

Membership of the JP Court Section of the State Bar of Texas after proper notice voted to change the Section name from “Justice of the Peace Courts Section” of the State Bar of Texas to “Justice Court Section” of the State Bar of Texas. And to amend appropriately the Section By-Laws to reflect this. (A majority vote of the Attorney Members present and voting at the Annual Meeting in Houston in June 2022.)

Rationale: The 500 series of Rules in the Texas Rules of Civil Procedure were adopted by the Texas Supreme Court in 2013, and they refer to the Texas “Justice Courts” throughout. The Supreme Court also regularly refers to the Texas “Justice Courts”. This change is in order to update the name of the Section to reflect this.

BY-LAWS
OF
THE ~~JUSTICE OF THE PEACE COURTS~~ JUSTICE COURT SECTION
OF THE
STATE BAR OF TEXAS

ARTICLE 1

NAME AND PURPOSE
SECTION 1.1: NAME

The name of this Section shall be the “~~Justice of the Peace Courts Section~~” “Justice Court Section” of the State Bar of Texas.

SECTION 1.2: PURPOSE

The purpose of the Section shall be to further the administration of justice in the ~~Justice of the Peace Courts~~, Justice Courts, to provide a forum for the exchange of information on matters of practice and procedure in ~~Justice of the Peace Courts~~, to Justice Courts, information and educational opportunities for the membership, and to cooperate closely with the State Bar of Texas and other professional organizations in developing, supporting

and promoting legal and professional activities affecting ~~Justice of the Peace Courts~~ Justice Courts.

ARTICLE 2

MEMBERSHIP

SECTION 2.1: IN GENERAL

Membership in this Section shall be open to all licensed attorneys in good standing of the State Bar of Texas, ~~and to Texas Justice Court Judges Justices of the Peace~~ and to former Justice Court Judges ~~Justices of the Peace~~.

~~Texas Justice Court Judges~~ or ~~and~~ former ~~Justices of the Peace~~ Justice Court Judges who are not licensed attorneys shall be Associate Members of the Section. Associate Members may not hold themselves out as being members of the State Bar or make any representation that they are licensed by the State Bar. Associate Members shall have no Section member voting rights.

SECTION 2.2: TERMINATION OF MEMBERSHIP

On the occurrence of any of the following, a Section member shall immediately cease to be a member of the Section without any further action required:

- a. any member who is delinquent on payment of Section dues;
- b. any Attorney Member who ceases to be a member in good standing of the State Bar of Texas;
- c. any Associate Member who is found by a majority vote of the Board of Directors to have represented himself or herself as a member of the State Bar or as a member licensed by the State Bar.

ARTICLE 3

GOVERNANCE

SECTION 3.1: BOARD OF DIRECTORS

The business, property, and affairs of this Section shall be managed by Attorney Members, as follows: a Board of Directors consisting of nine (9)

Directors designated by Places 1 through 9. The term of office of the Directors shall be for a period of two (2) years. Directors for even numbered Places shall be elected in even numbered years. Directors for odd numbered Places shall be elected in odd numbered years. The terms of newly elected members of the Board of Directors shall begin on the first day of the month following the Annual Meeting.

SECTION 3.2: OFFICERS

Candidates for the positions of Chair and Chair-Elect must have served a minimum of one (1) year on the Board of Directors. The term of office of the Officers shall be for a period of one (1) year.

a.Chair.

The Chair will preside at all meetings of the Section and of the Board of Directors, will plan and supervise the activities of the Section, will serve on the State Bar's Council of Chairs, and will perform such other duties and acts as usually pertain to the office. The Chair shall appoint all standing and special committees with the concurrence of the Board of Directors, and shall be an ex-officio member of all Section standing committees.

b.Chair-Elect.

The Chair-Elect will assist the Chair in the performance of duties and will succeed as Chair in the event of the absence, disability, resignation, or demise of the Chair. The Chair-Elect will perform such other duties as assigned by the Board of Directors or the Chair.

c.Secretary.

The Secretary will keep the minutes of all meetings of the Section and of the Board of Directors. The Secretary shall preserve and retain all records and correspondence of the Section and shall maintain a current roster of the members of the Section.

d.Treasurer.

The Treasurer will collect, receive, and have custody of all funds of the Section, will deposit such funds within five (5) days after receipt in a bank approved by the Board of Directors, and will advise on and provide for the expenditure of such funds. The Treasurer will prepare a complete report of the financial condition of the Section for presentation to the full membership at each Annual Meeting of the Section and shall report to the Chair and the Board of Directors when requested. The Treasurer will serve on any

committee responsible for collecting or otherwise securing or expending funds.

SECTION 3.3: MEETINGS

a. Board of Directors – Meetings. The Section’s Board of Directors shall meet annually in conjunction with the Annual Convention of the State Bar of Texas and at such other times and places as called by the Chair of the Section or by a majority of the membership of the Board of Directors. Ten (10) days’ notice of each called meeting of the Board of Directors shall be given to all members of the Board of Directors. Notice may be delivered by United States mail, electronic mail, facsimile transmission, or posting on the Section’s website.

b. Section – Annual Meeting. The Section will hold an annual meeting at such time and place as determined by the Chair and approved by the Board of Directors. Notice of the annual meeting will be provided to Section members at least twenty (20) days prior to the meeting. Notice may be delivered by United States mail, electronic mail, facsimile transmission, or posting on the Section’s website.

c. Section – Special Meetings. Special meetings of the Section may be held at such time and place as may be determined by the Chair and approved by the Board of Directors. Notice of a special meeting shall be provided to Section members at least ten (10) days prior to the meeting. Notice may be delivered by United States mail, electronic mail, facsimile transmission, or posting on the Section’s website. The notice must describe the general purpose or purposes of the special meeting and the reason a special meeting is necessary.

SECTION 3.4: VACANCIES

a. Resignation. A Director may resign at any time by giving notice to the other members of the Board of Directors. Such resignation shall become effective at the time specified by the resigning Director.

b. Non-attendance. If any Director fails to attend three (3) consecutive meetings of the Board of Directors, then, absent a showing of good cause, the Board of Directors, by majority vote, may deem the position vacated.

c. Filling Vacancies. Vacancies because of death, resignation, or any other cause shall be filled for the unexpired term by a majority vote of the

remaining Board of Directors. Each person so elected shall serve the unexpired term of the position filled.

SECTION 3.5: AUTHORITY

All Directors of the Section shall have full authority to perform such duties necessary to manage the Section, and in that capacity shall prepare an action plan for the ensuing year.

SECTION 3.6: THE POWER TO APPOINT

The Board of Directors shall have the power to appoint such other non-voting ex officio members as necessary for the proper transaction of the business of the Section.

SECTION 3.7: QUORUM

A majority of the members of the Board of Directors shall constitute a quorum for the transaction of any business at any properly called meeting of the Board. Voting may be by written ballot, hand count, or voice vote. Voting by proxy shall not be allowed.

ARTICLE 4

NOMINATION AND ELECTION OF DIRECTORS

SECTION 4.1: NOMINATION

a.Appointment. Within ninety (90) days after assuming office, the Chair shall appoint a Nominating Committee consisting of the Chair, the Immediate Past Chair, one (1) elected Director, and two (2) Attorney Members of the Section who are not then serving on the Board of Directors.

b.Notice. Within thirty (30) days following the appointment of the Nominating Committee, the Chair will cause notice to be given to the Attorney Members of the Section, identifying the members of the Nominating Committee and calling for nominations for Directors whose terms expire that year. Notice is sufficient if made by United States mail, electronic mail, facsimile transmission, or posting on the Section's website.

c.Nominations. Any Attorney Member of the Section may submit nominations to a member of the Nominating Committee during the time beginning on the date of the notice and ending ninety (90) days before the

Section's next annual meeting. Upon receipt of a nomination, the Nominating Committee will confirm that the nominee wishes to be considered for election. From the candidates who have accepted nomination, and any additional candidates chosen by the Nominating Committee, the Nominating Committee will nominate at least two (2) individuals for each Director Place up for election and will notify the Attorney Members of the nominations. Notification of nominations will be delivered or published no later than thirty (30) days prior to the Section's annual meeting. Notice is sufficient if made by United States mail, electronic mail, facsimile transmission, or posting on the Section's website.

SECTION 4.2: ELECTION

The Directors of this Section shall be elected by the Attorney Members at the Section's Annual Meeting. The candidates for Board of Directors receiving the greatest number of votes cast shall be declared elected to the Board of Directors. The retiring Directors shall serve as the final Appeals Body on questions involving the elections.

ARTICLE 5

ELECTION OF OFFICERS

The Directors present and voting at the Section's Annual Meeting will elect the Chair, Chair-Elect, Secretary, and Treasurer from among the elected Directors. Elections will be by simple majority and voting may be by written ballot, show of hands, or voice vote, as the Board of Directors deems appropriate. Voting by proxy shall not be allowed.

ARTICLE 6

FINANCES

SECTION 6.1: GENERAL

All monies received by the Section from whatever source shall be managed and controlled for the purpose of the Section by the Board of Directors or as may be directed at the Section's Annual Meeting.

SECTION 6.2: DUES

The annual dues of this Section shall be \$20.00. Dues are payable on or before June 1st of each year.

a. Depositories and Investments. Section funds must be invested consistent with the State Bar's Investment Policy as set forth in the State Bar Board of Directors Policy Manual, as the same may be amended from time to time. Section funds must be deposited into either a branch of the State Bar banking depository or an alternative banking depository meeting the requirements of the of the State Bar's Investment Policy.

b. Financial Books, Records and Reports. The Section must maintain accurate financial books and records and have appropriate controls on the maintenance and disbursement of the Section's funds, all in a fashion that permits the inclusion of the Section's financial information in the State Bar's financial statements and audit. The Section must provide to the State Bar such financial information as may be required for compliance with the requirements for the independent financial and/or internal audits of the State Bar as required by applicable law, rules and regulations, and pursuant to the State Bar's procedures for reporting section financial reporting, as such procedures may be amended from time to time. By July 15th of each year, the Section will submit a budget for the then current fiscal year to the Executive Director of the State Bar.

c. Sales Tax. To the extent required by law, the Section will collect sales tax on goods or services sold, and will remit monthly to the State Bar all sales tax collected during the immediately preceding month, along with a report listing the price, quantity and description of the goods or services sold in such detail as the State Bar Accounting Department reasonably may require to ensure compliance with applicable law, rules and regulations.

d. State Bar Assistance. The Section may request the State Bar Accounting Department to manage Section funds, including depositing dues, managing operating expenses, issuing checks and preparing financial reports and budgets.

SECTION 6.3: FINANCIAL REPORT

The Treasurer of the Section shall present a complete and accurate account of the financial condition and of all financial transactions of the Section at the Section's Annual Meeting.

ARTICLE 7

COMMITTEES

SECTION 7.1: STANDING COMMITTEES

The Standing Committees of the Section shall be as follows:

Legislation and Rules

Criminal Law

Civil Law

Education

SECTION 7.2: DUTIES OF STANDING COMMITTEES

The duties of the various Standing Committees shall be as follows:

a. Legislation and Rules Committee: This Committee shall make a continuing study of all remedial legislation and rules needed to improve the procedure and proper administration of the Justice ~~of the Peace~~ Courts in this State and shall make appropriate reports and recommendations to the Board of Directors.

b. Criminal Law Committee: This Committee shall make a continuing study of all remedial legislation and laws dealing with criminal law in this State and shall make appropriate reports and recommendations to the Board of Directors.

c. Civil Law Committee: This Committee shall make a continuing study of all civil procedures and remedial legislation dealing with civil law in this State and shall make appropriate reports and recommendations to the Board of Directors.

d. Education Committee: At the direction of the Board of Directors, this Committee shall schedule and sponsor legal education for the professional advancement of the members of the Section.

SECTION 7.3: SPECIAL COMMITTEES

The Chair shall appoint, receive reports from, and discharge Special Committees as the Chair may deem appropriate, or as may be directed at the Section's Annual Meeting or by the Board of Directors; and shall assign such duties the Committee as may be appropriate.

ARTICLE 8

AMENDMENT

SECTION 8.1: AMENDMENT OF BY-LAWS

These By-Laws may be amended at any meeting of the Section by a majority vote of the Attorney Members present and voting. Alternatively, the By-Laws may be amended by a majority vote of the Attorney Members of the Section, which may include a vote by electronic mail. The proposed amendment must first be approved by a majority of the Board of Directors and notice of the proposed amendment must be provided to all Attorney Members at least thirty (30) days prior to the meeting at which the amendment will be considered, or the date by which a vote by electronic mail is due. Notice may be delivered by United States mail, electronic mail, facsimile transmission, or posting on the Section's website. No amendment will become effective until approved by the State Bar Board of Directors in accordance with the then current State Bar policies and procedures.

SECTION 8.2: EFFECTIVE DATE

These By-Laws and any amendments to the By-Laws shall become effective upon approval by the Board of Directors of the State Bar of Texas, and upon adoption by this Section.

ARTICLE 9

MISCELLANEOUS PROVISIONS

a. Political or Social Policy Advocacy Position. No position that advocates or advances a political or social policy position may be taken by the Section or its members in the name of the Section or the State Bar in violation of State Bar policies, the State Bar Act, the State Bar Rules, or any other applicable state or federal law.

b. Section Name Change. The Section may not change its name without the approval of the State Bar Board of Directors in accordance with the then current State Bar policies and procedures.

c. Confidentiality of Section Member Information. All information concerning any Section member that is deemed confidential by state or federal law, including Tex. Gov't. Code Ch. 552 and Tex. Occ. Code Ch. 59, including email addresses, may be used only for official Section business and may not be disclosed to the public or any third party. The Section will take reasonable and necessary precautions to protect the confidentiality of all such information.

d.Action of the State Bar. No action, policy determination, or recommendation of this Section or a Committee of this Section, shall be deemed to be, or be referred to as, the action of the State Bar of Texas prior to submission of the same to, and approval by, the Board of Directors of the State Bar of Texas.

Any resolution adopted or action taken by this Section may, on request of this Section, be reported by the Chair to the Annual Meeting of the State Bar of Texas for action thereon.