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THE CONSTITUTION OF THE
ASSOCIATION OF BLACK ATTORNEYS
OF SAN DIEGO COUNTY

ARTICLE I

The name of this Association shall be the Association of Black Attorneys.

ARTICLE II

OBJECTS AND PURPOSES

The purposes and object of this Association shall be:

1. To stimulate the interest of Black lawyers in organized Bar activities;
2. To provide an organized Bar to represent the professional interests of Black lawyers and the Community at large;
3. To broaden the acquaintanceship of Black Lawyers among themselves, the members of the Bench and Bar;
4. To seek out and eradicate the roots and causes of racism in our system of justice;
5. To vigorously defend Black people from those who consciously or otherwise deny them basic human and legal rights;
6. To make use of legal tools and legal discipline for the advancement of economic, political, educational, and social institutions for Black people;
7. To cultivate the science of jurisprudence;
8. To promote reform in the law;
9. To promote the administration of justice;
10. To preserve high standards of integrity, honor and courtesy in the legal profession; and
11. To cultivate the spirit of brotherhood and good fellowship among the members.

ARTICLE III

MEMBERSHIP

1 Section 1. ELIGIBILITY. Any black lawyer who is a member in good standing
2 with the Bar of this State may become a member of this Association upon applica-
tion and payment of dues.

3 Section 2. CLASSES OF MEMBERSHIP. The By-Laws may provide for classes of
4 membership.

5 Section 3. TERMINATION OF MEMBERSHIP. Membership may be terminated by resi-
6 nation, by non-payment of dues, or by expulsion by a three-fourths (3/4) vote
of the membership present. There shall be an opportunity for a hearing before
a vote to expel is taken.

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8 **ARTICLE IV**

9 **OFFICERS**

10 The Officers of this Association shall be a President, Vice
11 President, Secretary and Treasurer.

12 Section 1. TERMS OF OFFICE. All officers shall be elected for one (1)
year terms at the annual meeting in the manner prescribed in the By-laws.

13 **ARTICLE V**

14 **EXECUTIVE COMMITTEE**

15 Section 1. MEMBERS. There shall be an Executive Committee of this Associa-
16 tion consisting of the elected officers and two members elected by majority vote
of the Association, whose duties shall be to plan the Association's activities;
17 to represent the Association; and to manage its affairs during intervals be-
tween meetings.

18 Section 2. VACANCIES. The Executive Committee shall have the authority to
19 fill any vacancies except that of the President occurring from any cause among
the Officers of the Association, such appointees to hold office for the balance
20 of any unexpired term. In case of a vacancy in the Presidency the Vice-
President shall succeed to that position automatically.

21 Section 3. EXECUTIVE COMMITTEE MEETINGS. The Executive Committee shall meet
22 monthly and additional meetings may be called by the President or upon written
request of three(3) of its members.

23 Section 4. The Executive Committee meetings shall be open to the Association
24 membership. Non-committee members shall not have a vote at such meetings.

25 **ARTICLE VI**

26 **COMMITTEES**

27 Section 1. STANDING COMMITTEES. Standing Committees of this Association
28 shall be appointed as needed by the Executive Committee with membership ratifi-
cation. Each committee shall consist of a chairman, and as many members as the
29 President shall designate, to be appointed by him. Unless otherwise designated
in the By-Laws, all committee appointments shall be for a term of one (1) year.
30 Duties of committees shall be specified in the By-Laws.

31 Section 2. SPECIAL COMMITTEES. The President may appoint special committee
and define their duties. Special Committees shall automatically cease to exist
32 at the end of the term of office of the appointing President, unless continued
by the new President.

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ARTICLE VII

BY-LAWS

The Association shall adopt By-Laws for the conduct of its affairs, in harmony with this Constitution, and with the Constitution of the California Bar Association, if required by law. All circumstances not controlled expressly or impliedly herein or within the by-laws shall be controlled by Roberts Rules of Order.

ARTICLE VIII

AMENDMENTS

This Constitution may be amended by a two-thirds (2/3) vote of the members in good standing, present and voting at any annual meeting or at any special meeting called for that purpose, provided that written notice of proposed amendments shall have been mailed to the members not less than ten (10) days in advance of such meeting.

ARTICLE IX

EFFECTIVE DATE

This Constitution shall take effect on adoption by three-fourths (3/4) of the members present at any given meeting.

1 BY-LAWS OF
2 ASSOCIATION OF BLACK ATTORNEYS
3 OF SAN DIEGO COUNTY
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5 ARTICLE I
6 NAME AND PLACE OF BUSINESS

7 Section 1. NAME. The name of this Association, hereinafter referred to as
8 the Association, shall be Association of Black Attorneys of San Diego County,
as stated in the Constitution.

9 Section 2. PRINCIPAL OFFICE. The principal office for the transaction of
10 business of the Association shall be at such address in the County of San
11 Diego, State of California, as may be fixed from time to time by the Executive
Committee.

12 ARTICLE II
13 CLASSES OF MEMBERSHIP
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15 Section 1. REGULAR. Any Black person licensed to practice law by the
16 Supreme Court of the State of California, who is a member in good standing of
the California State Bar Association, and who is neither an associate or
honorary member shall be a regular member.

17 Section 2. ASSOCIATION. Any Black person who is a member of a Bar and
18 entitled to practice before the highest court in any State, or before a Federal
19 District Court, is eligible to become an associate member of this Association
20 if he otherwise meets the requirements of regular membership, except that
requiring him to be a member of the State Bar of California. Associate members
shall have all of the rights and privileges of regular members, except that
associate members shall be ineligible to hold office or to vote.

21 Section 3. STUDENT MEMBERSHIP. Any Black person who is a bona fide law
22 student regularly enrolled in any law school or has graduated from any law school
23 is eligible to become a student member of this Association, if he otherwise
24 meets the requirements of membership except that requiring him to be a member
of the State Bar of California. Student members shall have all the rights and
privileges of regular members, except that student members shall be ineligible
to hold office or to vote.

25 ARTICLE III
26
27 MEMBERSHIP DUES

28 Section 1. FISCAL YEAR. The fiscal year for this Association shall be
29 January 1st to December 31st of each year hereafter.

30 Section 2. DUES. Annual dues are payable on or before March 25
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- A. Regular Member: \$25.00 per annum;
- B. Associate Member: \$15.00 per annum;
- C. Honorary Member: No dues; and
- D. Student Member: \$10.00 per annum.

Members three (3) months delinquent in dues may be dropped from the membership, but payment of dues to date shall entitle such person to reinstatement.

Section 3. Members in Military Service. Members who are in the military service of the United States shall be exempt from the payment of dues unless such service becomes a member's permanent avocation.

ARTICLE IV

MEETINGS

Section 1. Meetings of Members, Quorum. There shall be an annual meeting of the active members of the Association in the month of November of each year. Said meetings shall be held at such place in San Diego County at such time as ordered by the Executive Committee. Notice thereof shall be mailed to each active member at least ten (10) days in advance of such meeting. Special meetings of active members may be called at any time by the Executive Committee or by the President. The President shall call a special meeting promptly after receipt by him of a petition therefor signed by at least five (5) active members. Special meetings shall be held at such place in San Diego County as the call may designate. No business shall be transacted at any such special meetings except the business specified in the call. Notice of any such special meeting shall be mailed at least five (5) days before the date of such meeting and such notice shall specify the business to be transacted. The presence of at least four (4) of the active members of the Association shall be necessary to constitute a quorum at any meeting of the active members; but a smaller number may adjourn any such meeting to a subsequent time.

Section 2. Meetings of the Executive Committee. There shall be regular meetings of the Executive Committee at such times during each month as may be determined by said Committee. Said meetings shall be held at such place in San Diego County as ordered by the President. Notice thereof shall be mailed to each Committee member at least three (3) days in advance of each meeting. Special meetings of the Committee may be called at any time by the President or by a majority of all of the members of the Committee. Special meetings shall be held at such place in San Diego County as the call may designate. No business shall be transacted at any special meeting except the business specified in the call. Notice of any such special meeting shall be mailed at least two (2) days before the date of meeting and such notice shall specify the business to be transacted. Except as otherwise specified in these By-Laws, four (4) members of the Executive Committee shall constitute a quorum; but a smaller number may adjourn any meeting to a subsequent time.

Section 3. Order of Business. At the annual meeting, the order of business shall be as follows:

- 1 A. Report of President;
- 2 B. Reports of Secretary and Treasurer;
- 3 C. Reports of Standing Committees;
- 4 D. Reports of Special Committees;
- 5 E. Old Business;
- 6 F. New Business; and
- 7 G. Election of Officers.

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9 ARTICLE V

10 OFFICERS

11 Section 1. PRESIDENT. The President shall preside at all meetings of the
12 Association and meetings of the Executive Committee. He shall perform all duties
ordinarily incident to his office, and shall recommend such action as he deems
proper.

13 Section 2. VICE-PRESIDENT. The Vice-President shall act as President in
14 the absence of the President, plan programs in cooperation with the Executive
Committee and perform such other duties as may be assigned him by the President
15 of the Association.

16 Section 3. SECRETARY. The Secretary shall keep minutes of meetings, send
17 out notices; and shall be custodian of correspondence files. He shall act as
administrative assistant to the President, shall assist committee chairmen in
18 carrying out the work of committees and shall perform such other duties as may
be assigned to him by the Executive Committee. Upon being succeeded in office,
he must turn over all Association records and correspondence to his successor.

19 Section 4. TREASURER. The Treasurer shall receive and disburse all funds of
20 the Association, and shall deposit or invest its money in a manner approved by
the Executive Committee. He shall submit at the annual meeting a report of mon-
21 ies received and expended, amounts due the Association and an estimate of the
resources and expenditures for the ensuing year.

22 Section 5. EXECUTIVE DIRECTOR OR SECRETARY. The Executive Committee may
23 hire and assign duties to an Executive Director or Secretary of the Association,
who shall be assigned duties and given compensation as the Executive Committee.

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25 ARTICLE VI

26 NOMINATION AND ELECTION OF OFFICERS

27 Section 1. NOMINATION. The President shall appoint any four (4) members of
28 the Association to be a nominating committee to select candidates for the offices
and to report names of nominees to the Secretary not less than one (1) month
29 before the next annual meeting of the Association. Nominations may also be made
from the floor during the annual meeting by any member in good standings in the
30 Association. However, upon adoption of the Association's Constitution and these
By-Laws, the officers must be elected immediately from the floor.

31 Section 2. ELECTION. Officers shall be elected at the annual meeting by
32 secret ballot of the members present at the meeting.

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ARTICLE VII

COMMITTEES

Section 1. DESIGNATION OF STANDING COMMITTEES. There shall be Standing Committees on:

- A. Legislation;
- B. Ethics and Grievances;
- C. Unauthorized Practice;
- D. Courts;
- E. Legal Education;
- F. Legal Aid;
- G. Public Relations;
- H. Employment;
- I. Membership; and
- J. Entertainment.

Section 2. JURISDICTION OF STANDING COMMITTEES.

A. LEGISLATION COMMITTEE. This Committee shall report to the Association as frequently as possible on proposed legislation affecting the practice of law and to make recommendations and to support or oppose any pending Bills as directed by the Association. It may work with the State Bar Association on legislation related to the legal profession.

B. ETHICS AND GRIEVANCE COMMITTEE. This Committee shall investigate all complaints of unprofessional conduct against members of the legal profession in this community and shall report with recommendations to the Executive Committee. It shall also be the duty of the Committee, without waiting for formal complaint, to investigate any case of alleged professional misconduct which may come to its attention, and report with recommendations to the Executive Committee. The Executive Committee in grievance cases will take such action and institute such proceedings as it deems proper.

C. UNAUTHORIZED PRACTICE COMMITTEE. This Committee shall keep itself informed of the problems involved in the field of unauthorized practice of law; shall seek to eliminate all unlawful practices by lay agencies and the participation of attorneys therein.

D. COMMITTEE ON COURTS. The President subject to the

advice and consent of a majority of the entire Executive Committee, shall appoint a Committee on the judiciary, consisting of not more than seven (7) members. Each member of such Committee shall serve for a term of three (3) years, with the terms of such members staggered so that the terms of one-third (1/3) of the members (or if the number of members is not divisible by three, the terms of approximately one-third (1/3) of such members) shall expire each year. No member shall be eligible for reappointment until one (1) year after the expiration of this term. The President shall be ex officio member of said Committee.

This Committee shall, by such means as it may consider suitable, subject to the approval of the Executive Committee, endeavor to secure the appointment or election of competent and properly qualified Black candidates for the United States Court of Appeal for the Ninth Circuit; for the United States District Court, Southern District of California; for the office of United States Attorney for the Southern District of California; for the offices of District Attorney of the County of San Diego; and for the office of City Attorney of the City of San Diego; and for any other office connected with the administration of justice in the Courts referred to above; the Supreme Court of California; the District Courts of Appeal, Fourth Appellate District; and any other Court convening in the County of San Diego. It shall consider the nomination or appointment of any of said offices; oppose the nomination or appointment of unfit candidates. It may confer on the subject with other organizations; with nominating committees; and with such political groups as may have proper interest in the matter and; in the case of candidates for appointment to any such office, with the public official in whom the power of appointment is vested. It may whenever in its opinion occasion arises therefore, prepare a list or lists of persons properly qualified to hold any of the offices above mentioned, and may ascertain from members of the Association, or other members of the Bar, their choice or opinion as to the person so qualified.

The Committee shall from time to time report to the Executive Committee, or to the Association as required by the Executive Committee, and may make such recommendations as it may deem advisable.

E. Committee on Continuing Legal Education. This Committee shall develop and carry out a program of continuing legal education of the Bar in order to aid members of the profession in keeping informed of new developments and to assist the beginning practitioner toward a better understanding of the practical aspects of practice. The Committee shall cooperate with the State Bar Association continuing legal education program in accomplishing these objectives.

F. Committee on Legal Aid. This Committee shall have jurisdiction of all questions in the field of legal aid, with respect to (1) administration of justice as it affects poor people in the County of San Diego; (2) remedial measures intended to assist poor persons in the protection of their civil rights; (3) the establishment and efficient maintenance of legal aid organizations; and (4) cooperation with other agencies, both public and private, interested in these objectives.

G. Committee on Public Relations. This Committee shall direct a planned, organized, positive and continuous program of public relations of an internal and external nature. Its objective is to promote and encourage widespread public interest for lawyers and the legal profession, and acquaint the public with the extent of

1 services offered to it by attorneys and the advisability of using such service
2 The Committee shall utilize such means of communication as it deems advisable
3 to accomplish its purposes.

4 H. MEMBERSHIP COMMITTEE. This Committee shall encourage applica-
5 tions for membership in the Association, and shall formulate and recommend plan
6 for maintaining and increasing membership. It shall have the responsibility of
7 giving effect to such plans as are approved by the Executive Committee.

8 I. ENTERTAINMENT COMMITTEE. This Committee shall plan and manage
9 entertainment programs for members and their guests with approval of the
10 Executive Committee.

11 J. EMPLOYMENT COMMITTEE. This Committee shall have such duties and
12 responsibilities as determined by the President. Such duties shall, however,
13 relate to employment.

14 ARTICLE VIII

15 APPROPRIATIONS AND EXPENSES

16 Section 1. Appropriations of Association funds for officer, committee or
17 other expenses shall be made by the Executive Committee.

18 Section 2. Any liability incurred by an Association officer or committee in
19 excess of the appropriation authorized by the Executive Committee shall be the
20 personal liability of the person or persons responsible for incurring or author-
21 izing the same.

22 ARTICLE IX

23 PARLIAMENTARY PROCEDURE

24 All meetings of the Association of Black Attorneys shall be conducted
25 in accordance with Roberts Rules of Order (except where otherwise designated in
26 these By-Laws) in keeping with democratic principles and traditions so that each
27 member shall have an opportunity to be heard and present his views for the con-
28 sideration of the members.

29 ARTICLES X

30 PARLIAMENTARIAN

31 Section 1. The President shall appoint a Parliamentarian. He shall hold
32 office for a one (1) year term.

33 Section 2. The Parliamentarian shall, when requested by the President or
34 presiding officer at any regular or special meeting of the Executive Committee
35 or of the membership of this Association, given such rulings of such issues as
36 may be presented to him.

37 ARTICLES XI

38 AMENDMENTS TO BY-LAWS

39 By-Laws may be adopted, amended or rescinded by a majority
40 vote of the members present and voting at any annual, regular or special meeting
41 provided that notice of such a proposed change shall be given in writing to all
42 members one (1) week in advance of the meeting at which the vote is to be taken.