

**WASHINGTON STATE BAR ASSOCIATION**  
**CREDITOR DEBTOR RIGHTS SECTION**  
**BYLAWS**

(As last amended and approved by the WSBA Board of Governors on July 23, 2010,  
and including 1992 amendments approved in 1993)

**ARTICLE 1. IDENTIFICATION**

**1.1 Creation**

The Creditor Debtor Rights Section of the Washington State Bar (the "Section") was established pursuant to Article IX, Section 1 of the By-Laws of the Washington State Bar Association (the "Bar").

**1.2 Purpose**

The purpose of the Section shall be to seek the participation of all interested members of the Bar and of the state and local bar associations, in order to benefit the general public, members of the Section and their clients:

- a. By encouraging research and study and initiating proposals for changes and reforms and aiding and educating the bar and the public in the Section's areas of interest;
- b. By review of pending legislation and development of proposed statutory enactments to improve and to facilitate the administration of justice within the Section's area; and
- c. By undertaking such other service as may be of benefit to the public and members and the legal profession.

**1.3 Limitations**

These By-Laws have been adopted subject to the applicable Washington statutes and the By-Laws of the Bar.

**1.4 Principal Office**

The principal office of the Section shall be maintained in the offices of the Bar.

**1.5 Fiscal Year**

The fiscal year of the Section shall coincide with that of the Bar.

## **ARTICLE 2. MEMBERSHIP**

### **2.1 Enrollment**

Any active member in good standing of the Bar of the State of Washington may be enrolled as a member of the Section upon request and payment of annual Section dues in the amount and for the purpose approved by the Board of Governors of the Washington State Bar Association. Attorneys who are not active members of the Bar, law students, and members of the public may be enrolled as a non-voting ("subscriber") member by paying the annual dues established by the Section. Subscriber members may not hold a section office.

### **2.2 The Membership**

Members enrolled as provided in Section 2.1 shall constitute the Membership of the Section.

### **2.3 Dues**

Dues in the amount determined by the Section and approved by the Board of Governors of the Bar shall be paid annually in advance. Any person who shall have failed to pay the annual dues shall cease to be a member of the Section. With the exception of law students, the Section dues fee for non-voting ("subscriber") members shall be the same amount as that established for voting members. The Section dues fee for law students shall be set at a standard amount annually determined by the Board of Governors.

## **ARTICLE 3. MEETINGS OF THE MEMBERSHIP**

### **3.1 Annual Meeting**

The annual meeting of the Section shall be held in conjunction with the annual meeting of the Bar.

### **3.2 Controlling Vote**

Action of the Section, except for election of the Executive Committee, shall be by majority vote of the members present. Election of the Executive Committee shall be by mail from the entire membership.

### **3.3 Special Meetings**

Special meetings of the Membership of the Section may be called upon seven days' prior written notice to the members by any officer at such time and place as the officers may determine. Such notice shall state the business to be transacted at the special meeting.

## **ARTICLE 4. THE EXECUTIVE COMMITTEE**

### **4.1 Powers And Duties**

The Executive Committee shall be vested with the powers and duties necessary for the administration of the affairs of the Section and perform duties assigned to it by the Board of Governors.

### **4.2 Composition**

The Executive committee shall be composed of the following persons:

- a. The Officers;
- b. The immediate past Chair;
- c. Section Newsletter Editor;
- d. Designated Section Member; and
- e. Nine (9) members elected to the Executive Committee.

### **4.3 Controlling Vote**

Action of the Executive Committee shall be determined by majority vote. A member of the Executive Committee may vote in absentia by instructing the Recorder in writing of the manner in which such vote is to be cast.

### **4.4 Meetings**

The annual meeting of the Executive Committee shall be held in conjunction with the annual meeting of the Section. Special meetings shall be held at the time and place as may be designated by the Chair or a majority of the Executive Committee upon at least seven days written notice of the time and place of the meeting. A meeting is not essential to action by the Executive Committee, provided response is elicited from all members of the Executive Committee. The Executive Committee shall be expected to conduct a minimum of four meetings annually.

### **4.5 Section Newsletter Editor**

The Executive Committee is authorized to appoint a Member of the Section to act as Section Newsletter Editor. The term of the Section Newsletter Editor shall be two (2) years.

#### **4.6 Designated Section Member**

The Executive Committee shall appoint a Member of the Section as Designated Section Member. The term of the Designated Section Member shall be two (2) years. The purpose of this appointment is to authorize the Executive Committee to appoint to the Executive Committee a Section Member who, in the opinion of the Executive Committee, shall make a unique contribution to the work and activities of the Executive Committee.

### **ARTICLE 5. OFFICERS**

#### **5.1 Officers**

The officers of the Section shall be the Chair, the Chair-Elect, and the Recorder. These officers shall be elected by the Executive Committee prior to mailing of the notice of the annual meeting of the Section except that officers duly and properly elected as of the date of this amendment shall not be affected by this amendment.

#### **5.2 The Chair**

The Chair shall preside at all meetings of the Section and of the Executive Committee. The Chair shall formulate and present at each annual meeting of the Bar a report of the work of the Section for the then past year. The Chair shall perform such other duties as usually pertain to that office or as may be delegated by the Executive Committee.

#### **5.3 Chair-Elect**

Upon the death, resignation, or during the disability of the Chair, or upon the Chair's refusal to act, the Chair-Elect shall perform the duties of the Chair for the remainder of the Chair's term, except in case of the Chair's disability and then only during so much of the term as the disability continues.

#### **5.4 Recorder**

The Recorder shall be the custodian of all books, papers, documents, and other property of the Section. The Recorder shall keep a true record of all accounts and of the proceedings of all meetings of the Section and of the Executive Committee whether assembled or acting under submission. In conjunction with the Chair and as authorized by the Executive Committee, the Recorder shall attend generally to the business of the Section.

## ARTICLE 6. ELECTIONS

### 6.1 Elective Offices

- a. OFFICERS. At the initial meeting of the Section, the Executive Committee shall elect a chair, a Chair-Elect and a Recorder, each to serve a two-year term. Every other year thereafter, as appropriate, prior to notice of the annual meeting, the Executive Committee shall select a Chair-Elect and a Recorder to serve a two-year term.
- b. EXECUTIVE COMMITTEE. The Executive Committee shall be made up of nine members representing the State of Washington in nine positions as follows:

Position 1 and Position 2: The Eastern District of Washington;

Position 3: The Western District of Washington, Northern Division, excluding King County;

Positions 4 and 5: King County;

Positions 6 and 7: The Southern Division of the Western District of Washington;

Positions 8 and 9: At large.

A member who wishes to be elected to a particular position must have his or her office of primary practice in the locale indicated for that particular position unless such member chooses to for an at-large position.

Each elected Executive Committee member shall serve a period of two years except the Executive Committee members serving at the time of this 1988 amendment shall serve out their terms in the ordinary course. No individual may serve more than two consecutive terms as a non-officer member of the Executive Committee after the effective date of this amendment.

The Chair shall submit to the nominating committee each year a list of the present Executive Committee members, the date of their appointment and the expiration of their term so that the nominating committee can put forth those names of qualified members from appropriate geographical locales for the upcoming Executive Committee vacancies.

## **6.2 Chair**

Upon completion of the term of office, the Chair-Elect shall automatically succeed to the office of the Chair. In the event the office of Chair-Elect shall be vacant, then the new Chair shall be elected in the same manner as set forth in Section 6.1 hereinabove.

## **6.3 Nominations**

The Chair shall annually appoint a Nominating Committee of not less than three members of the Section not members of the Executive Committee, who shall make nominations of not less than two candidates for each open position not less than two months prior to the annual meeting of the Section for the members of the Executive Committee to succeed those whose terms will expire at the close of the meeting. The persons nominated for the Executive Committee may place a statement of not more than 25 words summarizing their qualifications to serve on the Executive Committee in the Section newsletter prior to the annual meeting. The Ballot shall contain blanks for "write in" candidates.

## **6.4 Voting**

Executive Committee elections shall be by written ballot mailed to the membership at least two months prior to the annual meeting of the Section with a return date at least one month prior to the date of the annual meeting at which the election is held.

## **6.5 Term Of Office**

The term of office shall begin with the adjournment of the annual meeting following election and shall end following the annual meeting two years following election and shall end following the annual meeting at which a successor has been duly elected and qualified.

## **6.6 Interim Appointments**

In the event of a vacancy during the interim between annual meetings, the Executive Committee shall appoint a successor to serve until the next annual meeting and until the successor is duly qualified.

# **ARTICLE 7. SUBSTANTIVE RESPONSIBILITIES**

## **7.1 Committees**

The Chair may appoint committees to perform such duties and exercise such powers as the Executive Committee may direct.

## **7.2 Budget Committee**

The duties of the Budget Committee are to prepare a budget in consonance with the objectives of the Section for the expenditure of the Section Funds.

## **ARTICLE 8. AMENDMENTS**

These By-Laws may be amended at any annual meeting of the Section by a majority vote of the members of the Section present, provided that no amendment so adopted shall become effective until approved by the Board of Governors of the Washington State Bar Association.

I, Frederick P. Corbit, as the former Recorder and present chair of the Creditor/Debtor Section of the Washington State Bar Association, attest that the above is a true copy of the bylaws of the Creditor/Debtor Section of the Washington State Bar Association as of September 3, 1996.

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### **Amendments**

Article 2. Membership. Amended to allow for law students and other "subscriber" types to enroll in the Section; amendments approved at the annual meeting of the Creditor Debtor Rights Section held on October 10, 2008. Said admendments approved by the WSBA Board of Governors on July 23, 2010.