

Restated
**Rules of Procedure of the House of Delegates
of the Nebraska State Bar Association**

Adopted March 26, 1999
Rev. October 17, 2002, 2005
Revised and Restated October 8, 2015

I
Introduction

The House of Delegates is the governing body of the Nebraska State Bar Association and is vested with the powers and charged with the duties set forth in Nebraska Supreme Court Rule 3-805 and Article VI of the Bylaws of the Nebraska Bar Association. Among its responsibilities are the overall jurisdiction of the affairs of the Association; determination and implementation of the policies and objectives of the Association; preparation, adoption and amendment of Bylaws for the government and operation of the Association, including the provisions for annual and semi-annual meetings of the Association, and such other functions as may be provided by the Rules of the Nebraska Supreme Court and the Bylaws of the Association.

From time to time these Rules refer to the House of Delegates as the "House," to the Nebraska State Bar Association as the "Association," to the Nebraska Supreme Court Rules creating and controlling the Association as the "Rules of the Association" and to the Bylaws of the Nebraska State Bar Association simply as "the Bylaws."

II
Meetings

A. Annual Meeting. The House shall hold its annual meeting during the annual meeting of the Association and the Secretary shall give notice of the session to the members of the House of Delegates not less than ten days prior to the date of the meeting.

B. Special Sessions. The President of the Association, the Chair of the House or any ten elected members of the House may call a special session of the House by giving ten days' notice of the time, place and purpose thereof to the members of the House.

C. Notice. Notice of any meeting of the House shall be deemed to be sufficiently given, if written notice of the time and place thereof is sent by mail, facsimile or other electronic means, by the Secretary of the Association to each member of the House, according to the roster of its members maintained by the Secretary.

D. Agenda. The Secretary of the Association shall include with the notice of any meeting an agenda of the meeting. If such agenda is not available when the notice of the meeting is sent, the Secretary shall furnish or send the same to the members of the House as soon as it is available.

E. Open Meetings. Meetings of the House shall be open to attendance by members of the Association, subject to the right of the House to go into executive or closed session at any time or to determine that particular sessions shall be executive or closed sessions.

F. Closed Sessions. By vote of two-thirds of the members of the House present and voting the

House may meet in closed or executive sessions.

G. Floor Privileges. At all meetings of the House, members of the Association shall have the privilege of the floor at the discretion of the presiding officer or by consent of the House by majority vote. Representatives of the press may attend sessions of the House which are not closed.

H. Official Statement. No report, recommendation, amicus brief, or other action of any section or committee, except as provided in the separate Policy on Legislation, shall be considered as the action of the NSBA unless and until it has been approved by the House of Delegates or Executive Council. The President or the President's designee shall present the report, recommendation, amicus brief, or other action of the NSBA. No other member or employee may present the report, recommendation, amicus brief or other action of the NSBA without prior authorization from the President.

I. Attendance Policy. Each elected member of the House shall be required to attend all scheduled meetings of the House.

If an elected member of the House misses three (3) consecutive meetings of the House, the member shall be contacted personally by the Chair of the House. The Chair shall thereupon make a determination as to whether good cause exists to excuse any of such three absences. The Chair shall also make inquiry of the member as to whether the member wishes to continue service as a member of the House. If the member wishes to continue serving as a member of the House, the Chair shall inform the member that the member is required to attend the next scheduled meeting of the House unless good cause exists for non-attendance. If the member no longer wishes to continue serving as a member of the House, the Chair will request the member to tender his or her resignation from the House.

If an elected member of the House misses four (4) consecutive meetings of the House without good cause, it shall be presumed that the member has resigned his or her position as a member of the House. Notification of the same shall be given by the Chair of the House. If the member wishes to be reconsidered for continued service in the House, the member shall make application for consideration to the Executive Committee of the House within thirty (30) days after receiving such notification from the Chair as to the presumed resignation.

For purposes of this Attendance Policy, any meeting or meetings at which the member's attendance was or has been excused by the Chair for good cause will be disregarded in determining whether absences were consecutive.

III **Officers**

A. Chair and Chair-Elect. The Chair of the House shall preside at all meetings of the House. In his or her absence, the Chair-Elect shall preside. The presiding officer shall:

1. Preserve Order. The presiding officer shall preserve order and shall require observance of the Rules of Procedure of the House.
2. Authenticate Records. The Secretary may certify resolutions, formal acts of the House and reports adopted by the House.
3. Committee Appointments. Unless otherwise provided in the Bylaws or directed by the House as to a particular committee, the Chair of the House shall appoint the Committees of the House and fill vacancies arising in

any Committee of the House.

The Chair and Chair-Elect shall each have the same voting privileges as any other member of the House provided their terms of office as elected members of the House have not expired, but the presiding officer may in any event vote to break a tie. The presiding officer shall not be entitled to propose motions or nominate candidates.

B. Secretary. The Secretary of the Association shall also perform the duties of Secretary of the House and shall maintain or cause to be maintained accurate minutes of all meetings of the House and report such minutes to the House or upon request to any member of the Association.

C. Election of Chair-Elect Designate. Only elected members of the House of Delegates who are in office on the date of the election shall be eligible to be nominated and elected to the office of Chair-Elect Designate of the House of Delegates, but a member may be elected to such office even though his term as an elected member of the House may expire prior to the completion of his or her terms as Chair-Elect Designate, Chair-Elect and Chair. The Chair-Elect Designate shall be elected by the House of Delegates at each Annual Meeting. Nominations for the office of Chair-Elect Designate are made by the House Committee on Nominations and from the floor. The Chair-Elect Designate shall be elected by a vote of a majority of those voting, but in the event no candidate has such a majority, the candidate with the fewest number of votes shall be eliminated and voting shall continue in like manner until a candidate has received such majority. The House by a majority vote may require that the voting be conducted by written ballots. Neither the election of a member of the House to the office of Chair-Elect Designate nor his or her subsequent service as Chair-Elect or Chair shall be construed as creating a vacancy in the representation from his or her district; provided, however, that such member may, if he or she desires, resign as a representative from the district, thus creating a vacancy which shall be filled in accordance with the Rules and Bylaws of the Association.

D. Vacancy in Office of Chair-Elect Designate.

In the event of any vacancy in the office of the Chair-Elect Designate of the House, the House may at any regular or special meeting nominate and elect a successor in the manner as provided in paragraph C above.

IV Procedure

A. Proceedings. Proceedings of the House shall be governed by the Rules and Bylaws of the Nebraska State Bar Association and the Restated Rules of this House and, where not in conflict therewith, the current edition of *Robert's Rules of Order, Newly Revised*.

B. Priority of Business. Questions relating to the priority of business shall be decided by the presiding officer, subject to appeal to the House.

C. Quorum. A Quorum of the House shall consist of a majority of the elected delegates. Initially, the presence of the quorum shall be determined by the Secretary who shall take the roll of delegates. When the Secretary determines that a quorum is present, he or she shall so notify the presiding officer.

D. Debate and Reports. When a member of the House desires to speak, the member shall rise and address the presiding officer. Upon being recognized, such member shall state his or her name and representative capacity. A Chair of a Section, Standing or Special Committee of the Association may not vote unless he or she is also a member of the House but shall have the privileges of the floor, and may speak, or make a motion, concerning any report of the Section or Committee or any matter within the

jurisdiction of the Section or Committee. When a minority report has been filed in connection with a Committee or Section report, one representative of the minority, selected by the minority for that purpose, shall have the privilege of the floor to speak but also without vote unless otherwise qualified as a member of the House.

E. Motions in Written Form. At the request of the presiding officer or of any member, any resolution or motion shall be reduced to writing. Such a resolution or motion shall be read aloud by the presiding officer before it may be debated. The House or presiding officer may require that copies of any resolution shall be made available to members of the House before a vote is taken thereon.

F. Distribution and Form of Reports. Wherever practicable, copies of each report by a Committee of the Association or of the House shall be made available to each member of the House before or at the time of the presentation of such report. Unless otherwise ordered by vote of the House or directed by the presiding officer, reports of Sections and Committees of the Association that are distributed in advance, or of which copies are available at the meeting, should not be read orally in presentation, but should be stated in summary only.

All reports containing recommendations for action shall set out such recommendations in a separate section, preferably at the beginning of the report. When any report to the House proposes action on a project requiring expenditure of funds, the report shall contain an estimate of the amount required.

G. Voting. Voting may be by sign or voice and any member or the presiding officer may call for a roll call vote. Throughout these rules an elected member of the House shall be construed to include a member elected to fill a vacancy.

V

Adoption, Amendment and Repeal

These Rules may be amended at any meeting of the House of Delegates by a vote of two-thirds of the voting members present, provided that no amendment shall be considered (except by unanimous consent of the voting members present) unless a written or printed copy of the proposed amendment or amendments shall have been transmitted by mail or electronically to the members of the House not less than ten days in advance of the meeting.