

WASHINGTON STATE B A R A S S O C I A T I O N

ENVIRONMENTAL AND LAND USE LAW SECTION

Bylaws

As last amended and approved by the
Washington State Bar Association Board of Governors on Jan. 13, 2022,
and including 2017 amendments.

ARTICLE I. IDENTIFICATION

- 1.1 **Creation.** The Environmental and Land Use Law Section of the Washington State Bar, (the "Section") was established pursuant to the Bylaws of the Washington State Bar (the "Bar").
- 1.2 **Purposes.** The purposes of the Section shall be:
 - a. To provide a formal association of attorneys, other professionals, and law students who share a common focus and interest in the practice of environmental or land use law;
 - b. To provide the opportunity and forum for the interchange of ideas in the areas of environmental and land use law and the protection and enhancement of the quality of the environment;
 - c. To initiate, implement, and support projects that are relevant to environmental and land use law and that contribute to the protection and enhancement of the quality of the environment;
 - d. To support the profession of environmental and land use law by providing education and support to Bar members, the public and, in particular, those aspiring to practice law in this field; and
 - e. To undertake such other service as may be of benefit to the members, the legal profession, and the public.
- 1.3 **Limitations.** These bylaws have been adopted subject to applicable Washington statutes and court rules, and the Bylaws 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 II. MEMBERSHIP

- 2.1 **Members.** Any of the following members in good standing may be enrolled as a voting member of the Section ("Voting Member") by paying annual Section dues:
- a. Active members of the Bar;
 - b. Emeritus Pro Bono members;
 - c. Judicial members;
 - d. House Counsel under APR 8(f);
 - e. Professors at a Washington law school (whether licensed in Washington or not); and
 - f. Any lawyer who is a full time lawyer in a branch of the military who is stationed in Washington, but not licensed in Washington.
- 2.2 **Subscribers.** Inactive members of the Bar and members of the public may be enrolled as subscribers of the Section ("Subscribers") by paying the annual Section dues. Law students may be enrolled as subscribers by paying the annual Section dues established by the Bar. Subscribers shall not have voting rights.
- 2.3 **The Membership.** Voting Members and Subscribers enrolled as provided in Section 2.1 and 2.2 shall constitute the membership of the Section.
- 2.4 **Dues.** Dues in the amount approved by the Board of Governors of the Bar shall be paid annually. Any person who fails to pay the annual dues shall cease to be a Voting Member or Subscriber, as applicable, of the Section.

ARTICLE III. MEETINGS OF THE MEMBERSHIP

- 3.1 **Annual Membership Meeting.** The annual meeting of the Section shall be held at a time and place designated by the executive committee to coincide with the Section midyear conference. Notice of the meeting shall be provided to the membership with the conference brochure and posted on the WSBA website.
- 3.2 **Quorum.** All Voting Members present at any meeting of the membership shall constitute a quorum for the transaction of business by the membership.
- 3.3 **Controlling Vote.** Action of the Section shall be by majority vote of the Voting Members present.
- 3.4 **Agenda.** The business to be transacted at the annual meeting shall include the nomination of candidates for At-Large executive committee members and the Chair-elect.
- 3.5 **Special Meetings.** Special meetings of the membership of the Section may be called by the Chair at such time and place as the executive committee may determine.

ARTICLE IV. 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 and Officers.** The executive committee shall be composed of the following persons:
- a. The Chair. The Chair shall preside at all meetings of the Section and of the executive committee. The Chair shall submit to the Board of Governors of the Bar an annual report of the work of the Section for the then-past year. The Chair shall perform such other duties as usually pertain to this office or as may be delegated by the executive committee.
 - b. The Chair-elect. Upon the Chair's death, resignation, or refusal to act, the Chair-elect shall perform the duties of the Chair for the remainder of the Chair's term. If the Chair is otherwise unable to act, the Chair-elect shall perform the duties of the Chair for as long as the Chair's disability continues. The Chair-elect shall also perform such other duties as may be delegated by the executive committee.
 - c. The Immediate Past-Chair (last retiring Chair). The Immediate Past-Chair shall perform such duties as may be delegated by the executive committee.
 - d. Secretary. The Secretary shall administer the meeting schedule of the executive committee, take minutes at each meeting of the Section and of the executive committee and provide approved minutes to the Bar for publication and record retention. In conjunction with the Chair and as authorized by the executive committee, the Secretary shall attend generally to the business of the Section.
 - e. Treasurer. The Treasurer shall keep a true record of all accounts of the Section, shall work with the Bar to ensure that the Section complies with Bar fiscal policies and procedures, shall work with the Bar to prepare the Section's annual budget, and shall review the Section's monthly financial statements for accuracy and comparison to budget. In conjunction with the Chair and as authorized by the executive committee, the Treasurer shall attend generally to the business of the Section. At the option of the executive committee, the offices of Secretary and Treasurer may be combined.
 - f. At-Large members. There shall be seven At-Large members. At-Large members shall perform such duties as may be delegated by the executive committee and may serve as Secretary or Treasurer by appointment of the executive committee pursuant to Section 5.1.
 - g. Young Lawyer Liaison. The Young Lawyer Liaison will be a person from the WSBA Young Lawyer Liaison program and shall be a member of the executive committee for the term as defined by the Washington Young Lawyers Committee (WYLC). The Young Lawyer Liaison shall perform duties as may be delegated by the executive committee as may fit the purpose of the WYLC.

- h. Newsletter Editor. The editor or editors of the ELUL Newsletter shall be non-voting *ex officio* members of the executive committee and shall perform the duties of editor and developer of the ELUL Newsletter and may perform other duties as agreed with the executive committee.
- 4.3 **Quorum; Controlling Vote.** A majority of the existing executive committee members, whether present in person, by telephone, or by videoconference, shall constitute a quorum. Action of the executive committee shall be by majority vote of the executive committee members present after a quorum has been established. Executive committee members may only vote by email in accordance with Article VII of the Bar Bylaws.
- 4.4 **Meetings.** The executive committee will have regularly scheduled meetings that are open to the public. All persons will be permitted to attend any meeting, except as otherwise provided in these bylaws, the Bar Bylaws or under court rules. Meetings may be held in person, by telephone conference or videoconference. The date, time, location, and any other information necessary to attend will be posted on the WSBA Section website a reasonable amount of time in advance of each meeting. Special meetings shall be held at such time and place as may be designated by the Chair or a majority of the executive committee.

ARTICLE V. ELECTIONS

- 5.1 **Elective Officers.** Each year the Voting Members shall elect a Chair-elect and the number of At-Large executive committee members as necessary to fill expiring terms and vacancies. The positions of Secretary and Treasurer shall not be separately elected, but appointed by the executive committee from the elected At-Large positions as necessary to fill those roles.
- 5.2 **Chair.** The Chair-elect shall automatically accede to the office of the Chair. In the event the office of the Chair-elect shall be vacant, then a Chair shall also be elected by the Voting Members. The Chair shall automatically accede to the office of Immediate Past Chair at the end of the Chair's term.
- 5.3 **Nominations.** The executive committee annually shall compile a list of Voting Members of the Section who are not currently members of the executive committee and who may serve on a nominating committee. The Immediate Past-Chair shall appoint a nominating committee consisting of not fewer than three persons from that list who are willing to serve on the nominating committee. The nominating committee shall make and report nominations at the annual meeting of the Section for the office of the Chair-elect and any open At-Large positions to succeed those whose terms will expire at the end of the current fiscal year. In formulating its report of nominations, the nominating committee shall maintain a view toward providing representation on the executive committee that reflects the geographic, practice-area, practice-type, ethnic, gender, and other factors of diversity of the membership.

Other nominations may be made from the floor at the annual meeting.

All candidates accepting the nomination of the nomination committee shall provide candidate statements to the Bar one week prior to the annual meeting. Candidates accepting a nomination from the floor of the annual meeting shall provide candidate statements to the Bar within three business days from the close of the midyear conference. All candidates shall apply through an

electronic application process administered by the Bar.

- 5.4 **Voting.** Nominations and elections for open executive committee positions shall be held in March, April or May each year. Elections will be conducted electronically, and will either be administered by the Bar or by the Section, which may develop its own equivalent electronic election process that complies with the Bar Bylaws. Successful candidates for At-Large positions will be those who receive the most votes and the second-most votes, etc. as necessary by the number of open positions.
- 5.5 **Term of Office.** All executive committee positions will begin October 1 each year. The offices of Chair-elect, Chair and Immediate Past-Chair shall each have a term of one year. The term for each At-large position shall be three years, staggered so that at least two shall expire each year. There is no limit to the number of terms that may be held.
- 5.6 **Interim Appointments.** In the event of a vacancy during the interim between annual elections, the executive committee shall appoint, by majority vote, a Voting member to fill the vacancy. When such a member is appointed to fill a vacancy in an unexpired term, the member will serve until next annual election when an individual will be elected to serve the remainder of the vacated term.

ARTICLE VI. SUBSTANTIVE RESPONSIBILITIES

The Chair shall appoint committees to perform such duties and exercise such powers as the executive committee may direct.

ARTICLE VII. AMENDMENTS

These bylaws may be amended by majority vote of the Voting Members present at any annual meeting of the Section or by majority vote of the voting executive committee members present at an executive committee meeting once a quorum is established. No amendment so adopted shall become effective until approved by the Board of Governors of the Bar.

First adopted on September 6, 1973, amended as approved by the Membership on October 14, 1999 (effective December 3, 1999), amended as approved by the Membership May 19, 2007 (effective July 27, 2007), amended as approved by the Membership May 2, 2014 (effective June 6, 2014), amended as approved by the Executive Committee on June 6, 2017 (effective July 27, 2017), and amended as approved by the Executive Committee on November 17, 2021 (effective January 13, 2022).