ARTICLE I
Name and Purpose

Section 1. Name. This Section shall be known as the Elder Law Section of The Virginia Bar Association.

Section 2. Purpose. The purpose of the Section shall be to further the objectives of the Association as stated in Article II of its Constitution and to bring together members of the Association with a special interest in the practice of elder law.

ARTICLE II
Membership

Section 1. Eligibility. Any member in good standing of the Association shall be eligible for membership in the Section.

Section 2. Admission to Membership. Admission to membership shall be by application and by payment of the Section dues.

Section 3. Quorum for Meeting of Membership. Those members present at meetings duly called as provided for in these bylaws shall constitute a quorum.

ARTICLE III
Officers

Section 1. Chairman and Vice-Chairman. The initial Chairman and any Vice Chairman of the Section shall be appointed by the President of the Association for a one-year term. Thereafter, the Chairman and Vice-Chairman of the Section shall be elected by the membership of the Section at a meeting to be held in conjunction with the Winter Meeting of the Association. The Chairman of the Section may appoint a nominating committee consisting of any three or more members of the Section for the purpose of making nominations for Chairman and Vice-Chairman. The Chairman shall perform the duties and have the responsibilities of the Chief Executive Officer of the Section. The Chairman shall preside at meetings of Council and at meetings of the Sections. The Chairman shall have such other and further duties as the Section, from time to time, may provide. The Vice-Chairman shall assume the duties of the Chairman in the absence of the Chairman and shall have other such and further duties as the Chairman or the Section, from time to time, may provide.

Section 2. Secretary. The Council may elect a Secretary who shall, in consultation with the Executive Director of the Association, maintain the rolls and records of the Section and shall have the further responsibility of preparing and maintaining such other records and reports of the Section as may become necessary. The Secretary shall have such other duties as the Chairman or the Council, from time to time, may provide.
Section 3. Treasurer. The Council may elect a Treasurer who shall, in consultation with the Executive Director, maintain the financial records of the Section and shall provide such reports and records of the Section as may become necessary. The Treasurer shall have such other duties as the Chairman of the Section, from time to time, may provide.

Section 4. Term. Officers of the Section shall serve a one-year term which shall coincide with the terms of the office of the officers of the Association. No Section officer shall serve more than two consecutive terms in the same office except upon application to and approval by the Executive Committee.

ARTICLE IV
Council

Section 1. Composition. The Section shall have a Council composed of the officers of the Section and not less than six nor more than nine members (three classes of two each), serving staggered terms. One member of the Council shall be a member of the Young Lawyer Section of the Virginia Bar Association.

Section 2. Nomination and Election. The initial Council of the Section shall be designated by the Executive Committee of the Association to serve staggered terms of one, two and three years as appropriate. Thereafter, three new members shall be elected by the Section’s membership annually at a meeting held in conjunction with the Winter Meeting of the Association. The Chairman of the Section shall, no less than ninety-days preceding each annual meeting, appoint a nominating committee of three members of the Section who will prepare a report for submission at the annual meeting. The report of the nominating committee shall contain nominations for three members of the Council. Except for those initial Council members designated by the Executive Committee (who will serve for the terms specified by their designation), Council members will serve staggered three-year terms, with three members being replaced each year. The nominating committee shall also make nominations to fill any vacancies which may occur on the Council prior to the expiration of any member’s terms. The Chairman will accept nominations from the floor in accordance with procedures to be specified by the Council. Those nominees receiving a simple majority vote of those attending the annual meeting and voting will be elected.

Section 3. Powers. The Council shall be the governing body of the Section subject to the control of the Executive Committee.

Section 4. Regular Meetings. The Council shall hold an annual meeting in conjunction with the Winter Meeting of the Association and other meetings as needed.

Section 5. Quorum. A majority of the members of the Council shall constitute a quorum for the purpose of transacting business.
THE BYLAWS OF THE ELDER LAW AND SPECIAL NEEDS SECTION OF THE VIRGINIA BAR ASSOCIATION

Section 6. Special Meetings. Special meetings of the Council shall be held at any time at the call of the Section Chairman, any three members of the Council, the President or the Executive Committee.

Section 7. Notice of Meetings. All meetings of the Council, except the initial meeting after the organizational meeting of Section members, shall be upon not less than 5 days’ notice by mail.

ARTICLE V
Committees

Section 1. Standing Committee. The membership may designate such standing committees as it may deem appropriate.

Section 2. Special Committees. The Chairman or the Council may appoint special committees as is deemed appropriate by the members.

Section 3. Jurisdiction. The membership shall establish the jurisdiction of the Section committees and shall resolve any disputes among its committees. The Executive Committee shall resolve any disputes concerning the jurisdiction of the various Sections and Committees of the Association.

ARTICLE VI
Miscellaneous Provisions

Section 1. Annual Meeting of the Section. The Section shall have at least one meeting annually for the entire membership of the Section, to be held in conjunction with the Association’s Winter Meeting. The Section may have such other meetings of the entire Section as the Council or Chairman may deem necessary.

Section 2. Amendments. Any amendments or additions to these bylaws shall be upon the approval of a majority of the members of the Section present and voting at the annual meeting. Upon such approval by the Section, such amendments or changes shall be presented to the Executive Committee for approval, and they shall not be effective until so approved.

Section 3. Publications. The Section may produce and distribute a newsletter or other publication in furtherance of its objectives. Any such publications shall be produced in consultation with the President and Executive Director of the Association.

Section 4. Section Conferences. The Section may sponsor, no more frequently than annually, a conference or seminar on some aspect of elder law. Such conferences shall be conducted in consultation with the Continuing Legal Educations Committee of the Virginia Law Foundation.
Section 5. Budget. The Section shall submit its budget to the Executive Director of the Association each year on or before November 1 for presentation to the Executive Committee as part of the Association's budget.

Section 6. Dues. Annual dues shall be an amount approved by the Executive Committee upon recommendation by the Council, not to be less than $10.00 nor more than $30.00 per person.

Section 7. Reports. The Section will submit an annual report to the Executive Committee and the President of the Association. The Section shall submit such other reports as may be requested by the Executive Committee or the President.

Section 8. Expenditures of Funds. Except as otherwise provided herein or directed by the Executive Committee, the Section may expend the funds it collects through the payment of dues in the manner that it sees fit. However, the Section is not empowered to spend funds in excess of those actually on hand, nor may it obligate the Association in any financial matter.

Section 9. Authentication. These by-laws were approved by the Executive Committee of the Virginia Bar Association on ________________________________, 1993.