



By-Laws of the Westmoreland Academy of Trial Lawyers

Revised August 2023

ARTICLE I – Names

Section 1. The name of the organization shall be WESTMORELAND ACADEMY OF TRIAL LAWYERS.

ARTICLE II – Purpose

Section 1. The purpose of this academy shall be to:

- a. Establish and maintain an integrated group of lawyers skilled and experienced in jury trial practice, with the objective of improving and enhancing the administration of justice;
- b. Assist the courts in the prompt and just disposition of cases;
- c. Promote continuing legal education and research;
- d. Maintain the highest standard of ethical conduct among its members;
- e. Preserve trial by jury as heretofore;
- f. Cooperate with and make recommendations to legislative bodies, administrative agencies, bar associations, medical associations, and other institutions and agencies concerned with the improvement of law and administration of Justice;
- g. Disseminate useful information and materials to the general public to further the purposes above set forth.

ARTICLE III–Membership

Section 1. Members of the Academy shall be attorneys at law:

- a. Who are and have been admitted to practice before the Supreme Court of Pennsylvania for at least eight years; and

- b. At the time of their admission to the Westmoreland Academy of Trial Lawyers, are and have for a period of at least three years maintained a practice in Westmoreland County; and
- c. Are Members of the Westmoreland Bar Association on a participating basis; and
- d. Have completed at least 5 jury trials to verdict.

There shall be a membership status known as “**senior member**” and to be eligible, a member shall have reached the age of 65 or retired from the active practice of law.

Section 2. The number of members of the Academy **shall not exceed thirty-five**; however, senior members shall not be counted against the total number of members for the purpose of admission into membership.

Section 3. Admission to membership shall be by invitation of the Academy. Any **three members** of the Academy may suggest **in writing** to the Board of Governors the admission of a new member. The Board of Governors shall thereupon inquire into the qualifications and standing at the Bar of such proposed member. If the Board of Governors by at least **five affirmative votes** approves the admission of such proposed member, it shall at the next meeting of membership recommend to the membership the admission of the proposed member. It shall require the **affirmative vote of two-thirds** of those members present at said meeting to admit the proposed member to membership, and such membership shall not become effective until the initiation fee has been paid.

Section 4.

- a. Any member, delinquent in the payment of dues for a period of more than **one year** may, by affirmative vote of at least five (5) members of the Board of Governors, be expelled from the Westmoreland Academy of Trial Lawyers. Before any such member is expelled they shall be provided with an opportunity to present sufficient cause for such delinquency. The Board shall direct the Executive Director to issue a letter of delinquent status to the delinquent member and to allow the member the opportunity to supply, either in writing or in person at the next Board meeting, a reason for delinquency. The Board shall review and consider any sufficient cause explanation as submitted by the delinquent member either in writing or in person before acting upon a motion for expulsion. Failure of the delinquent member to respond shall constitute sufficient grounds for expulsion.
- b. Members, in good standing, who have **attained the age of 80 shall be exempt** from further dues and shall be considered **Members Emeritus** with all rights, privileges, duties and responsibilities of general membership.
- c. The Board may, by unanimous affirmative vote, waive dues for any general member who, because of serious illness or exceptional circumstances, should be relieved from the obligation of paying dues. A waiver under this subsection shall be for not more than one year but may be extended for additional one-year periods upon annual vote of the board.

Section 5.

- a. Members may, by the affirmative vote of at least five members of the Board of Governors, be expelled if found guilty by the Board of Governors of any conduct or act inimical to the purposes and welfare of this Academy.
- b. Before any member shall be expelled under provisions of subsection (a) of this Section 5, written charges setting forth in detail the misconduct of acts on which the expulsion is sought, shall be mailed by the Board of Governors to the member at his address as

appearing on the records of the Academy, by registered mail, return receipt required. The said charges shall be accompanied by a written notice to such member advising him that if he desires a hearing he must file an answer to the charges with the Board of Governors within twenty days from the date of the mailing of the charges. If the member does not file an answer to the charges within the said twenty-day period, the Board of Governors shall expel the member. If the member does file an answer to the charges, the board of governors shall fix a date for hearing which shall be not later than thirty days after the answer is filed, and shall give to the member written notice of the place and time of such hearing by registered mail, return receipt requested, mailed at least fifteen days prior to the date of hearing. At such hearing the member shall have the right to present to the board of governors evidence in his defense and may if he desires, be represented by counsel, provided such counsel is a member of the Academy. All evidence on charges and all findings in expulsion proceedings shall be secret and shall not be divulged except to the membership of this Academy.

Section 6. Any member, who **misses three consecutive meetings** of the Academy without cause, (cause shall be conclusively determined by the Board of Governors) shall be dropped from the membership rolls of the Academy. This clause shall be printed in its entirety on each notice of meeting given to the members. This section shall not apply to senior members.

ARTICLE IV - Officers

Section 1. The officers of this Academy shall be a President, a Vice-President, a Secretary and a Treasurer, who shall be elected at the annual meeting for a term of one year, and who shall hold office until their successors are duly elected. No person who has occupied the same office for two successive terms shall be eligible for re-election to that office until the expiration of one year from the date of completion of his second term.

Section 2. The President shall preside at all Board of Governors and membership meetings, shall appoint all committees, and shall perform all such other duties as are incident to his office.

Section 3. The Vice-President shall perform the duties of President during the absence or disability of the President. In the event of the death or resignation of the President, the Vice-President shall serve as President for the unexpired term.

Section 4. The Secretary or the Board's designee shall issue notices of all membership and board of Governors meetings, shall keep accurate minutes of all such meetings, shall have charge of all corporate books, records, and papers and shall perform such duties as are commonly incident to his office.

Section 5. The Treasurer or the Board's designee shall have custody of all the money and funds in such Academy. The treasurer or the designee shall deposit all funds in such bank or banks as designated by the board of governors. The treasurer or the designee shall keep accurate books of account and shall collect dues and assessments from the members as the same become due. All checks for the payment of money shall be signed by the Treasurer or the designee, or by such additional officer, as the board of governors shall by resolution direct.

ARTICLE V – Board of Governors

Section 1. The affairs of the Academy shall be administered by a board of governors, which shall consist of the following:

- a. The four duly elected officers
- b. Four general members who shall be elected by the membership **for two-year terms**. All succeeding general members shall be elected at the annual meeting of the academy immediately after election of officers.
- c. The last retired President of the Academy.

Section 2. Except as specifically limited by these by-laws and except as specific powers and trust may be granted to other officers of this Academy, the Board of Governors, in addition to the powers granted it by these by-laws, shall have full power and authority in intervals between meeting of the academy to do all acts and perform all duties which this academy, if duly convened in a general or special meeting, might do or perform, provided however, that whenever the membership of this academy shall have by a majority vote, authorized or forbidden any act or policy, such decision of the membership shall be binding upon the board of governors.

Section 3. The board of governors shall meet at the call of the President or upon the written request of any three members of the board of governors either in writing or by email. In no event shall the board of governors meet less frequently than once every 120 days.

Section 4. A quorum for the transaction of business at any meeting of the board of governors shall consist of four members.

ARTICLE VI – Elections

Section 1. At least **three weeks** in advance of the annual meeting, the president with approval of the board of governors shall appoint a **nominating committee** for the purpose of nominating officers and members of the board of governors. Such committee shall consist of at least three members. The president and the last retired president shall be ex-officio members of the committee. The committee shall present its nominees at the annual meeting and additional nominations may then be made from the floor.

Section 2. In the event of a contest involving the officers, elections for the particular offices in contest shall be by closed ballot and each member shall be entitled to one vote for each office or position to be filed. Those receiving the highest number of votes shall be elected.

Section 3. In the event of a contest involving election to the board of governors, each member shall have the right to cast one vote for as many candidates as there are governors to be elected. Cumulative voting shall not be permitted. The candidates receiving the highest number of votes up to the number of governors to be elected shall be elected.

ARTICLE VII – Vacancies

Section 1. Vacancies in the board of governors or any other office other than the office of the president will remain unfilled until the next election.

ARTICLE VIII – Initiation Fees, Dues and Assessments

Section 1. Each person who becomes a member of the academy shall pay an initiation fee of \$250.

Section 2. Annual dues in an amount to be determined by the board of governors shall be paid by each member.

Section 3. If the board of governors shall determine that an assessment upon each member is necessary in order to further the purposes and program of this academy, it shall make such recommendation to the membership and shall recommend to the membership the amount to be assessed upon each member. Thereupon the recommendation shall be submitted to the membership at a meeting, the notice of which meeting shall set forth the recommendation of the board of governors, and the amount per member of the proposed assessment. The assessment shall become effective only upon the approval of a majority of the members present at the said meeting.

ARTICLE IX – Meetings

Section 1. The annual meeting of the membership shall be held on such date in the **month of June** in each year as is designated by the board of governors. Other meetings shall be held at such times and places as shall be designated by the board of governors or by the president, but in no event less frequently than semi-annually.

Section 2. Notice of time and place of all annual and other meetings shall be mailed or emailed by Secretary to each member at least five days before the date thereof.

Section 3. It shall be the duty of the president of board of governors to call a meeting when requested by five or more members.

Section 4. A quorum for the transaction of business at any meeting shall consist of one-third of the membership.

ARTICLE X – Amendments

Section 1. The by-laws or any of them may be altered, amended or repealed, or new by-laws made, only by vote of at least two-thirds of all the members present at any annual, regular, or special meeting of the academy, provided that the text of such proposed alteration, amendment, or repeal shall be in writing and shall have been sent to each of the members of the academy at least 10 days prior to any such meeting.