

BYLAWS OF THE MUSCOGEE (CREEK) NATION BAR ASSOCIATION

(adopted by membership during Annual Meeting conducted on August 17, 2015)

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Article I: Identification

MCN SUPREME COURT

- 1.1 Name.** The body of attorneys licensed to practice before the courts of the Muscogee (Creek) Nation shall be called the Muscogee (Creek) Nation Bar Association, hereinafter referred to as Bar.
- 1.2 Courts.** Unless otherwise specified, the term “courts” shall refer to the Supreme Court of the Muscogee (Creek) Nation and such inferior courts as the Muscogee (Creek) Nation National Council may from time to time ordain under Article VII, Section 1 of the Muscogee (Creek) Nation Constitution.
- 1.3 Purpose.** The purpose of the Bar shall be:
- (1) To promote respect and support for the Muscogee (Creek) Nation judicial system;
 - (2) To sponsor and engage in activities and programs that improve professional opportunities for lawyers practicing in Indian Country;
 - (3) To sponsor and engage in activities and programs that promote and/or address social, cultural, political and legal issues affecting Native Americans;
 - (4) To provide a forum for speakers to address Bar members on the practice of law and to promote respect for Indian Law and tribal legal systems;
 - (5) To provide litigation, appellate and technology updates to Bar members;
 - (6) To promote professionalism, ethics and camaraderie between members of the Bar;
 - (7) To support other associations, task forces or organizations that provide training, services or benefits consistent with the goals of the Bar; and
 - (8) To maintain a relationship with groups and committees that provide services to members of the Bar.
- 1.4 Bar member.** The term “Bar Association member” or “member” shall refer to an attorney duly admitted to practice law before the courts of the Muscogee (Creek) Nation and who remains in good standing with the Bar pursuant to the rules regarding admission and membership to the Bar promulgated by the Muscogee (Creek) Nation Supreme Court.

Article II: Officers

- 2.1 **Executive Board.** The Bar Executive Board shall consist of three officers: President, Vice-President and Secretary/Treasurer.
- 2.2 **Officer Duties.**
- (1) **President.** The President shall schedule regular meetings of the Bar and preside at such meetings. The President shall perform such other duties and acts usually pertaining to this office that further the purposes of the Bar described at Section 1.3 *supra*, and other duties as may be assigned by the Muscogee (Creek) Nation Supreme Court. Annually, the President shall prepare a report of Bar activities for the previous 12-month period and present the report during the annual meeting of the Bar membership.
 - (2) **Vice-President.** The Vice-President shall perform such duties as may be assigned by the President or the Muscogee (Creek) Nation Supreme Court. When the President is temporarily unable or unavailable to perform the duties of President, the Vice-President shall assume the duties of President. In the event the position of President becomes vacant, the Vice-President shall succeed to the position of President for the remainder of the President's term.
 - (3) **Secretary/Treasurer.** The Secretary/Treasurer shall keep a true record of the proceedings of all meetings, give notice of all meetings, make arrangements for all meetings, be accountable for all books, papers, documents and other property of the Bar, and maintain a record of and ensure safe keeping of all funds belonging to the Bar. The Secretary/Treasurer shall perform such other duties as may be assigned by the President or the Muscogee (Creek) Nation Supreme Court.
- 2.3 **Vacancies.** Any vacancy in the office of the Vice-President or Secretary/Treasurer shall be filled by interim appointment by the remaining officers until the next election of the Bar, at which time new officers shall be elected as provided herein.
- 2.4 **Term.** The term of each officer shall be for two (2) years (see *infra* Section 3.2(7))

Article III: Elections

- 3.1 **Time and Place of Elections.** The election of officers shall be conducted during the annual meeting of the Bar on those years that end in an odd number (e.g., 2015, 2017, 2019).
- 3.2 **Election Procedure.** Officer elections shall be conducted in accordance with the following rules:
- (1) Bar Association members must be in good standing and physically present at the meeting in order to vote. Proxy voting is prohibited.

- (2) Each Bar Association member in good standing and physically present at the meeting shall receive a voting packet upon entering the meeting location. Voting packets shall contain color-coded ballots for each of the three officer positions, as well as ballots for a run-off election for each position. The back of each ballot will clearly indicate to which office the ballot applies:
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|-----------------------------|---|
| a. Blue: President | Yellow: Run-off for President |
| b. Green: Vice President | Orange: Run-off for VP |
| c. Red: Secretary/Treasurer | Purple: Run-off for Secretary/Treasurer |
- (3) To begin the election portion of the annual meeting, the President or President's designee shall take nominations from the membership orally. Nomination and election for the office of President shall occur first. After a new President is elected, the nomination and election for Vice-President shall occur. Lastly, the nomination and election for Secretary/Treasurer will occur. Voting for all three offices shall be performed by secret ballot.
- (4) Bar members in good standing may be nominated for more than one office; however, a member may not simultaneously hold multiple offices during the same term.
- (5) After nominations are complete for an office and prior to ballots being cast and collected, each nominee may make brief remarks to the membership if the nominee so chooses. Once nominee remarks are complete, ballots will be cast and collected.
- (6) Candidates must receive greater than 50% of the votes cast for their nominated office to be declared the winner. If more than two candidates are nominated for the same office and no candidate receives greater than 50% of the votes cast, the two candidates receiving the most votes for that office will immediately participate in a subsequent run-off election to determine the winner.
- (7) Elected officers shall serve a two-year term beginning on the 1st day of September of the year they are elected and ending the 31st day of August of the year of the next election. Notice of the election results are to be published in the Muscogee Nation News and posted online on the Supreme Court's website.

Article IV: Meetings

- 4.1 Executive Meetings.** The Bar Executive Board shall meet at the call of the President, or by majority vote of the officers, as needed to carry out the business of the business of the Bar Association, but not less than quarterly. The Executive Board may meet in person, by phone or by electronic communication.
- 4.2 Annual Meeting.** The Bar shall hold an annual meeting at no later than August 31st of each year. At the meeting, reports of officers and committees shall be delivered and, in years ending in an odd number, officer elections shall be held. Notice of said meeting shall be

sent to all members via the email or US Postal mail address on file with the Bar at least thirty (30) days prior thereto.

- 4.3 **Special Meetings.** The President may call special meetings. Notice of said meeting shall be sent to all Bar members via the email or US Postal mail address on file with the Bar at least one (1) week prior thereto.
- 4.4 **Quorum.** At all properly called meetings of the Bar, the members of the Bar present shall constitute a quorum for the transaction of business. At all Executive Board meetings, at least two (2) officers must be present to constitute a quorum. All meetings will substantially adhere to generally accepted parliamentary procedures.

Article V: Committees

- 5.1 **Formation.** The President shall designate committees as needed and appoint a committee chairperson for each committee designated. The President shall also define the role and scope of responsibility for each committee.

Article VI: Amendment

- 6.1.1 **Procedure.** These bylaws may only be amended pursuant to an affirmative vote of no less than two-thirds (2/3) of a quorum of members present at any properly called meeting of the Bar, provided that the proposed amendment(s) were previously distributed to all Bar members by electronic mail no less than thirty (30) days prior to the meeting at which the amendment(s) will be proposed for adoption.