

AGENDA
ISB CHILD PROTECTION SECTION ORGANZIATIONAL MEETING
September 7, 2018

I. Call to Order

II. Introductions

III. Review of Handouts

Idaho Bar Commission Rules – Section XI

Uniform Bylaws

Section Calendar

2018 Practice Section Membership Registration Form

IV. Welcome to the Child Protection Section

V. ACTION ITEM: Officer Elections

Chairperson –

Vice Chairperson –

Secretary/Treasurer –

At Large Members –

VI. ACTION ITEM: Setting of Dues

VII. Bylaws

VIII. Membership Recruitment

IX. Adjourn

Next Meeting Date:

Idaho Bar Commission Rules

Governing Admission to Practice and Membership in the Idaho State Bar

*As promulgated by the Board of Commissioners of the Idaho State Bar
and adopted by Order of the Supreme Court of the State of Idaho.*

SECTION XI Practice Sections

RULE 1100. Purpose. The continuing education and professional development of Idaho lawyers are greatly enhanced by the formation and advancement of practice sections in specific areas or aspects of the practice of law. The following Rules are established in order to define the role of practice sections within the Idaho State Bar and to provide for their orderly administration. Mindful of the limitations placed on integrated bars, sections are not intended to advance political or ideological points of view.

RULE 1101. Definitions. As used in these Rules, the following terms have the following meanings, unless expressly otherwise provided, or as may result from necessary implication.

*(a) **Bar Member.** "Bar Member" means any judge, or any person currently admitted to practice before the Idaho Supreme Court.

*(Section (a) amended 12-5-02)

(b) **Commission; Commissioners.** "Commission" or "Commissioners" means the Idaho Bar Commission, as established by section 3-402, *Idaho Code*, and as otherwise provided for by these Rules.

(c) **Executive Director.** "Executive Director" means the executive officer of the Idaho State Bar, employed by the Commissioners for that purpose.

RULE 1102. Formation

(a) **Petition.** Those seeking to form a new practice section shall secure the signatures of not less than twenty-five (25) bar members, on a form prescribed by the Commissioners.

(b) **Statement of Purpose; Practice Section Title.** A petition seeking formation of a new practice section shall include a statement of purpose and a proposed title for that practice section. The statement of purpose and title shall reflect the particularized field(s) or aspect(s) of the practice law in which the practice section intends to concentrate. Practice sections will not be authorized if it appears that its purpose is to promote a particular political or ideological point of view.

(c) **Action by Commissioners.** Upon receipt of a petition for formation of a practice section, the Commissioners shall review the petition for conformance with these Rules. Thereafter, the Commissioners shall:

- (1) Approve formation of the practice section under such terms and conditions as it may deem necessary for conformance with these Rules; or
- (2) Return the petition to its originators, noting any changes needed in order to bring the petition in conformance with these Rules; or
- (3) Reject the petition as being not in conformance with these Rules or as otherwise duplicative of an existing practice section.

(d) **Organizational Meeting; Officers; By-Laws.** Upon its approval, a practice section shall conduct an organizational meeting, after appropriate notice in *The Advocate*. At the

organizational meeting, the practice section shall elect officers to serve until the time set for annual election of officers. The practice section shall also adopt by-laws, in the form generally prescribed for that purpose by the Commissioners. The by-laws shall become effective upon approval by the Commissioners. Specific Commissioner approval shall be necessary for material modifications to the uniform by-laws.

(e) **Amendments to By-Laws.** All amendments to a practice section's by-laws shall require the prior approval of the Commissioners.

RULE 1103. Membership

(a) **Universal Eligibility.** Membership in any practice section shall be open to any bar member, without limitation, except that the Young Lawyers' Section may permissibly restrict its membership according to age and/or years-in-practice.

(b) **Other Members.** Practice sections may authorize memberships by persons other than bar members, on terms and conditions to be set forth in its by-laws.

***RULE 1104. Meetings**

(a) **Annual Meeting.** Each practice section shall hold an annual membership meeting. At the annual membership meeting, each practice section shall deliver an annual report of its activities for the preceding year. Each practice section shall also deliver an annual report at the Idaho State Bar Annual Meeting. The annual report of the practice section shall also be submitted to the Executive Director.

(b) **Election of Officers.** Unless its by-laws specifically provide otherwise, each practice section shall conduct its annual election of officers and directors in conjunction with the annual membership meeting.

(c) **Other Meetings.** A practice section may conduct such other meetings as may be appropriate, consistent with its by-laws and the giving of proper notice.

*(Rule 1104 amended 9-19-96)

RULE 1105. Finance

(a) **Annual Dues.** Practice sections shall primarily be funded by annual section dues, to be collected by the Executive Director in the course of annual State Bar licensing. The amount of such dues shall be established in accordance with the practice section's by-laws.

(b) **Section Funds.** All funds of practice sections shall be funds of the Idaho State Bar, to be administered for practice section purposes.

(c) **Additional Revenues.** Practice sections shall be permitted to generate additional revenues in any manner consistent with these Rules

(d) **Fiscal Year; Budget.** The fiscal year of practice sections shall be January 1 - December 31. Each practice section shall submit a

proposed budget on the form prescribed for that purpose to Executive Director not later than December 1.

- (e) **Expenditures.** Practice section funds shall be maintained in an account established for that purpose by the Executive Director. All expenses claimed against such funds shall be submitted to the Executive Director, who shall promptly pay all appropriate expenses. Practice sections shall abide by the expense policy approved by the Commissioners concerning travel, meals, mileage and other expenses. Any dispute between the governing board of a practice section and the Executive Director concerning the payment of claimed practice section expenses shall be submitted to the Commissioners, whose decision shall be final.
- (f) **Accounting.** An accounting and audit of practice section funds shall be conducted on at least an annual basis, as part of the State Bar annual audit. Any bar member shall be entitled to review the finances of a practice section, upon reasonable request made to the Executive Director.
- (g) **Administrative Fee.** The Idaho State Bar shall annually assess an administrative fee to each practice section, in a formula to be approved by the Commissioners.

RULE 1106. Legislative/Political Activity

- (a) **Generally.** The Idaho State Bar is an integrated bar, and as such is limited in its ability to engage in legislative and political activity. The appropriate avenue for engaging in that limited legislative/political activity is set forth in Rule 906(a). Any practice section seeking to engage in the promotion of legislation or any other political position must first comply with Rule 906(a).
- (b) **Administration of Justice.** Section 3-418, *Idaho Code*, provides that the Idaho State Bar may from time-to-time provide expertise to the Governor, Legislature and/or Supreme Court on matters affecting the administration of justice. A practice section may properly engage in this type of technical assistance to the Legislature or other agencies of government, but must first advise the Commissioners of its intention to do so.
- (c) **Notice to Commissioners.** A practice section shall first notify the Commissioners, through the Executive Director, of any intended legislative/political activity to be conducted.

Rule 1107. Practice Section Council

- (a) **Purpose.** The Practice Section Council ("Council") shall exist to address the continued development of practice sections within the Idaho State Bar, and to recommend policy considerations to the Commissioners.
- (b) **Membership.** Each practice section shall be permitted to designate a representative to attend and vote at any meeting of the Council. The Commissioners shall designate one or more of its members to attend Council meetings as a nonvoting member.
- (c) **Officers; Committees.** The Council may elect such officers and form such committees as it deems necessary.
- (d) **Meetings.** The Council shall meet annually at the State Bar Annual Meeting, and at such other times as deemed appropriate, for the purpose of considering issues common to practice sections. The Council shall consider whether to propose resolutions for inclusion on the annual State Bar resolution process. The Council may designate representatives from time-to-time to attend Bar Commission meetings.

Rule 1108. Continuing Legal Education

- (a) **Continuing Legal Education.** Practice sections are encouraged to engage in the planning and presentation of continuing legal education programs, subject to the considerations set forth in subsection (b) below.

- (b) Practice sections shall abide by and be subject to agreements entered into between the Commissioners (on behalf of the Idaho State Bar) and other organizations, including but not limited to the Idaho Law Foundation, Inc., concerning the planning, implementation and financial considerations of continuing legal education programs.

Rule 1109. Abolition of Practice Section

- (a) **Annual Review; Abolition.** The activity of each practice section shall be reviewed by the Commissioners annually within sixty (60) days of the Annual Meeting, and, in the event the Commissioners determine that a practice section is no longer active or for any other reason is no longer deemed necessary or useful to the Bar, then such practice section may be abolished by the Commissioners.
- (b) **Minimum Membership.** Two years after the formation of a practice section, it is expected that minimum membership should be maintained of at least fifty (50). Membership of less than fifty (50) members will create a presumption that the practice section is inactive, although the presumption may be overcome upon a showing by the practice section's officers. A possible solution to a low practice section membership level may be merger into another existing practice section.
- (c) **Practice Section Funds.** In the event that a practice section is abolished, any remaining funds of that practice section shall revert to the general fund of the Idaho State Bar.

Rule 1110. Miscellaneous

- (a) **Surveys.** No survey or similar research of bar members shall be conducted by a practice section without prior coordination with the Executive Director. This coordination is intended to prevent multiplicity and overlap of such surveys.
- (b) **Copyrights.** The Idaho State Bar shall own the copyright to all materials produced by its practice sections.
- (c) **Removal of Officers.** The Commissioners may, for good cause shown, remove and replace any or all officers of a practice section. Such action shall be taken only if, in the Commission's judgment, the continued participation of the officer(s) in question threaten to place the Idaho State Bar or the practice section in violation of these Rules, or of state or federal law, or if continued participation of the officer(s) poses a threat of irreparable harm to the Idaho State Bar or the practice section.
- (d) **Open Meetings.** Meetings of practice sections shall be governed by Idaho's open public meetings law, section 67-2341, *Idaho Code*, et. seq.

(Section XI added 4-13-94, effective 7-1-94)



IDAHO STATE BAR

UNIFORM SECTION BY-LAWS

_____ **SECTION**

**ARTICLE I
NAME AND PURPOSE**

Section 1 - NAME:

This Section Shall be known as the _____ Section of the Idaho State Bar.

Section 2 - FIELD:

Section activities shall pertain to the field of :

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.

(Amended 8/9/96)

**ARTICLE II
MEMBERSHIP AND DUES**

Section 1 - MEMBERSHIP:

- (a) Any member of the Idaho State Bar in good standing may become a member of this Section.
- (b) Any law student, law professor, or judicial law clerk may become a non-voting member of this Section.
- (c) Application for membership shall be made upon the appropriate form supplied by the Idaho State Bar.
- (d) The membership shall be the calendar year.
- (e) Non lawyer section members shall be non voting members and shall not be eligible to serve as officers of the section.

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 Commissioners.

**ARTICLE III
OFFICERS AND COUNCIL**

Section 1 - OFFICERS:

The officers of the Section shall be a Chairperson, Vice Chairperson, and a Secretary-Treasurer. In addition, the Executive Director of the Idaho State Bar will serve as assistant treasurer without voting rights.

Section 2 - COUNCIL:

There shall be a governing Council which shall consist of the immediate past chairperson of the Section, the current officers of the Section, and three additional members at large to be elected by the Section as hereinafter provided.

**ARTICLE IV
POWERS AND DUTIES OF THE COUNCIL**

Section 1 - AUTHORITY:

The Council shall manage the affairs of the Section, subject to the provisions of the Idaho Bar Commission Rules, the "Rules and Procedures for Establishing a Section", the duties of the Executive Director enumerated below, these by-laws, and the right of the members to decide any issue at a duly called membership meeting. The Council shall fix the Section dues subject to approval by the Board of Commissioners of the Idaho State Bar and shall authorize all commitments or contracts which entail the expenditures of funds.

Section 2 - DELEGATION:

The Council may authorize the chairperson to make commitments or expend money and to perform such duties and exercise such powers as the Council may from time to time direct, subject to the limitations of Section 1 of this Article.

Section 3 - QUORUM:

A simple majority of the Council present at any meeting shall determine any question. One half of the members of the Council shall constitute a quorum.

Section 4 - MEETINGS:

Council meetings may be held in person or by conference call. The section governing council may vote on any issue by email or by written ballot.

Section 5 - EXECUTIVE COMMITTEE:

The officers of the Section shall constitute the executive committee. All powers and duties of the Council shall be exercised and performed by the executive committee when the Council is not in session, except as to the fixing of dues and as further limited by resolution of the Council.

Section 6 - CALL:

The Council shall meet at the call of the chairperson or upon the request of three members thereof. Reasonable notice shall be given for every meeting.

**ARTICLE V
POWERS AND DUTIES OF OFFICERS**

Section 1 - CHAIRPERSON:

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

Section 2 - VICE CHAIRPERSON:

Upon the death, resignation or inability for any reason of the chairperson to act, the vice chairperson shall perform the duties of the chairperson.

Section 3 - 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. S/He shall keep duplicate records of all the dues collected and all expenses of the Section and shall present a report to the membership at each regular meeting of the Section.

Section 4 - 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 VI 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 Amended 8/9/96, 2005 and 2/2010)

ARTICLE VII MEETINGS AND ELECTIONS

Section 1 - ANNUAL MEETING:

The annual membership meeting of the Section shall be held during the course and at the place as 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. (Amended 9/96)

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 participating and qualified to vote.

Section 3 - TERM OF OFFICE:

Officers and council members, except ex officio members, shall be elected by the Section for terms of one year. Elections may be conducted by email.

Section 4 - POLICIES:

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

**ARTICLE VIII
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.

These by-laws have been adopted this _____ day of _____, 19____

Section Name

Chairperson

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Approved by the Board of Commissioners of the Idaho State Bar this _____ day of _____, 20_____

President, Idaho State Bar

Executive Director, Idaho State Bar

SECTION CALENDAR

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
First Week		Professionalism & Ethics	Real Property (Sept. - May No Summer)	Health (even months: Feb., Apr., June, Aug., Oct., & Dec.) Government	Indian (via conference call)
Second Week	Practice Section Council (Jan, Mar, May, Sept & Nov)	Tax (Feb., Apr., June, Nov.) Animal (Feb, Apr, June, Aug, Oct, Dec)	Business & Corporate (Sept. - May No Summer)	Water (odd months: Jan, Mar, May, July, Sept., Nov) Appellate (Apr, June, Sept, Dec)	Family (Jan, Mar, Apr, May, July, Sept, Nov - In-person) (Feb, June, Aug, Oct, Dec - Teleconference)
Third Week		Young Lawyers	Dispute Resolution (Jan, Apr, Aug & Oct.) Bankruptcy (Teleconference 4:00pm - MT)	Intellectual Property (even months: Feb, Apr, June, Aug, Oct, Dec)	Litigation
Fourth Week			Employment Environment (Sept. - May No Summer)		Diversity (odd months: Jan, Mar, May, July, Sept, Nov)



Idaho State Bar

2018 Section Membership Registration

The continuing education and professional development of Idaho lawyers are greatly enhanced by the formation and advancement of practice in specific areas or aspects of the practice of law. Sections conduct member meetings, hold continuing legal education programs, offer professional networking opportunities and perform law-related community service.

CHILD PROTECTION SECTION - \$ _____

Listed below are the current ISB Practice Sections and the amount of annual Section dues.
(Please check ALL Section(s) you wish to join)

- Animal Law - \$25; \$10 (law students & attorneys admitted to the ISB less than 3 years)
- Appellate Practice - \$25; \$10 (attorneys admitted to the ISB less than 3 years); FREE (law students)
- Business & Corporate Law - \$35; \$10 (law students)
- Commercial Law & Bankruptcy - \$30; \$15 (paralegals of Section members)
- Dispute Resolution - \$30; \$10 (law students)
- Diversity - \$25; \$10 (law students & individuals who are not members of the ISB)
- Employment & Labor Law - \$25; \$10 (law students)
- Environment & Natural Resources Law - \$35; \$15 (attorneys admitted to the ISB less than 5 years); \$10 (law students)
- Family Law - \$30; \$10 (law students & attorneys admitted to the ISB less than 5 years)
- Government & Public Sector Lawyers - \$25; \$5 (law students)
- Health Law - \$25
- Indian Law - \$25; \$10 (tribal court advocates & law students)
- Intellectual Property Law - \$40; \$20 (law professors or judicial law clerks); FREE (law students)
- Litigation - \$40; \$10 (judiciary); FREE (law students)
- Professionalism & Ethics - \$40; \$10 (law students OR attorneys admitted to the ISB less than 1 year)
- Real Property - \$30; \$10 (law students)
- Taxation, Probate, & Trust Law- \$35
- Water Law - \$35
- Workers Compensation - \$40; \$20 (attorneys admitted to the ISB one year or less)
- Young Lawyers - \$35 (37 years or under; admitted to the ISB five years or less); \$10 (law students)

Name: _____ ISB#: _____

Firm: _____

Mailing Address (Street, City, Zip): _____

Phone: _____ Fax: _____

Email: _____

<p style="text-align: center;"><i>Make checks payable to and mail to:</i> Idaho State Bar, P.O. Box 895, Boise, ID 83701</p> <p style="text-align: center;"><i>Please fill in the appropriate information:</i></p> <p style="text-align: center;"><input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> VISA <input type="checkbox"/> Mastercard</p>	<p><i>Cardholder's Name</i> _____ <i>As imprinted on the card</i></p> <p><i>Acct. #</i> _____</p> <p><i>Exp. Date</i> _____ <i>Amt.</i> _____</p> <p><i>Signature</i> _____</p>
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