of Sections and the fund balance limits established by the Board of Commissioners.

**ARTICLE VI
MEETINGS AND ELECTIONS**

Section 1 - ANNUAL MEETING:

The annual membership meeting of the Section shall be held during the course and at the place set by the Governing Council of the Section. Proper notice of the annual membership meeting shall be given to all Section members. Further regular meetings may be established by the Council, and the chairperson or Council may call such special meetings as may be necessary. Reasonable notice of each meeting shall be given.

Section 2 - QUORUM:

Ten members of the Section shall constitute a quorum for the transaction of business. Action of the Section shall be a majority vote of the members present and qualified to vote.

Section 3 - TERM OF OFFICE:

Officers and council members, except ex officio members, shall be elected by the Section at the annual meeting for terms of one year. Elections shall be by secret ballot.

Section 4 - POLICIES:

Statements of policy or position may be adopted only by vote of a majority of the members of the Section at a regular meeting so as to afford the greatest opportunity for participation of the members of the Section.

**ARTICLE VII
IMPLEMENTATION, AMENDMENTS AND DISCONTINUANCE**

Section 1 - EFFECTIVE DATE:

These by-laws shall become effective and this Section shall be created upon the execution hereof by ten members of the Idaho State Bar and upon approval by the Board of Commissioners.

Section 2 - AMENDMENT:

These by-laws may be amended by majority vote of the Council or by majority vote of the members at any duly called meeting, but no amendment shall be effective until approved by the Board of Commissioners.

Section 3 - DISCONTINUANCE:

The Executive Director of the Idaho State Bar shall maintain a list of members of this Section. At such time as the membership of the Section shall number less than fifty (50), the Executive Director shall report that fact to the Board of Commissioners for the purpose of determining whether the Section should be continued.