

**FEDERAL BAR ASSOCIATION  
QUI TAM SECTION  
BYLAWS**

**ARTICLE I: NAME AND ESTABLISHMENT**

The name of this organization shall be the Qui Tam Section (hereinafter, "Section") of the Federal Bar Association (hereinafter, "Association"). The Section is established under Article IX of the Constitution, the Bylaws, and these Bylaws.

**ARTICLE II: PURPOSE**

The purpose of the Section shall be to further the purposes of the Association as stated in its Constitution and, in addition:

To educate practitioners in False Claims Act litigation and other whistleblower statutes with *qui tam* provisions by keeping members of the *qui tam* bar informed of developments through the use of publications, educational programs, and other appropriate methods;

To promote collegiality and foster communication between all practitioners in the *qui tam* field, including both relator and defense counsel, government attorneys, and the judiciary, and to provide awards and recognition to individuals and organizations that make substantial contributions in the field of *qui tam* law; and

To promote the development of sound *qui tam* laws and policies.

**ARTICLE III: MEMBERSHIP AND DUES**

Section 1. ACTIVE MEMBERSHIP. Any active member of the Association in good standing and any honorary member shall be eligible for active membership in the Section and shall be enrolled as a member upon the payment of the annual Section dues.

Section 2. HONORARY MEMBERSHIP. Any person may be made an honorary member of the Section with the approval of the Section Executive Board (hereinafter, "Section Board"). Honorary members shall be exempt from the payment of Section dues.

Section 3. ASSOCIATES. Associate members of the Association in good standing shall be eligible for Section non-voting membership, but shall not be eligible to hold office in the Section. Associate members shall be enrolled as a Section member upon the payment of the annual section dues.

Section 4. DUES. Section dues for active members shall be collected annually at the same time Association dues are collected.

Section 5. **TERMINATION OF MEMBERSHIP.** Any active member of Section whose annual dues are more than six months past due shall cease to be a member of the Section. Reinstatement of membership will occur upon payment.

#### **ARTICLE IV: OFFICERS**

Section 1. **OFFICERS.** The officers of the Section shall be the Chair (hereinafter, the "Chair"), Vice Chair, Secretary, Treasurer and/or such other officers as the Section Board shall determine.

Section 2. **TERMS.** All officers of the Section shall serve a two year term in office that shall terminate at the Association National Convention on odd numbered years.

Section 3. **DUTIES OF OFFICERS.**

- (a) The Chair shall be the chief executive officer of the Section and preside at all meetings of the Section's membership and at meetings of the Section Board. The Chair shall cause the Association and the Section's membership to be informed of the Section's activities, and shall perform such other functions as usually pertain to the office or as may be designated by the Section Board.
- (b) The Vice Chair shall perform such duties as may be assigned by the Chair, and shall be the committee chair of the Programming Committee.
- (c) The Secretary shall issue notices of all meetings of the Section's membership and Section Board and shall accurately record the minutes of those meetings, maintain a Section membership roster, and shall be the committee chair of the Membership Committee.
- (d) The Treasurer shall prepare and submit an annual budget for the coming fiscal year, and perform functions as requested by the Chair.

Section 4. **SELECTION OF PROVISIONAL OFFICERS.** Upon approval of these Bylaws by the Association Board of Directors, the Association President shall appoint Section officers to hold office until the Section elects officers pursuant to Article IV, Section 5 of these Bylaws.

Section 5. **ELECTION OF OFFICERS.** No later than July 1 on odd numbered years, the Section membership shall elect officers. The election may be by acclamation or, in the event the matter is contested, by ballot. Each member shall be entitled to cast one vote for each position subject to election. A majority of the voting members shall be necessary to elect. In the event no candidate receives a majority of the votes cast, there shall be further balloting, dropping the candidate with the lowest number of votes on each ballot when there are more than two candidates. Mail-in, fax-back or email ballots shall be authorized.

Section 6. **VACANCIES.** In case of the death, resignation, or disability of an officer or a committee chair, the Section Board shall by majority vote appoint a replacement to serve out the remainder of the person's term.

## **ARTICLE V: EXECUTIVE BOARD**

Section 1. COMPOSITION. There shall be a Section Executive Board (“Section Board”) composed of the officers and committee chairs of the Section, and ex officio Section Board members appointed by the Section Chair in his or her discretion.

Section 2. POWERS AND FUNCTIONS. The Section Board shall be vested with the powers and duties necessary for the administration of the activities of the Section consistent with the Constitution and Bylaws of the Association. Among its functions are:

- (a) Recommending changes in Section dues to the Association Board of Directors;
- (b) Establishing and amending these Bylaws and the Section committees;
- (c) Approving the annual budget of the Section;
- (d) Setting the time and place of the annual meeting of the membership of the Section;
- and
- (e) Approving programs and awards.

## **ARTICLE VI: MEETINGS**

Section 1. SECTION MEETINGS. Meeting of the Section membership shall be at the call of the Chair. The Section shall have a meeting at each National Convention. There shall be no quorum requirement for Section meetings, and all decisions shall be made by majority vote of the active members present and voting, along with those voting in an absentee process designated by the Section Board.

Section 2. SECTION BOARD MEETINGS. The Section Board shall meet at the call of the Chair at least four times per year to carry out its administrative duties and functions. The quorum for the Section Board shall be three Section Board members, which shall include the Chair.

Section 3. NOTICE. The Chair or Secretary shall give at least 14 days’ notice of all meetings of the Section and at least 3 days’ notice of all meetings of the Section Board.

Section 4. ORDER. The Chair, or in his or her absence, the Vice Chair, is empowered to and shall maintain good order in all meetings, in a reasonable, courteous, and practical manner. The rules of order for all meetings shall consist of (in the order stated): (a) the Constitution and Bylaws of the Association; (b) these Bylaws; (c) Standing Resolutions passed by the Section Executive Board; and (d) the current issue of Robert’s Rule of Order.

Section 5. METHODS OF MEETING. Meetings may be held through any combination of the following means and methods: face-to-face; electronic; telephonic; radio broadcast; video broadcast; or webcast.

## **ARTICLE VII: COMMITTEES**

Section 1. STANDING COMMITTEES. The Section shall include standing committees, including but not limited to the following: (a) Membership Committee; (b) Programming

Committee; (c) Publication Committee. The Membership Committee shall coordinate membership recruitment and recommend membership policies to the Section Board. The Programming Committee shall plan and coordinate all seminars, conferences or other Section programming. The Publication Committee shall plan and coordinate any Section newsletters, journals or other Section publications.

Section 2. AD HOC COMMITTEES. The Section shall have such Ad Hoc Committees as shall be designated by the Chair. Their membership and leadership shall be appointed by the Chair.

Section 3. SELECTION OF COMMITTEE LEADERSHIP AND MEMBERS. Each committee shall have a chair and officers appointed by the Chair. The committee chair shall select members of the committee from the Section membership, with the advice and approval of the Section Chair. The Section Vice Chair shall be the chair of the Programming Committee and the Section Secretary shall be the chair of the Membership Committee.

Section 4. TERMS. All committee members, officers and chairs will serve a term coterminous with that of the Section Chair.

#### **ARTICLE VIII: PUBLIC POSITIONS**

The Section – in the name of the Association – may issue reports, make public announcements, and publicly advocate positions on issues of concern to the Section only with the prior approval of the Board of Directors. Without such prior approval, the Section may take a public position that generally reflects the views of the Section members only if the position statement includes a disclaimer that indicates that the Section is taking the position in the name only of the Section. If the Section takes such action in its own name and not in that of the Association, the Section shall report that action immediately to the Board of Directors. A committee of the Section may not issue a public report or take a public position on an issue either in its own name or on behalf of the Section. All proposals for public reports or positions shall be submitted to the Section Board for approval.

#### **ARTICLE IX: BYLAWS**

Section 1. EFFECTIVE DATE. These Bylaws shall be effective immediately upon approval of the National Council.

Section 2. AMENDMENT. These Bylaws may be amended at any regular meeting of the Board by vote of three-fourths of the Board members present and voting, provided that each