

**By-Laws of the Employment Law Section
Of the North Carolina Academy of Trial Lawyers**

I. Officers

Section 1: Titles

The officers of the Section shall be the Chairperson, Vice Chairperson, Secretary, and Executive Committee members.

Section 2: Duties of Officers

- (a) **Chairperson:** The Section Chairperson serves a one year term and is succeeded in office by the Vice Chairperson who is, during the tenure of the Chairperson, the Chairperson elect. The Chairperson is responsible for coordination of all Section activities and supervision of all Committee Chairpersons and Officers. The Chairperson also serves as an ex-officio member of the Board of Governors of the North Carolina Academy of Trial Lawyers and must attend all meetings as directed by the Academy for members of the Board of Governors. The Section Chairperson also serves as an ex-officio member of the Education, Legislative, Membership and Public Education Committees of the North Carolina Academy of Trial Lawyers.
- (b) **Vice Chairperson:** The Vice Chairperson serves a one year term. As such, the Vice Chairperson performs all duties assigned by the Chairperson and assists all Committee Chairpersons in the execution of their responsibilities. The Vice Chairperson is Chairperson elect and serves as Chairperson for the year immediately following the expiration of their term as Vice Chair.
- (c) **Secretary:** The Secretary is responsible for preparing minutes of all Section meetings and performing such other duties as may be delegated by the Chairperson and Executive Committee meetings and shall perform such duties as may be delegated by the Chairperson.
- (d) **Executive Committee:** The Executive Committee shall be comprised of the Section Chairperson, Vice Chairperson and Secretary and two additional members from the Section. Former chairperson of the Section shall serve as ex-officio members.

Section 3: Election of Officers and Terms

- (a) Officers shall be elected from the members of the Section by a majority of those Section members voting in annual election called by the Chairperson.
- (b) Nominations shall be made by the Nominating Committee and by the Section membership.
- (c) Terms of office shall be for one year, commencing on July 1 of each year

II. Regulations Governing Committees

Section 1: Section Representation

No committee shall assume to represent the Section before any legislative body, in courts, or before any other tribunal unless unauthorized to do so by the Executive Committee of the Section and the Board of Governors or Executive Committee of the Academy.

Section 2: Attendance Policy

Members of the Section may attend all committee meetings.

Section 3: Minutes and Reports

- (a) Each committee must keep minutes of its meetings and a copy shall be filed with the NCATL Chief Executive Officer within five days after such meeting by or with the Section Secretary.
- (b) Reports from the chairpersons of the committees must be received by the chairperson of the Section two weeks prior to Section meetings.

Section 4: Attendance Records

- (a) Records of attendance at all meetings must be kept and reported in the Minutes. These records should be available to the Section Chairperson upon request to assist in making appointments for the coming year.
- (b) The Section Chairperson has the right to authorize committee Chairpersons to replace inactive committee members when necessary.

Section 5: Publicity and Speakers Bureau

- (a) Important action by a committee deemed to be newsworthy should be specially noted in the minutes or reports so that an appropriate news release covering the subject can be dispatched from the Academy Office by the Section Chairperson.
- (b) The Academy receives requests from professional organizations, civic groups, and others for speakers on various subjects. Committees are urged to arrange a list of speakers and subjects related to the work of their area. These names should be furnished to the Section Chairperson.

Section 6: Chairpersons of Committees

- (a) The Executive Committee shall select chairpersons for each committee. The Executive Committee and committee chairperson will appoint members of the committees in the event an insufficient number of

Section members has volunteered.

- (b) The chairperson of a committee shall preside at all meetings and shall direct the affairs of the group with the advice and consent of the Section Executive Committee.
- (c) The chairperson of a committee shall serve on the corresponding Academy Committee and report Committee activities to the Academy Committee and its Chair.
- (d) The chairperson has the power to assign research work to registered members of the committee. The chairperson may appoint from the members of the committee or program area such subcommittees as needed with specific assignments of work projects, thus allowing for broad participation in the work of the Section.
- (e) The chairperson of the committee should either appoint a newsletter editor to send articles to be published in Trial Briefs and Around the State or the Section Chairperson should submit these articles.
- (f) Additional responsibilities of Committee chairpersons are to:
 - (1) propose to the Section Chairperson new legislation or a repeal of undesirable or unnecessary laws in the particular field, and
 - (2) aid in the continuing education of lawyers in their respective fields by proposing seminar topics and speakers.

Section 7: Legislative Policy and Procedures

Committees are to assist the Legislative Committee in obtaining passage of approved legislation by appearing before legislative committees in their areas of specialty.

III. General Business Meetings

Section 1: Regular business meetings of the Section and its committees may be held at such times and places as may be determined by the chairperson. The meeting may be held at the general meetings of the Academy but ordinarily they should not be scheduled at times in conflict with programs and general functions.

Section 2: Plans for committee meetings at hotels, lodges, restaurants, or other locations (except small business meetings at law offices) should be given to the Executive Committee prior to the event and all such arrangements must be approved in advance by the Academy staff.

IV. Committees

Section 1: Committee Functions

- (a) Nominating and Awards Committee – This Committee is composed of the Section Chairperson, Vice Chairperson and Secretary. Its duties shall include:

- (1) Recommendations to the Section for all officers; and
 - (2) Recommendation to the Academy of recipients of various awards
- (b) Legislative Committee – the functions of this committee are:
- (1) To advise and assist the Academy Legislative Committee by considering proposed and pending legislation and by assisting to develop the Academy’s criminal defense legislative program;
 - (2) This committee shall work closely with the Section Executive Committee in presenting its ideas to the Vice President for Legislation of the Academy.
 - (3) The committee chairman may appoint subcommittees on particular legislation for in-depth study.
- (c) Membership Committee – the functions of this committee are:
- (1) To assist in developing and conducting a continuing program of solicitation of new members and for the conservation of existing members;
 - (2) To exercise general supervision of the membership application procedures and inductions of new members;
 - (3) To study and report to the Section Executive Committee recommendations that would lead to the improvement of relations between the Section and its members;
- (d) Public Service and Information Committee – the functions of this committee are:
- (1) To study, recommend, and promote the activities of the Section seeking to improve the relations between the bar and the public;
 - (2) To develop social and legal issues revolving around the trial bar and the public and foster programs to carry out the widest understanding of these issues among the legislative members, community, fraternal, business and industrial groups, and the judiciary and bar associations;
 - (3) To develop and maintain a listing of communications media and publications, news contacts, etc., across the state to carry out the functions of this committee;
 - (4) To evaluate news items from editorials, etc. involving the trial bar and respond when appropriate.
- (e) Amicus Curiae Committee – this committee shall review litigation, not involving the Section as a party, with the purpose of recommending to the Academy whether the Academy should seek to participate as an Amicus Curiae. This committee will:
- (1) Present to the Chair of the Academy Amicus Curiae Committee litigation which this committee feels deserves and Amicus Curiae brief by the Academy.
 - (2) Assist in developing a list of members of the Section considered particularly competent to write briefs in the various areas of criminal defense litigation.

- (f) Education Committee – this committee will study, formulate, and recommend programs to the Academy Education Committee that will attract lawyers to our continuing legal education programs. This committee will:
 - (1) Recommend to establish these programs in sufficient time that they can be properly publicized and advertised to promote attendance at the seminar.
 - (2) Specific topics and speakers should be suggest by committee members
- (g) Lawyers Assistance Committee – the functions of this committee are:
 - (1) To establish procedures whereby a member of the Section may call upon a member or members of this committee for assistance when such member is involved in a controversy concerning on-going litigation wherein such member is being subjected to mistreatment by an opponent or the tribunal and such mistreatment significantly effects a substantial right of the member or the member’s client.
 - (2) To assemble a group of Committee members who shall immediately come to the assistance of a Section member when such member is involved in a controversy concerning on-going litigation wherein such member is being subjected to mistreatment by an opponent or the tribunal and such mistreatment significantly effects a substantial right of the member or the member’s client.
 - (3) To report to the Executive Committee of the Academy any action proposed to be taken as a result of any such request for assistance. In emergency situations, action must be approved by the President, President-Elect, or the Vice-President for Legal Affairs of the Academy.
- (h) Other Committees. The Section membership and Executive Committee may establish additional standing committees to carry out the activities of the Section.

V. Amendments

These By-Laws may be amended or repealed by the affirmative vote of a majority of the Board of Governors of the Academy at a regularly scheduled Board meeting or at a special meeting called for that purpose, provided that a written notice shall have been sent to each member of the Board at least ten days before such meeting, which notice shall state the proposed amendment or change which is proposed. Only such changes shall be made as have been specified in the notice.

VI. Membership

Membership in the Employment Law Section is open to all members of the North Carolina Academy of Trial Lawyers including Affiliate and Legal Assistant Division members. Membership in NCATL is required.