

R H O D E I S L A N D B A R A S S O C I A T I O N

CHAIRPERSON'S GUIDE

I. INTRODUCTION

The purpose of this guide is to aid the Committee Chairpersons in organizing the Committee and in carrying out the Committee's objectives during the fiscal year. Some Chairpersons may be knowledgeable about most, if not all of the material covered. Others are relatively new to the workings of the Bar Association. This guide is intended to be helpful to the extent that help is needed.

Under the By-laws of the Association, chairpersons and committee members are appointed by the President-Elect for the ensuing fiscal year or by the President for the balance of the current fiscal year. The President may terminate committee appointments before the end of the term to move persons to other positions or otherwise for the best interest of the Association.

Four simple steps can get your committee started on the right track:

1. Make certain that you and your committee have a clear picture of the Committee's purpose, structure, boundaries, and resources. If your mission is not clear to you, be sure to contact the President or the Executive Director.
2. Call your first meeting as soon as possible after your appointment. Making an early and positive start will go a long way toward insuring a productive year for your committee. At that first meeting, describe the Committee's charge and poll the members for suggestions about a plan of action to achieve objectives. At the first meeting, appoint a secretary to take minutes and record the results of these discussions.

The staff of the Bar Association should be employed to distribute meeting notices and minutes to Committee members.

If the work of your committee can be broken into various parts, appoint subcommittees. Be sure each subcommittee chairperson knows what this group is to accomplish -- and, at the outset, establish a timetable to accomplish the objectives.

3. Immediately set definite, but realistic, timetables for the implementations of the overall objectives of your committee -- and press hard to meet these limits. At the first meeting, try to establish dates for committee meetings throughout the year -- it's a lot easier to get good attendance when committee members can calendar their meetings weeks and even months in advance. Try to establish meeting times and places which are convenient to as many committee members as possible.
4. Move forward to carry out the plan and involve committee members in the process. At the beginning of each year, the President will establish a liaison for you to report to the Executive any policy or legislative positions where official action by the Association is warranted. An early and positive start is important if you are going to be able to accomplish anything worth reporting.

II. FINANCIAL MATTERS

No specific funds are allocated to individual committees. Committees must obtain prior approval of the Executive Committee before making any expenditures.

Your committee may seek Association payment for materials or other special projects. In such cases, present a detailed written proposal to the Executive Director for consideration by the Executive Committee.

Reimbursement for incidental expenses is unusual. Committee Chairpersons can avoid placing unnecessary expenses on their firms by using the services of the Association headquarters to duplicate and mail copies of reports, meeting notices, and other materials to members. When some legitimate expense is essential, chairpersons should contact the Executive Director in advance for guidance.

III. POLICY STATEMENTS

The House of Delegates looks to the Association's committees

for recommendations on special areas of concern. Whenever possible, the House prefers to receive and digest written reports from appropriate committees before setting official Association policies. It is recommended that all positions be referred first to the Executive Committee for recommendation through the liaison or the Executive Director.

No positions regarding proposed legislation may be publicly announced without the prior approval of the Executive Committee. News releases and public statements concerning the Bar Association positions should be withheld pending Executive Committee consideration. The President is the only person who can speak for the Bar Association. Committee chairpersons should not make any statements to the media.

The Executive Committee meets every month to act on Association business. To bring a policy issue to the attention of the Executive Committee, submit a report on the issues involved to the Executive Director or your liaison including copies of any formal resolutions or motions approved by your committee and a suggested resolution for consideration by the Executive Committee.

When necessary, the Executive Committee can meet, or be contacted on very short notice to reach immediate decisions. When urgent problems arise, call the Executive Director or the President.

IV. STAFF SUPPORT

Assistance is available to committee chairpersons through the Association's staff. When you are planning meetings, Bar Association staff will help by recommending meeting locations, distributing materials and duplicating materials. If you need assistance at your meeting, the Executive Director will be able to assist you.

An Annual Report will be requested for publication in the Bar Journal by May 15.

V. COMMUNICATIONS WITH THE BAR

Reports on the work of your committee may be of great interest to attorneys. The staff can bring important business to the attention of the Bar through articles in the Rhode Island Bar Journal and at Annual Meetings. Please communicate to the Executive Director your desire to continue as chairperson for next year by June 1.

VI. MEETINGS

Schedule meetings as far in advance as possible. Three weeks of advance notice is best. If you have established regular meeting times, please notify the Bar Association staff so that reminder notices might be sent out 14 days in advance of the meeting. Committees are invited to meet in the Bar Association Conference Rooms whenever available. Please check with the staff before scheduling anything to be sure the conference rooms have not already been reserved.

VII. REPORTS AND MINUTES

Keep adequate records of your work. Keep after your secretary to keep good records. Forward committee minutes to the Association for distribution to committee members. Minutes should contain an attendance list and incorporate exhibits as appropriate.

All committees should submit an annual report. The reports should be submitted by May 15 to the Bar Association.

VIII. LEGISLATIVE PROGRAM

Any Bar Association Committee wishing to introduce legislation is responsible for the drafting of such legislation. A Committee may not call upon the Bar Association legislative agent to draft legislation. Support services are, of course, available at the Bar Association Headquarters (typing, copying, mailing, etc.).

Once drafted, the Committee Chairpersons should submit the draft to the President by January 1. The Executive Committee will then determine if the bill should be submitted as "Bar Sponsored". All Bar sponsored legislation will be introduced under the supervision of the Bar Association legislative agent.

There are many other bills each year which are of interest to the bar although they are not introduced by our committees.

The Bar Association staff will forward copies of bills to Committees. Committee actions will be: approval, disapproval, or no action. The Bar staff member will monitor these referrals. If necessary, Committee Chairpersons should call special meetings to consider important legislation or poll members by phone. Replies to the Executive Committee will be considered in taking a position.

Committees may wish to get copies of bills from the legislature on their own and report to the Executive Committee with a recommendation. The legislative agent will be the spokesperson for the Association unless he/she feels that someone else would be more appropriate such as the Bar Association President or a Committee chairperson.

Limitations are as follows:

1. No positions regarding proposed legislation may be publicly announced without the prior approval of the Executive Committee. News releases and public statements concerning Bar Association positions should be withheld pending Executive Committee consideration. The President is the only person who can speak for the Bar Association; Committee Chairpersons should not make any statements to the media. Of course, individual lawyers, whether members of Bar Committees or not, may take any position they wish, as long as they make it clear they are not speaking for the Bar Association.
2. The President and Executive Committee are obligated to apply to specific proposals for legislative position-taking the principles enunciated by the Supreme Court of the United States in Keller v. State Bar of California, - U.S. - 110 S.Ct. 2228 110 L.Ed.2d 1 (1990). The Keller case held that the dues of members of integrated bars cannot be used to promote ideological or political activities not germane to the purpose of the organized bar. That purpose was defined by the Supreme Court as "furthering"...the State interest in regulating the legal profession and improving the quality of legal services."
3. Prior to the United States Supreme Court decision in Keller, Our Association followed the position of the New Hampshire Supreme Court in Petition of Chapman, 509 A.2d 753 (N.H. 1986), which generally anticipated the constitutional result enunciated in Keller. However, the definition of the function of an integrated bar in Keller appears somewhat more restrictive than that set forth in Chapman, and the legislative activities of the Association must be guided accordingly.
4. All committees should make their recommendations to the Executive Committee.