

**BYLAWS OF THE
24H JUDICIAL DISTRICT BAR**

ARTICLE I

Name

The name of this district bar shall be THE 24H JUDICIAL DISTRICT BAR, and it shall be hereinafter referred to as the "District Bar".

ARTICLE II

Authority and Purpose

The District Bar is formed pursuant to the provisions of Chapter 84 of the North Carolina General Statutes to promote the purposes therein set forth and to comply with the duties and obligations therein or thereunder imposed upon the bar of this judicial district.

ARTICLE III

Membership

The members of the District Bar shall consist of two classes: active and inactive.

Section (a): Active members: The active members shall be all persons who, at the time of the adoption of these bylaws or any time thereafter

- (1) are active members in good standing with the North Carolina State Bar; and
- (2) reside in the judicial district; or
- (3) practice in the judicial district and elect to belong to the district bar as provided in N.C. Gen. Stat. § 84-16.

Section (b): Inactive members: The inactive members shall be all persons, who, at the time of the adoption of these bylaws or at any time thereafter

- (1) have been granted voluntary inactive status by the North Carolina State Bar; and
- (2) reside in the judicial district; and

- (3) elect to participate, but not vote or hold office, in the district bar by giving written notice to the secretary of the district bar.

ARTICLE IV Officers

The officers of the district bar shall be a president, a vice-president, secretary and treasurer, who shall be selected and shall serve for the terms set out herein.

Section (a): President: The president shall be elected at the annual meeting of the District Bar and shall serve for a term of approximately one (1) year ending on the first Wednesday of May. The president for the following term shall be the then current vice-president, who shall automatically succeed to the office of the president for a term of approximately one (1) year.

Section (b): Vice-president: The vice-president shall be elected at the annual meeting of the District Bar and shall serve for a term of approximately one (1) year ending on the first Wednesday of May, at which time said vice-president shall succeed to the office of the president.

Section (c): Treasurer: The treasurer shall be elected at the annual meeting of the District Bar and shall serve for a term of approximately one (1) year ending on the first Wednesday of May.

Section (d): Secretary: The secretary shall be elected at the annual meeting of the District Bar and shall serve for a term of approximately one (1) year ending on the first day of May.

Section (e): Election: At the annual meeting at which officers are to be elected, the Nominating Committee shall submit the names of its nominees for the offices of vice-president, secretary and treasurer to the members. Nominations from the floor shall be permitted. If no candidate receives a majority of the votes cast, the candidate with the lowest number of votes shall be eliminated and a run-off election shall immediately be held among the remaining candidates. This procedure shall be repeated until a candidate receives a majority of the votes.

Section (f) Electronic Vote:

- (1) The President of the District Bar, or Vice-President if the President is unable to act, may designate that an election or a vote will be conducted by electronic vote.
- (2) Only active members of the judicial district bar may participate in elections or votes conducted by electronic vote.

- (3) The notice sent to members for the meeting at which the electronic vote will occur shall advise that the election or vote will be held by electronic vote and shall identify how and to whom nominations may be made before the election. The notice shall explain when the ballot will be available, how to access the ballot, and the method for voting online. The notice shall also list locations where computers will be available for active members to access the online ballot in the event they do not have personal online access.
- (4) Write-in candidates shall be permitted and the instructions shall so state.
- (5) Online balloting procedures must ensure that only one vote is cast per active member of the judicial district bar and that all members have access to the ballot.

Section (g): Duties: The duties of the officers shall be those usual and customary for such officers, including such duties as may be from time to time designated by resolution of the district bar, the North Carolina State Bar Council or the laws of the State of North Carolina.

Section (h): Vacancies: If a vacancy in the office of the vice-president, secretary or treasurer occurs, the vacancy will be filled by the vote of the active members of the District Bar at a special meeting of such members. The successor shall serve until the next annual meeting. If the office of the president becomes vacant, the vice-president shall succeed to the office of the president and, by the vote at a special meeting of the District Bar, the active members will select a new vice-president, who shall serve until the next annual meeting.

Section (i): Notification: Within 10 days following election at the annual meeting, or the filling of a vacancy in any office, the president shall notify the executive director of the North Carolina State Bar of the names, addresses and telephone numbers of all officers of the District Bar.

Section (j): Record of bylaws: The president shall ensure that a current copy of these bylaws is filed with the office of the senior resident superior court judge with the High Point Judicial District and with the executive director of the North Carolina State Bar.

Section (k): Removal from office: The District Bar, by a two-thirds vote of its active members present at a duly called meeting, may, after due notice and an opportunity to be heard, remove from office any officer who has engaged in conduct which renders the officer unfit to serve, or who has become disabled, or for other good cause. The office of any officer who, during his or her term of office ceases to be an active member of the North Carolina State Bar shall immediately be deemed vacant and shall be filled as provided in Article IV, Section (f) above.

ARTICLE V
Councilor

The District Bar shall be represented in the State Bar Council by one or more duly elected councilors, the number of councilors being determined pursuant to N.C. Gen. Stat. § 84-17. Any councilor from the High Point Judicial District, or any predecessor judicial district, who is serving at the time of the adoption of these bylaws shall complete the term of office to which he or she was previously elected. Thereafter, elections shall be held as necessary at an annual or special meeting immediately preceding the expiration of the councilor's term. Nominations shall be made and the election held as provided in G.S. § 84-18 and in Section .0800 et seq. of Subchapter 1A of the Rules of the North Carolina State Bar (27 N.C.A.C. 1A .0800 et seq.). If more than one council seat is to be filled, separate elections shall be held for each vacant seat. A vacancy in the office of councilor shall be filled as provided by Rule .0805 of Subchapter 1A of the Rules of the North Carolina State Bar (27 N.C.A.C. 1A .0805).

ARTICLE VI
Annual Membership Fee

Section (a): Each active member of the District Bar shall:

- (1) Pay such annual membership fee, if any, as is prescribed by a majority vote of the active members of the District Bar present and voting at a duly called meeting of the District Bar, provided, however, that such fee may never exceed the amount of the annual membership fee currently imposed by the North Carolina State Bar. Each member shall pay the annual District Bar membership fee at the time and place set forth in the notice thereof emailed or mailed to the member by the treasurer; and
- (2) Keep the treasurer notified of the member's current mailing address, e-mail address, and telephone number.

Section (b): The annual membership fee shall be used to promote and maintain the administration, activities and programs of the District Bar.

ARTICLE VII
Meetings

Section (a): Annual meetings: The District Bar shall meet at least annually at a time and place designated by the president. The president, secretary or treasurer shall mail, e-mail or deliver written notice of the annual meeting to each active member of the District Bar at the member's last known mailing or e-mail address on file with the District Bar or the North Carolina State Bar at least ten days before the date of the annual meeting and shall so certify in the official minutes of the meeting. Notice of the meeting mailed by the executive director of the North Carolina State Bar shall also

satisfy the notice requirement. Failure to mail, e-mail or deliver the notice as herein provided shall invalidate any action at the annual meeting.

- Section (b): Special meetings: Special meetings, if any, may be called at any time by the president or the vice-president. The president, secretary or treasurer shall mail, e-mail or deliver written notice of the special meeting to each active member of the District Bar at the member's last known mailing or e-mail address on file with the District Bar or the North Carolina State Bar at least ten days before the date of any special meeting. Such notice shall set forth the time and place for the special meeting and the purpose(s) thereof. Failure to mail, e-mail or deliver the notice shall invalidate any action taken at a special meeting.
- Section (c): Notice for meeting to vote on annual membership fee: Notwithstanding the notice periods set forth in paragraphs (a) and (b) above, the written notice for any meeting at which the active members will vote on whether to impose or increase an annual membership fee shall be mailed, e-mailed or delivered to each active member of the District Bar at the member's last known mailing or e-mail address on file with the District Bar at least thirty days before the date of the meeting.
- Section (d): Electronic meetings: The President of the District Bar may designate that meetings, either annual or special, may be held electronically on-line. Any notice sent to members regarding an electronic meeting shall advise that the meeting will be held electronically and shall provide complete instructions for how each member can join the electronic meeting. The notice shall also provide for an alternative method such as by telephone, for members who do not possess adequate computer access, to also join and participate in the meeting.
- Section (e): Quorum: The active members present at any duly called meeting of the District Bar shall constitute a quorum, and a quorum shall be required to take official action on behalf of the District Bar.

ARTICLE VIII District Bar Finances

- Section (a): Fiscal Year: The District Bar's fiscal year shall begin on June 1 and shall end on May 31 of each calendar year.
- Section (b): Duties of treasurer: The treasurer shall maintain the funds of the District Bar on deposit, initiate any necessary disbursements and keep appropriate financial records.
- Section (c): Annual financial report: Each year, before the annual meeting, the treasurer shall prepare the District Bar's annual financial report for review by the officers and submission to the District Bar's annual meeting and the North Carolina State Bar.

Section (d): District Bar checks: All checks written on District Bar accounts (arising from the collection of mandatory dues) that exceed \$500 must be signed by two of the following: (1) the treasurer, (2) any other officer.

Section (e): Fidelity bond: If it is anticipated that receipts from membership fees will exceed \$20,000 for any fiscal year, the District Bar shall purchase a fidelity bond at least equal in amount to the anticipated annual receipts to indemnify the District Bar for losses attributable to the malfeasance of the treasurer or any other member having access to District Bar funds.

Section (f): Taxpayer identification number: The treasurer shall be responsible for obtaining a federal taxpayer identification number for the District Bar.

ARTICLE IX Prohibited Activities

Section (a): Prohibited expenditures: Mandatory District Bar dues, if any, shall not be used for the purchase of alcoholic beverages, gifts to public officials, including judges, charitable contributions, recreational activities or expenses of spouses of District Bar members or officers. However, such expenditures may be made from funds derived entirely from the voluntary contributions of District Bar members or third parties.

Section (b): Political expenditures: The District Bar shall not make any expenditures to fund political and ideological activities.

Section (c): Political activities: The District Bar shall not engage in any political or ideological conduct or activity, including the endorsement of candidates and the taking or advocacy of positions on political issues, referendums, bond elections, and the like, however, the District Bar, and persons speaking on its behalf, may take positions on, or comment upon, issues relating to the regulation of the legal profession and issues or matters relating to the improvement of the quality and availability of legal services to the general public.

ARTICLE X Committees

Section (a): Nominating Committee:

- (1) The Nominating Committee shall be appointed by the officers of the District Bar and shall consist of at least three active members of the District Bar who are not officers of the District Bar.

- (2) The Nominating Committee shall meet as necessary for the purpose of nominating active members of the District Bar as candidates for officers and councilor(s).
- (3) The Nominating Committee members shall serve for a period of time determined by the officers.
- (4) Any active member whose name is submitted for consideration for nomination to any office or as a councilor must have indicated his or her willingness to serve if selected.

Section (b): Other committees: Other committees shall be appointed by the president as deemed necessary.

ARTICLE XI Selection of Nominees for District Court Judge

Unless otherwise required by law, the following procedures shall be used to determine the nominees to be recommended to the Governor pursuant to N.C. Gen. Stat. §7A-142 for vacant district court judgeships in the district court district of which the District Bar is a part. This bylaw shall not be revised or revoked unless the procedure for amendment of the bylaws in Article XII is satisfied and, by majority vote of its members present at a duly called meeting, the 24th Judicial District Bar authorizes the revision or revocation of the bylaw.

Section (a): Meeting for nominations: Upon notice of a vacancy on the district court bench, the officers of the 24H and 24th Judicial District Bars (the district bars) shall schedule a joint meeting of the district bars. The officers of the two district bars shall be alternatively responsible for determining the location of the joint meetings. The officers of the 24th Judicial District Bar shall determine the location of the first meeting for nominations for district court judge that occurs after the adoption of these bylaws; the officers of the 24H Judicial District Bar shall determine the location of the next meeting for nominations for district court judge; thereafter, the responsibility will alternate. Fifteen (15) days notice of the meeting shall be given to the last known mailing or e-mail address of each District Bar member on file with the District Bar or the North Carolina State Bar.

Section (b): Candidates: Persons who want to be considered for the vacancy must be residents of either the 24H Judicial District Bar or the 24th Judicial District and should notify either or both of the presidents of the district bars in writing of their desire to be considered for the vacancy at least five (5) days prior to the meeting at which the election will be conducted. The submission should include a brief resume and statement as to the candidate's qualifications for the vacancy.

Section (c): Selection Procedure:

(1) The president of the judicial district bar in whose judicial district the meeting is located shall preside at the meeting unless the president is a candidate, in which case, another officer of the same judicial district bar shall preside;

(2) The presiding officer will announce the names of the candidates whose names were submitted pursuant to Section (b) of this Article XI.

(3) Each candidate will be allowed three minutes to make a speech or receive endorsements from members of the district bars.

Section (d): Voting: The nominees shall be selected by secret, written ballot of those active members of the district bars present at the meeting. Only members of the district bars who reside in their respective judicial districts are eligible to vote. Each district bar member shall be entitled to cast up to five votes for each vacancy but not more than one vote for any one candidate. There shall be no proxy or absentee ballots.

Section (e): Elections Committee: The president or presiding officer shall designate an Elections Committee, with equal representation of the two judicial districts, to tabulate the votes. The committee shall count the votes immediately and report the results to the members present at the meeting.

Section (f): Submission to Governor: The five (5) candidates receiving the highest number of votes shall be the nominees to fill the vacancy on the district court and their names, and vote totals, shall be transmitted to the Governor. In the event of a tie for fifth place, the membership shall vote on the two (2) candidates tied for fifth place, and the name of the candidate receiving the highest number of votes shall be transmitted to the Governor together with names of the four (4) candidates receiving the highest number of votes, the vote totals, and an explanation of the tie vote.

Section (g): Procedure: Any protest or question of order shall be resolved by the officers from the judicial district bar in which the meeting is being held.

ARTICLE XII Amendment to the Bylaws

Except as otherwise provided in Article XI, the membership of the District Bar, by a majority vote of the active members present at any duly called meeting, may amend these bylaws in ways not inconsistent with the constitution of the United States, the policies and rules of the North Carolina State Bar and the laws of the United States and North Carolina.

ARTICLE XIII Effective Date of Bylaws

These bylaws are adopted on the 6th day of October, 2011, by the District Bar and are effective as of that date.

These bylaws are amended on the 27th day of September 2012 by the District Bar and are effective as of that date.

These bylaws are further amended on the 7th day of September 2016 by the District Bar and are effective as of that date.

These bylaws are further amended on the 5th day of December 2018 by the District Bar and are effective as of January 1, 2019.

These bylaws are further amended on the 4th day of December 2019 by the District Bar and are effective as of January 1, 2020.

These bylaws are further amended on the 5th day of June 2020 by the District Bar and are effective as of that date.

06-09-2020 *Melissa Sams*