

**BYLAWS OF THE WORKERS' COMPENSATION SECTION  
OF THE SOUTH CAROLINA BAR**

**ARTICLE I  
Name and Purpose**

**Section 1.** This Section is known as the Workers' Compensation Section of the South Carolina Bar.

**Section 2.** The purpose of the Section is to promote the goals and objectives of the South Carolina Bar in the field of workers' compensation. Objectives include stimulating research and development, seeking uniformity in legislation and administration, and improving the application of justice in this field of law.

**ARTICLE II  
Membership and Privileges**

**Section 1.** Any member of the South Carolina Bar may join the Section. Yearly dues are \$15.00, payable in advance to the South Carolina Bar by January 1. Dues are not prorated. However, new members joining after November 1 and paying \$15.00 will be credited as paid through December 31 of the following year.

**Section 2.** Section members have the same basic privileges set forth in Section 1.4, Article I of the Bylaws of the South Carolina Bar, (i.e. only Active and Senior members may vote). However, voting and floor privileges at any Section meeting are limited to Section members in good standing thirty (30) days prior to the opening of that meeting as verified by a list provided by the Executive Director of the South Carolina Bar.

**ARTICLE III  
Section Meetings**

**Section 1.** An annual meeting of the Section will be held in conjunction with the Annual Meeting of the South Carolina Bar.

**Section 2.** Special Section meetings may be called by the Chairman upon approval by the Council.

**Section 3.** The Section members present at a Section meeting constitute a quorum for transacting business.

**ARTICLE IV  
Governing Body**

**Section 1.** The general business of the Section is conducted by a council composed of the

Section Officers, the Immediate-Past Chairman, a Section Delegate and a minimum of four (4) and not more than eight (8) "general members".

**Section 2.** The Section Officers are a Chairman, Chairman-Elect, Vice-Chairman, and Secretary. Their terms of office are for one (1) year, beginning July 1 and ending June 30, and until their successors have been elected and qualified.

## **ARTICLE V**

### **The Council**

**Section 1. Authority.** The Council exercises general supervision and control over Section affairs, subject to provisions of the Constitution and Bylaws of the South Carolina Bar and these Bylaws. Council actions between the annual Section meetings are binding upon the Section. The Council must authorize the commitment and expenditure of all funds appropriated to the Section (which will not exceed in any fiscal year the total amount of reserve funds credited to the Section, if any, plus estimated receipts from dues, Section publications, and other appropriations for that fiscal year).

**Section 2. Committees.** The Council may establish and terminate standing and ad hoc committees. It may also authorize the Chairman to appoint such committees from Section members.

**Section 3. Quorum.** The council members present at a council meeting constitute a quorum to transact business.

**Section 4. Meetings.** In addition to its regular meetings, the Council may also transact business and vote by telephone, teleconference, mail, etc., provided a majority of the council files its consent with the Section Secretary. Any business conducted will be announced at the next regular council meeting.

**Section 5. Vacancies.** The Council may fill interim vacancies within its membership.

## **ARTICLE VI**

### **Officers**

**Section 1. Chairman.** This is the Chief Executive Officer of the Section. As such, this person makes appointments to committees, presides at all Section and Council meetings and presents a report on the state of the Section at its annual meeting.

**Section 2. Chairman-Elect.** Assumes the duties of the Chairman during his temporary or permanent absence or during that individual's inability to act.

**Section 3. Vice-Chairman.** Assumes the duties of the Chairman-Elect during his temporary or permanent absence or during that individual's inability to act.

**Section 4. Secretary.** Custodian of all records and property of the Section except money. Maintains a record of all Section and Council meetings. Prepares a digest of Section proceedings for the Chairman's annual report on the State of the Section. Maintains a record of all appropriations and expenditures.

## **ARTICLE VII**

### **Nominations and Election**

**Section 1.** Not later than January 15 of each year, the Council will nominate such officers, Council members, and Section Delegate as are scheduled to be elected by the members at the next Annual Meeting. The nominations will be published in The SC Bar News not later than the February issue, or otherwise mailed to the membership before March 15.

**Section 2.** Not later than April 15, ten (10) or more members of the Section who are in good standing may file by registered mail with the Chairman a nominating petition, containing signatures and printed names and addresses, and making nominations for one or more of the offices to be elected. Such petitions must be accompanied by the written consent of any person nominated. Nominations will be closed on April 16.

**Section 3.** Each year there must be a nominee for Section Delegate to the House of Delegates. The Section Delegate serves a one-year term, beginning July 1.

**Section 4.** All elections will be held at the annual meeting of the Section. Should there be more than two nominations for any one office the candidate receiving the highest number of votes will be declared elected. If two candidates receive an equal number of votes the Council will decide the winner. If there is only one qualified nominee for an office, that person will be declared elected by acclamation.

**Section 5.** The Secretary may hold office for not more than four (4) successive one-year terms.

**Section 6.** Two general members of the Council will be elected at each annual meeting for terms of office to begin the following July 1 and to continue for three (3) years. General members may not serve successive terms.

**Section 7.** If any elected member of the council fails to attend three (3) successive meetings of the Council, and such failures are not excused for cause by the Chairman or the Council, the Chairman will by letter to all Council members declare such member to have automatically resigned.

**Section 8.** At the end of his term, the Chairman-Elect will automatically assume the office of Chairman. The Immediately Retiring Chairman will remain a member of the Council for the ensuing year.

## **ARTICLE VIII Miscellaneous**

**Section 1.** The Section's fiscal year will coincide with that of the South Carolina Bar.

**Section 2.** At any Section or Council meeting a majority of members present and voting is sufficient to approve business of any nature.

**Section 3.** The Council or the Chairman must approve all Section bills before forwarding them for payment to the Executive Director of the South Carolina Bar.

**Section 4.** The Section and Council must follow the provisions of Article VI of the Bylaws of the South Carolina Bar on matters relating to legislation and representing the Bar on particular issues.

**Section 5.** Except for officially invited speakers, no members of the Section may speak at any Section or Council meeting more than five (5) minutes at a time, nor more than twice on one motion or resolution.

## **ARTICLE IX Amendments**

These bylaws may be amended at any meeting of the Section. No amendment may be inconsistent with the Constitution and Bylaws of the South Carolina Bar. Amendments become effective only upon approval and ratification by the House of Delegates of the South Carolina Bar.

Effective Date: this 18th day of June 1992.

*(NOTE: The Section came into existence in December 1992 when through solicitation of members on the SC Bar license fee statement the proposed section received the requisite 100 members).*

Approved by the HOD on May 13, 2005: Article VII, Nominations and Election, Section 3.