

IN THE SUPREME COURT, STATE OF WYOMING

April Term, A.D. 2014

In the Matter of the Amendments to the)
Bylaws of the Wyoming State Bar)

ORDER AMENDING THE BYLAWS OF THE WYOMING STATE BAR

The **Officers and Commissioners of the Wyoming State Bar** have recommended that the Wyoming Supreme Court amend the Bylaws of the Wyoming State Bar. The Court, having carefully reviewed the proposed amendments, finds that the proposed amendments should be adopted. It is, therefore,

ORDERED that the amendments to the Bylaws of the Wyoming State Bar, attached hereto, be, and hereby are, adopted by the Court to be effective September 15, 2014; and it is further

ORDERED that this order and the attached amendments be published in the advance sheets of the Pacific Reporter; the attached amendments be published in the Wyoming Court Rules Volume; and this order and the attached amendments be published online at the Wyoming Judicial Branch's website, <http://www.courts.state.wy.us>. The amendments shall thereafter be spread at length upon the journal of this Court.

DATED this 14th day of July, 2014.

BY THE COURT:

/s/

E. JAMES BURKE
Chief Justice

BYLAWS OF THE WYOMING STATE BAR

ARTICLE I. MEMBERSHIP

Section 1. Persons included in membership.

~~The membership of the Wyoming State Bar shall consist of all those persons who are licensed to practice law in Wyoming~~ Membership in the Wyoming State Bar shall be as provided in these Bylaws, subject to due compliance with the conditions and requirements of membership.

Section 2. Member contact information.

Each member shall furnish the following information to the Wyoming State Bar, and shall promptly advise the Wyoming State Bar in writing or by email of any changes, along with supporting documentation as appropriate:

- (a) Full name;
- (b) Residential address;
- (c) Office address, mailing address and location of principal office;
- (d) E-mail address;
- (e) Telephone number (~~required for active status members~~); and
- (f) Date of admission to practice in any state other than Wyoming.

Communications from the Wyoming State Bar to any member shall be sent to the most recent mailing ~~and~~ or e-mail addresses furnished by the member.

Section 3. Status of membership.

The members of the Wyoming State Bar shall hold one of the following nine (9) statuses:

(a) Active:

(1) Is authorized to practice law in the State of Wyoming ~~, including (i) furnishing legal counsel; (ii) drafting legal documents and pleadings; (iii) interpreting and giving advice regarding the law and legal issues; and (iv) preparing, trying or presenting cases before the courts, departments of government, bureaus or administrative agencies.~~

(2) Pays the annual license fee pursuant to Article I, Section 4 of the Bylaws of the Wyoming State Bar.

(3) Completes Continuing Legal Education (“CLE”) as required by the Rules for Continuing Legal Education of Members of the Wyoming State Bar.

(4) Any member who seeks to change from inactive status, honorary retired status, ~~or~~ retired status or emeritus status to active status must file a written request and certification with the executive director demonstrating, to the satisfaction of the executive director, one of the following:

(i) The member has engaged in the active, authorized practice of law in one or more states, territories or districts for five of the seven years immediately preceding the request to return to active status; or

(ii) If the member has held inactive status, honorary retired status, ~~or~~ retired status or emeritus status:

(a) for less than three years, the member must complete one (1) year's required CLE and pay the license fees required of active status members for the ~~calendar~~ fiscal year in which the request is made. Such CLE must have been completed during the two year period preceding the written request to change to active status.

(b) for more than three years but less than five years, the member must complete two (2) years' required CLE and pay the license fees required of active status members for the ~~calendar~~ fiscal year in which the request is made. Such CLE must have been completed during the two year period preceding the written request to change to active status.

(c) for more than five years but less than seven years, the member must complete three (3) years' required CLE and pay the license fees required of active status members for the ~~calendar~~ fiscal year in which the request is made. Such CLE must have been completed during the two year period preceding the written request to change to active status.

(d) for more than seven years, the member may return to active status only through admission by examination in accordance with the Rules and Procedures Governing Admission to the Practice of Law.

(5) The foregoing requirements notwithstanding, for good cause shown by clear and convincing evidence, the Board of Officers and Commissioners may waive, modify or impose conditions upon written requests for a return to active status.

(6) Any member who changes from another status to active status must remain in active status for one full year before requesting a different status.

(b) New active: ~~Meets the requirements of active status but has been licensed to practice law in any jurisdiction for five (5) years or less.~~

(1) Has been licensed to practice law in any jurisdiction for five (5) years or less.

(2) Is authorized to practice law in the State of Wyoming.

(3) Pays a reduced license fee pursuant to Article I, Section 5 of the Bylaws of the Wyoming State Bar.

(4) Completes Continuing Legal Education ("CLE") as required by the Rules for Continuing Legal Education of Members of the Wyoming State Bar.

(c) Inactive:

(1) Is not authorized to practice law in the State of Wyoming.

(2) Pays a reduced license fee pursuant to Article I, Section 4 of the Bylaws of the Wyoming State Bar.

(3) Is not required to complete any CLE.

(4) Is eligible to serve on boards and committees.

~~(4)~~ (5) Files with Submits to the executive director a written request to be placed on inactive status.

(d) Honorary:

(1) Is a current Wyoming Supreme Court justice, district court judge, circuit court judge, judge or full-time magistrate of the United States District Court for the District of Wyoming, or any other federal judge residing in Wyoming.

(2) Is not required to pay a license fee.

(3) Is not required to complete any CLE.

(4) Is eligible to serve on boards and committees.

(e) Honorary Retired:

(1) Is a former Wyoming Supreme Court justice, district court judge, circuit court judge, judge or full-time magistrate of the United States District Court for the District of Wyoming, or any other federal judge residing in Wyoming.

(2) Is not required to pay a license fee.

(3) Is not required to complete any CLE.

(4) Is eligible to serve on boards and committees.

(f) Retired:

~~(1) Files with the executive director a written request to be transferred to retired status, which request shall include a certification that the member is not engaged and does not intend to engage in the active, authorized practice of law (as defined by the Rules and Procedures Governing the Admission to the Practice of Law) in Wyoming or any other jurisdiction. A member in good standing who has reached the age of 65 years or has 25 years of membership in the Wyoming State Bar.~~

(2) Is not authorized to practice law in the State of Wyoming.

~~(2)~~ (3) Is not required to pay a license fee.

~~(3)~~ (4) Is not required to complete any CLE.

(5) Is eligible to serve on boards and committees.

~~(4)~~ (6) Is not in arrears on license fees, CLE requirements, or any obligation to the clients' security fund. A member who is suspended or disbarred cannot retire until the member is reinstated.

(7) Submits to the executive director a written request to be placed on retired status.

(g) Suspended:

(1) Has been suspended by the Wyoming Supreme Court for violation of the Wyoming Rules of Professional Conduct, for non-payment of license fees, for non-compliance with the Rules for Continuing Legal Education of Members of the Wyoming State Bar, or placed on interim suspension by the Wyoming Supreme Court.

(2) Pays the same license fee and is bound by the same CLE requirements as before the suspension.

(h) Emeritus:

~~(1) Is a member in good standing of the Wyoming State Bar. Is authorized to perform pro bono legal services or mentor another lawyer, but not otherwise authorized to practice law in the State of Wyoming.~~

(2) Is not required to pay a license fee.

~~(3) Is required to complete, annually, seven (7) hours of continuing legal education, one of which hours must involve the study of legal ethics reduced CLE as provided in the Rules of the Wyoming State Board of Continuing Legal Education.~~

~~(4) Has been accepted into the emeritus program and complies with the rules and regulations of that program as set forth below. Submits an emeritus program application to the executive director.~~

~~(5) Agrees to abide by the Wyoming Rules of Professional Conduct and to submit to the jurisdiction of the Wyoming Supreme Court and the Wyoming State Bar for disciplinary purposes.~~

~~(6) Neither asks for nor receives any compensation of any kind, other than authorized nominal reimbursements from the Wyoming State Bar, for the pro bono legal services to be rendered hereunder.~~

~~(7) Shall be subject to the following rules and regulations:~~

~~—(i) An emeritus attorney may:~~

~~(a) Appear in any Wyoming court or administrative tribunal or before arbitrators or mediators on behalf of a pro bono client or a Wyoming legal assistance organization, if the person on whose behalf the emeritus attorney is appearing has consented in writing to that appearance. The written consent shall be filed with the clerk of the court in which the matter is pending with a copy to the judge assigned the case. If the matter has not been filed, the written consent shall be brought to the attention of the presiding officer of the administrative tribunal, the arbitrator, or the mediator.~~

~~(b) Prepare pleadings and other documents to be filed in any Wyoming court or before any administrative tribunal or arbitrator or mediator in any pro bono matter in which the emeritus attorney is involved.~~

~~(c) Render pro bono legal advice and related legal services.~~

~~(ii) Application and acceptance in the emeritus program.~~

~~(a) Any qualified member may apply for emeritus status.~~

~~(b) Upon receipt of the application, the Wyoming State Bar will consider the member's qualifications and determine if he/she will be accepted into the program. The decision of the Wyoming State Bar is final and not subject to review by any entity.~~

~~(iii) Certification: Permission for an emeritus attorney to perform services under this program shall become effective upon approval of emeritus status by the Wyoming State Bar and filing with the clerk of the Wyoming Supreme Court of:~~

~~(a) A certification by the Wyoming State Bar that the attorney is in good standing, meets the qualifications of the emeritus program of the Wyoming State Bar and has been further approved by the Wyoming State Bar.~~

~~(b) A sworn statement by the attorney that he or she:~~

~~—(1) Has read and is familiar with the Wyoming Rules of Professional Conduct, will abide by the provisions thereof, and agrees to be subject to the jurisdiction of the Wyoming Supreme Court and its disciplinary process;~~

~~—(2) Agrees to comply with all orders, rules and regulations of any court, tribunal, or hearing officer in which the attorney appears and to be subject to whatever discipline or orders a court may enter if the attorney does not comply;~~

~~—(3) Agrees to, at a minimum, accept coverage of malpractice insurance as provided by the emeritus program; and~~

~~—(4) Will neither ask for nor receive compensation of any kind, except for nominal reimbursements authorized by the Wyoming State Bar, for the pro bono legal services authorized hereunder.~~

~~(iv) Withdrawal of Certification: Permission to perform services under this provision shall cease immediately upon the filing with the Clerk of the Wyoming Supreme Court of:~~

~~(a) A notice from the Wyoming State Bar stating that:~~

~~—(1) The emeritus attorney has withdrawn from the emeritus program, which notice must be filed within five days after such withdrawal; or~~

~~—(2) The certification of such attorney is withdrawn by the Wyoming State Bar. The Wyoming State Bar may withdraw certification at any time and for any reason. It is not necessary that the notice state the reason for such withdrawal. A copy of the notice filed with the clerk of court shall be mailed by the Wyoming State Bar to the emeritus attorney concerned; or~~

~~(b) An order of the Wyoming Supreme Court, filed at any time and for any reason, stating that permission for that emeritus attorney to perform services under this program is revoked. A copy of such order shall be mailed to the emeritus attorney and to the Wyoming State Bar.~~

~~(8) To return to active status must (i) within 36 months of being placed on emeritus, file a written request with the executive director to be placed on active status, and (ii) satisfy the requirements of an active member for the calendar year in which the request is made. If an emeritus attorney fails to return to active status as previously provided, he/she may only return to active status through admission by examination to the Wyoming State Bar in accordance with the Rules and Procedures Governing Admission to the Practice of Law.~~

(i) Incapacitated:

(1) Has been determined to be incapacitated pursuant to subsections (5) or (6) below.

(2) Pays the same license fee as inactive members.

(3) Is not required to complete any CLE.

(4) Must seek reinstatement to active status in the Wyoming State Bar pursuant to subsection (11) below within 36 months of being placed on incapacitated status, or said attorney's membership will be terminated by order of the Wyoming Supreme Court.

(5) Any Wyoming State Bar member claiming that he or she should be transferred to incapacitated status shall file a petition so requesting with the Board of Professional Responsibility with a copy served on bar counsel. The petition should include all pertinent information, documentation and evidence which supports the member's request and a certification by the member that there are no disciplinary investigations or matters pending against him or her. Within fifteen (15) days of service of the petition, bar counsel shall file a response with the Board of Professional Responsibility, certifying that there are no disciplinary investigations or matters pending against the member and may file any other response to the petition. A copy of the response shall be served on the member. Thereafter, all proceedings and any hearing will be conducted in the same manner as disciplinary proceedings under the procedural rules of the Disciplinary Code.

(6) Upon receipt of information from any source presenting prima facie evidence that an active member of the Wyoming State Bar is incapable of continuing the practice of law by reason of mental, physical or emotional infirmity or illness, including substance abuse and dementia, bar counsel may initiate an investigation of the matter. Such investigation may include

requiring the member to furnish written authorizations for medical, psychological, or psychiatric records as may be relevant to the investigation and to submit to an examination by qualified medical experts. If the member refuses to furnish such authorizations, such refusal shall be grounds for bar counsel to file and the Wyoming Supreme Court to grant a petition for interim suspension pursuant to the Disciplinary Code.

(i) If, after such investigation, bar counsel determines that there is clear and convincing evidence that the attorney is incapacitated as provided by this rule, then bar counsel shall prepare a petition seeking incapacitated status. Thereafter, all proceedings and any hearing will be conducted in the same manner as disciplinary proceedings under the procedural rules of the Disciplinary Code.

(ii) Proceedings under this subsection are not disciplinary proceedings.

(7) All attorneys and courts have an affirmative duty to notify bar counsel of his/her knowledge that an active member has been (i) judicially or medically declared to be incapable of managing his or her affairs, (ii) committed involuntarily to a medical facility for drug dependency, mental illness, or substance abuse, (iii) found not guilty by reason of mental infirmity, illness or deficiency in a criminal proceeding, (iv) found incapable of assisting in his or her own defense in a criminal action, (v) has had a guardian (but not a limited guardian) appointed for his or her person or estate on a finding of incompetence, or (vi) found to be mentally incapable of conducting the practice of law in another jurisdiction.

(8) No pending disciplinary proceeding against an attorney shall be stayed when the attorney is placed on incapacitated status unless the Board of Professional Responsibility or the Wyoming Supreme Court, upon motion, additionally finds that attorney is incapable of assisting counsel in his or her own defense in such proceeding.

(9) If, during the course of a disciplinary proceeding, the respondent contends that he or she is incapacitated by reason of mental, physical or emotional infirmity or illness, including substance abuse or dementia, which makes it impossible for the respondent to adequately defend himself or herself, the Wyoming Supreme Court, upon petition from the Board of Professional Responsibility, shall enter an order immediately suspending respondent's license to practice law until a determination is made on the respondent's incapacitation.

(10) An attorney placed on incapacitated status shall not engage in the practice of law until reinstated to active status in accordance with the provisions of subsection (11) below. Such attorney must comply with the duties of disbarred or suspended attorneys as set forth in the Disciplinary Code.

(11) An attorney placed on incapacitated status under the provisions of this rule shall be entitled to apply for reinstatement to active status no more often than once in any twelve month period, or at such shorter intervals as the Wyoming Supreme Court may direct in the order placing the attorney on incapacitated status. A five-hundred dollar (\$500.00) fee payable to the Wyoming State Bar shall accompany any reinstatement application. Said fee may be waived in the sole discretion of the executive director for good cause shown. Thereafter, all proceedings and any hearing will be conducted pursuant to the Disciplinary Code.

(i) The filing of an application for reinstatement by an attorney placed on incapacitated status shall be deemed to constitute a waiver of any privilege with respect to any health care treatment of the attorney during the period of incapacity. The attorney shall be required to disclose the name and address of every psychiatrist, psychologist, physician, or other health care professional, and any hospital or other health care facility or provider by whom or in which the attorney has been examined or treated since the transfer to incapacitated status. The

attorney shall execute and deliver to bar counsel a written authorization waiving all applicable physical and mental health care privileges, and giving bar counsel unrestricted access to all psychiatric, psychological, medical, hospital, and other health care information concerning the attorney.

(ii) The burden of proof in any reinstatement proceeding shall be on the attorney to prove by clear and convincing evidence that the attorney's incapacitation has been removed and that the attorney is fit to resume the practice of law.

(iii) In its discretion, the Wyoming Supreme Court may direct that the attorney shall pay the expense of any examination, investigation or hearing, together with costs.

Section 5 4. Withdrawal from membership.

Any person having been admitted to the Wyoming State Bar who desires to withdraw therefrom shall submit a request to the Wyoming State Bar. The request shall be reviewed by the executive director, who shall then make a recommendation for action on the request to the Wyoming Supreme Court. The Wyoming Supreme Court may then enter such order as it deems appropriate. According to the terms of the order allowing withdrawal by the Wyoming Supreme Court, the person shall cease to be a member of the Wyoming State Bar and shall no longer be authorized to practice law in Wyoming. A member who has been suspended for failure to pay license fees or complete the required continuing legal education may not withdraw without petitioning for reinstatement, pursuant to these bylaws and the Rules of the Wyoming State Board of Continuing Legal Education, as applicable. A member who has a pending disciplinary matter may not withdraw until such matter is resolved. A member who is suspended or disbarred may not withdraw until the member is reinstated.

Section 4 5. Annual license fee.

(a) There shall be annual license fees and late fees in such amounts as shall be determined by the Board of Officers and Commissioners. Any changes in the annual license fees or the late fees for the following fiscal year shall be fixed by the Board of Officers and Commissioners by no later than August 15, with notice to and approval by the Wyoming Supreme Court. The Board of Officers and Commissioners may reduce the annual license fees of members who hold new active, inactive, or incapacitated status. There shall be no annual license fee for honorary, honorary retired, emeritus, or retired members.

(b) During the first week of October of each year, the executive director shall send ~~a statement for the annual license fee and a change of information reporting form consistent with Article I, Section 2 to each member of the Wyoming State Bar~~ notification that the annual license fee is due. The annual license fee is due November 30 and delinquent December 1. If any member is in default for the payment of the annual license fee on December 1, the executive director shall send a notice of delinquency and notice of late fee to any such member. If any member remains in default on December 15, the executive director shall certify to the Wyoming Supreme Court the name of such member. The Wyoming Supreme Court shall, within 30 days of the notice by the Wyoming State Bar, issue against such member an order returnable 30 days from the date thereof, to show cause why membership in the Wyoming State Bar should not be suspended. The

order shall be mailed by certified mail, with return receipt requested, to the attorney's address on file with the Wyoming State Bar. Upon receipt of the order to show cause, the member shall either pay the delinquent fees or shall file a response to the order to show cause, along with six copies, with the Wyoming Supreme Court. A copy of the response shall also be provided to the executive director. If the member fails to pay the delinquent fees and the Wyoming Supreme Court finds that good cause is not shown in response to such order, an order of suspension from the practice of law for a period of one (1) year shall issue from the Wyoming Supreme Court. If the Wyoming Supreme Court finds that the member in default is unable for good cause to pay the annual license fee, the payment of such annual license fee for that year may be remitted or suspended in whole or in part by order duly entered by the Wyoming Supreme Court. When a person is first admitted to practice law in Wyoming, payment of the annual license fee shall be due 30 days after the date of admission. If a person is admitted after April 1, the license fee for the current year shall be reduced by half and shall be due 30 days after the date of admission. Failure to pay the license fee in a timely manner will result in the executive director sending a notice of delinquency and notice of late fee to such new member.

(c) ~~If any member is in default for the payment of the annual license fee on December 1, the executive director shall send a notice of delinquency and notice of late fee to any such member. If any member remains in default on December 15, the executive director shall certify to the Wyoming Supreme Court the name of such member. The Wyoming Supreme Court shall, within 30 days of the notice by the Wyoming State Bar, issue against such member an order returnable 30 days from the date thereof, to show cause why membership in the Wyoming State Bar should not be suspended. The order should be mailed by certified mail, with return receipt requested, to the attorney's address on file with the Wyoming State Bar. The order may be mailed by the office of the Wyoming State Bar so long as it bears an appropriate date and proper response is directed to the Wyoming Supreme Court. A member's original response to the order to show cause, along with six copies, shall be filed with the Wyoming Supreme Court. A copy of the response shall also be provided to the executive director. If good cause is not shown in response to such order, an order of suspension from the practice of law for a period of one (1) year shall issue from the Wyoming Supreme Court; provided that if it is determined that the member in default is unable for good cause to pay the annual license fee, the payment of such annual license fee for that year may be remitted or suspended in whole or in part by order duly entered by the Wyoming Supreme Court. When a person is first admitted to practice law in Wyoming, the annual license fee, which shall be prorated on a monthly basis beginning with the month of admission (based upon the Wyoming State Bar's fiscal year), shall be due 60 days after the date of admission. If any newly-admitted member fails to pay the annual license fee by 60 days after the date of admission, the executive director shall send a notice of delinquency and notice of late fee to such member. If such member remains in default 75 days after the date of admission, the executive director shall certify to the Wyoming Supreme Court the name of such member. The Wyoming Supreme Court shall, within 30 days of the notice by the Wyoming State Bar, issue against such member an order returnable 30 days from the date thereof, to show cause why membership in the Wyoming State Bar should not be suspended. The order shall be mailed by certified mail, with return receipt requested, to the attorney's address on file with the Wyoming State Bar. Upon receipt of the order to show cause, the member shall either pay the delinquent fees or shall file a response to the order to show cause, along with six copies, with the Wyoming Supreme Court. A copy of the response shall also be provided to the executive director. If the member fails to pay the delinquent fees and the Wyoming Supreme Court finds that good cause is not shown in~~

response to such order, an order of suspension from the practice of law for a period of one (1) year shall issue from the Wyoming Supreme Court. If the Wyoming Supreme Court finds that the member in default is unable for good cause to pay the annual license fee, the payment of such annual license fee for that year may be remitted or suspended in whole or in part by order duly entered by the Wyoming Supreme Court.

(d) Within 15 days of the date of an order of suspension, the suspended attorney shall notify the following persons by registered or certified mail, return receipt requested, of the attorney's suspension and the attorney's consequent inability to act as an attorney after the effective date of the suspension:

(1) All clients in pending matters. The attorney shall advise clients to seek legal advice elsewhere and to obtain another attorney for litigated matters or administrative proceedings.

(2) Any co-counsel who is involved in litigated matters or administrative proceedings.

(3) The attorney for each adverse party or, in the absence of such counsel, the adverse party or parties in litigated matters or administrative proceedings. The notice to parties shall state the place of residence of the client of the suspended attorney.

(4) All courts or administrative bodies in which the attorney has matters pending.

~~(e) If an attorney has not filed a petition for reinstatement within six (6) months from the date of the order, the attorney shall within 15 days deliver to all present and former clients all client files.~~

~~(f)~~ (e) A suspended attorney shall notify clients of all deadlines and scheduled court dates.

~~(g)~~ (f) A suspended attorney, after entry of the suspension order, shall not accept any new legal matters. During the period from the entry date of the order to its effective date, the attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

~~(h)~~ (g) A suspended attorney shall return any unearned fees.

(i) (h) Within 30 days after the effective date of the suspension order, the suspended attorney shall file with the Wyoming Supreme Court and the executive director an affidavit showing that the attorney has fully complied with the provisions of the order and with this rule and stating the address where communications may thereafter be directed.

(i) If an attorney has not filed a petition for reinstatement within six (6) months from the date of the order, the attorney shall within 15 days of the expiration of six (6) months from the date of the order deliver to all present and former clients all client files.

(j) A suspended attorney shall maintain records of the steps taken to comply with this rule.

(k) The provisions of this section are deemed to be incorporated into all orders of suspension. Failure to comply with any requirement of this section is punishable as contempt.

(l) Suspension under this section shall not be considered as a disciplinary infraction.

(m) The suspended member may be reinstated upon the filing of a petition for reinstatement within one (1) year of the date of the order of suspension, which petition, along with six copies, shall be filed with the Wyoming Supreme Court. A copy of the petition shall also be served on the executive director. The petition shall include copies of the records required by subsection (j) and shall be supported by an affidavit which shows: (1) that all past annual license fees, the current year's annual license fee and any late charges have been paid in full, in addition to all past and current annual fees for continuing legal education; (2) that the attorney is current on all mandatory continuing legal education requirements; (3) that there have been no claims or awards made in regard to an attorney on the clients' security fund for which the fund has not been reimbursed; and (4) the attorney has complied with all other applicable conditions for reinstatement. The petition shall be accompanied by all appropriate fees for applicants for

admission on motion. A response by the executive director may be filed within 20 days of the date of service of the petition for reinstatement. The member shall not be eligible to practice unless and until the Wyoming Supreme Court issues an order of reinstatement.

(n) If an attorney who is suspended from the practice of law for non-payment of the annual license fee has not petitioned for reinstatement within one (1) year of the date of the order of suspension, such attorney's membership in the Wyoming State Bar shall be terminated by order of the Wyoming Supreme Court. Such attorney who thereafter seeks admission to the Wyoming State Bar shall comply with the admissions requirements set forth in the Wyoming Rules and Procedures Governing Admission to the Practice of Law.

(o) Members who change their status during the course of a fiscal year may not receive a refund for the difference in the annual license fees if the annual license fee for the new status is less, but shall pay any applicable increase in the annual license fee for the new status.

ARTICLE III. BOARD OF OFFICERS AND COMMISSIONERS

Section 1. Composition.

The affairs of the Wyoming State Bar shall be managed and directed by the Board of Officers and Commissioners consisting of the four (4) officers and the immediate past president, all of whom shall be members-at-large of the Board of Officers and Commissioners, and nine (9) commissioners, one (1) from each judicial district. The rights and powers of the members-at-large of the Board of Officers and Commissioners shall be the same as those of the commissioners, ~~except the immediate past president is a nonvoting member.~~

Section 2. Commissioners.

One (1) commissioner shall be elected from each judicial district by the active members who reside in such judicial district.

Judicial District	Counties in District
First	Laramie
Second	Albany, Carbon
Third	Sweetwater, Uinta, Lincoln
Fourth	Johnson, Sheridan
Fifth	Big Horn, Hot Springs, Park, Washakie
Sixth	Campbell, Crook, Weston
Seventh	Natrona
Eighth	Converse, Goshen, Niobrara, Platte
Ninth	Fremont, Sublette, Teton

Section 3. Terms, qualifications, nominations and elections of commissioners.

(a) The term of office of each commissioner shall be three years. No person shall be allowed to serve more than two consecutive three-year terms. The term of office of each commissioner shall commence at the conclusion of the annual meeting of the Wyoming State Bar which immediately follows that commissioner's election. The eligibility of any person to serve as a commissioner from any judicial district shall be contingent upon both maintenance of an active practice of law and actual residence in that judicial district.

(b) Nominations for commissioners shall be taken and elections shall be conducted as provided in Article VII.

Section 4. Duties.

(a) The Board of Officers and Commissioners shall have general charge of the affairs and activities of the Wyoming State Bar. It shall:

(i) Make appropriations, authorize disbursements, and/or periodically monitor and ratify proper disbursements reviewed, approved and authorized by the executive director from the funds of the Wyoming State Bar in payment of the necessary expenses of the Wyoming State Bar, its officers, commissioners and committees;

(ii) Cause proper books of accounts to be kept and to procure an annual audit thereof (a copy of the annual audit shall be filed with the Wyoming Supreme Court);

(iii) Engage and define the duties of salaried employees and fix their compensation;

(iv) Arrange for publication of the *Wyoming Lawyer*, the official magazine of the Wyoming State Bar;

(v) Receive, consider and take action on reports and recommendations submitted by committees and the assembly of members of the Wyoming State Bar at any annual or special meeting;

(vi) Fill vacancies however arising in the membership of the Board of Officers and Commissioners, or in the American Bar Association delegate, or in any office which may be vacant, and in each case the person appointed to fill such a vacancy shall hold said office until the expiration of the term of the vacancy;

(vii) Adopt policies and procedures consistent with these by-laws ~~for~~ and otherwise oversee the orderly administration of the Wyoming State Bar's affairs and activities.

(b) Each commissioner shall: ~~annually hold a State Bar district meeting within sixty (60) days prior to the date of the annual meeting and shall regularly inform constituents regarding Wyoming State Bar matters.~~

(i) attend the regular meetings of the Board of Officers and Commissioners;

(ii) regularly inform constituents regarding Wyoming State Bar matters; and

(iii) hold an annual meeting in the commissioner's judicial district within sixty (60) days prior to the date of the annual meeting.

Section 5. Meetings.

(a) There shall be ~~a regular meeting of the Board of Officers and Commissioners in each year at the time of the annual meeting of members of the Wyoming State Bar~~ regular meetings of the

Board of Officers and Commissioners pursuant to a schedule set by the executive director and approved by the Executive Committee.

(b) Special meetings of the Board of Officers and Commissioners may be called at any time by the president, and will be called by the president upon written request ~~signed~~ submitted by five (5) members of the Board of Officers and Commissioners. ~~Notice~~ Reasonable notice of the time and place of regular and special meetings of the Board of Officers and Commissioners shall be given to each member by the executive director by mail, facsimile, email or telephone ~~at least five (5) days before the meeting~~. At any regular or special meeting of the Board of Officers and Commissioners any business may be transacted which is within the power of the Board of Officers and Commissioners, whether or not specified in the call or notice of the meeting. Action of the Board of Officers and Commissioners may be taken without a meeting by ~~mail~~, email or ~~telephone vote~~ or other written communication.

(c) A majority of the Board of Officers and Commissioners shall constitute a quorum.

(d) A summary of the minutes of each meeting or of any mail, email or telephone action of the Board of Officers and Commissioners may be published on the Wyoming State Bar's website. A full copy of minutes shall be provided by the executive director upon a member's request.

Section 6. Compensation.

The members of the Board of Officers and Commissioners shall receive no compensation for services to the Wyoming State Bar, but they may authorize and approve for themselves, Wyoming State Bar employees and members of the boards and committees, reimbursement of reasonable and necessary expenses incurred in the performance of duties for the Wyoming State Bar.

ARTICLE IV. EXECUTIVE COMMITTEE

Section 1. Members.

There shall be an Executive Committee consisting of the president, president-elect, vice-president and treasurer.

Section 2. Powers and duties.

The Executive Committee may exercise all the powers and perform all the duties of the Board of Officers and Commissioners between the meetings of the Board of Officers and Commissioners, subject to ratification by the Board of Officers and Commissioners. The Executive Committee shall prepare an annual budget for submission to the Board of Officers and Commissioners, and shall perform such other duties as the Board of Officers and Commissioners may prescribe.

Section 3. Meetings.

The Executive Committee shall meet at the call of the president, or upon demand of at least two (2) of its members. All members shall be given ~~at least forty-eight hours~~ notice by mail, facsimile, email or telephone, ~~of a time and place~~ of any meeting unless such notice is waived by all the members of the Executive Committee. Three (3) members present at a meeting shall constitute a quorum. Action of the Executive Committee may be taken without a meeting by mail, email or telephone vote. Any meeting called by the president or Executive Committee shall include notice to all other members of the Executive Committee.

ARTICLE VIII. EXECUTIVE DIRECTOR

There shall be an executive director of the Wyoming State Bar who shall be the chief executive officer of the administrative staff and in direct charge of the Wyoming State Bar office, its records, property and equipment. The executive director shall be hired by the Board of Officers and Commissioners under terms of employment and compensation fixed by the Board of Officers and Commissioners. Subject to the general control of the Executive Committee and Board of Officers and Commissioners, and as appropriate and consistent with the requirements of these by-laws, the executive director shall:

- (a) Maintain proper minutes and records;
- (b) Oversee the general operation of the ~~headquarters~~ Wyoming State Bar office;
- (c) Attend meetings of the Executive Committee and Board of Officers and Commissioners, and keep and disseminate the minutes of such meetings;
- (d) Collect, deposit and disburse the Wyoming State Bar's funds pursuant to the budget, and invest surplus funds at the direction of the Executive Committee;
- (e) Maintain membership lists, and files;
- (f) Advise and assist the officers, commissioners and committees;
- (g) Make the arrangements for Wyoming State Bar meetings;
- (h) Review, approve and authorize proper disbursements; and
- (i) Perform such other duties as may be directed by the Board of Officers and Commissioners or Executive Committee, or as prescribed by the Wyoming State Bar's rules or by these by-laws.

ARTICLE X. ~~STANDING~~ BOARDS AND COMMITTEES

Section 1. Appointment.

(a) The members of each standing board or standing committee shall be appointed as hereinafter set forth for a term of three (3) years, so arranged that the term of office of only one-third (1/3) of the members of such board or committee shall expire in any year; provided, however, that no person shall be permitted to serve on any of said boards or committees for more than two (2) consecutive terms. A vacancy in any board or committee shall be filled as

hereinafter provided, and members of each committee or board shall serve until the appointment of their respective successors.

(b) Appointments to standing boards and standing committees shall be made by order of the Wyoming Supreme Court, with the advice and recommendation of the president of the Wyoming State Bar. Appointments to ~~standing~~ other committees shall be made by the president of the Wyoming State Bar.

Section 2. ~~Quorum; powers and duties.~~

A majority of the members of any standing board or committee shall constitute a quorum for the transaction of business. ~~The Board of Officers and Commissioners may assign powers or duties or propose rules and regulations to any standing or special committee.~~

Section 3. Standing Boards and Standing Committees.

(a) There shall be the following standing boards and standing committees of the Wyoming State Bar:

- (i) Board of Continuing Legal Education.
- (ii) Board of Professional Responsibility.
- (iii) Board of Law Examiners.
- (iv) Character and Fitness Committee.
- (v) Unauthorized Practice of Law Committee.
- (vi) Peer Review Panel.

(b) *Appointment.* - The Wyoming Supreme Court, with advice and recommendation from the president of the Wyoming State Bar, shall appoint all members of each of said boards and committees.

(c) *Vacancies.* - Any vacancy created on any standing board or committee for whatever cause or reason shall be filled by appointment by the Wyoming Supreme Court with advice and recommendation from the president of the Wyoming State Bar.

Section 4. ~~Standing~~ Other Committees.

(a) The president of the Wyoming State Bar, with the advice and consent of the Board of Officers and Commissioners, shall appoint, create or dissolve such committees as deemed necessary and proper ~~and designate the chair to serve for a term of one (1) year.~~

(b) *Vacancies.* - A vacancy on any ~~standing~~ committee other than a standing committee shall be filled by appointment by the president of the Wyoming State Bar.

ARTICLE XI. PRACTICE SECTIONS ~~AND OTHER COMMITTEES~~

~~Section 1. Practice sections.~~

(a) The Board of Officers and Commissioners may establish, consolidate, rearrange and discontinue sections. The Board of Officers and Commissioners, upon application, may establish a section dedicated to a field of law not committed to any other section or withdrawn from an existing section. The Board of Officers and Commissioners may discontinue a section, but only after notice to the members of said section with an opportunity for section members to comment.

(b) An application to the Board of Officers and Commissioners for establishment or amendment of a section must set forth:

- (i) The field of law to which the existing or proposed section is to be dedicated;
- (ii) A statement of the need for the proposed section;
- (iii) The proposed bylaws or bylaw amendments for the government of such section; and
- (iv) A list of members who have indicated their intention of applying for membership in the proposed section or a statement by existing members indicating their approval of any consolidation, rearrangement or amendment.

(c) All members are entitled to enroll in any section upon application and payment of annual dues in such amount as the Board of Officers and Commissioners may determine.

(d) Each section shall elect from its members a chair and other officers as the section bylaws may provide.

(e) No change in the bylaws of any section is effective until approved by the Board of Officers and Commissioners.

(f) No section or member acting on behalf of a section shall:

- (i) Assert that it is representing the Wyoming State Bar in any matter without the prior approval of the Board of Officers and Commissioners.
- (ii) Lobby for or against proposed legislation.
- (iii) File amicus curiae briefs in any pending litigation.

(g) Upon application by the section chair, the executive director may authorize expenditures of section dues for section-related expenses.

~~Section 2. Other Committees.~~

~~Other committees may be established annually, for such duration as may be necessary to effectuate their purposes, as the president, with the advice and consent of the Board of Officers and Commissioners, shall from time to time determine to be consistent with the purposes of the Wyoming State Bar.~~
