

PURPOSE AND SCOPE

The Committee on Character and Fitness of the Alabama State Bar is to examine, evaluate, and make a decision as to the character and fitness of all applicants seeking admission to the Alabama State Bar.

The Committee on Character and Fitness may be divided into as many panels as may be necessary to carry out the duties of the committee. Each panel of the Committee on Character and Fitness shall be composed of three lawyers, one of which shall be designated as the chair of the panel. The chair and members of each panel are appointed by the president of the Alabama State Bar.

For purposes of considering the development of guidelines and standards for use in evaluating applicants, the panels should serve as a committee as a whole and this committee should be convened by the president of the Alabama State Bar.

Each panel should meet at the call of its chairperson or at the request of the executive director of the Alabama State Bar. Each panel should utilize the services of a reporter to record the proceedings at any meeting. Transcription of the proceedings should be made at the direction of the chairperson or at the request of the applicant. The party directing or requesting the transcription should bear the cost of the same. The original of all transcription or proceedings before the panels should be filed with the executive director of the Alabama State Bar no later than 14 days after the meeting.

Done this 3rd day of September, 2021.



Tazewell T. Shepard, III

OPERATIONAL GUIDELINES **FOR COMMITTEES AND TASK FORCES**

General Requirements

A quorum for any meeting will be defined as one-third (1/3) of the members of a committee or task force. Any committee or task force that has a different definition of a quorum in its bylaws will amend its bylaws to reflect the definition stated herein.

A quorum is required to conduct business (i.e., vote on issues) at any committee or task force meeting. Discussion meetings where there will be no voting require advance notice to the members but do not require a quorum.

Voting by proxy is not permitted at any meeting of a committee or task force, but members may attend in person or by Zoom video or audio call.

Only the State Bar president or the Executive Director speak on behalf of the Alabama State Bar. No committee or task force member may express a position to the public on behalf of the State Bar without advance authorization by the President or the Board of Bar Commissioners.

The Board of Bar Commissioners, State Bar employees, and task force and committee members will not engage in political activity on behalf of the State Bar. This does not apply to their right to engage in personal political activity so long as there is not explicit or implicit representation of support or involvement by the State Bar.

All committee and task force activities must pass the Keller test. The constitutional restrictions in *Keller v. State Bar of California* 496 U.S. 1 (1990) and subsequent cases require that positions taken by a mandatory State Bar must be narrowly limited to areas which have a substantial impact upon the judiciary, the practice of law or the administration of justice. In other words, in States where a lawyer is required to be a member of the State Bar, the Bar may not use member's dues to takes positions on political or social issues with which the member may disagree.

The Chair's Duties

The chair of each committee or task force will submit to the President (with copies to the President-elect, and the Executive Director) two reports per year as follows:

(1) A proposal report outlining the projects and objectives of the committee or task force for the coming year, due 30 days after the conclusion of the Annual Meeting. The proposal report will be published in the next edition of *The Alabama Lawyer* or such other means of distribution as the president or the executive director may establish. and

(2) A final report containing the results of the activities and goals proposed in the proposal report and any other activities of the committee or task force, due 30 days prior to the commencement of the Annual Meeting. The final report will be published in the next edition of *The Alabama*

Lawyer or such other means of distribution as the president or the executive director may establish.

Minutes and attendance records of all meetings must be kept. The chair should designate a member to record and prepare minutes for distribution.

No person may serve more than two successive annual terms as chairperson of a committee or task force, unless the person is automatically placed on a committee by virtue of his or her leadership role (such as ASB president or immediate past president).

Members Duties

Committee or task force members are expected to promptly respond to Bar voicemails and emails and to attend all meetings in person or by Zoom video or audio call.

Absence from two consecutive meetings without an excused approval by the chair may result in removal of a member from the committee or task force.

No one may serve more than two consecutive annual terms on any committee or task force unless membership requires special training or the person is automatically placed on a committee by virtue of his or her leadership role (such as ASB president or immediate past president).

Staff Support

The State Bar's staff liaison will assist with budget preparation, meeting arrangements, the notification process, and distribution of agendas and minutes at the request of the chair of any committee or task

Notices of meetings, which may be mailed from the State Bar headquarters, should contain a proposed agenda for the meeting, and should be sent sufficiently in advance to allow members adequate time.

Each committee or task force must have a written promotional or publicity plan for its events and CLE sessions. Upon request by the chair of any committee or task force, the State Bar's communications department will provide technical assistance for two Zoom events or CLE sessions per year. Any request that exceeds this two Zoom event limit must be approved by the President of the State Bar.

The State Bar will keep an online archive of the minutes, activities reports and promotional plan of each committee or task force, as a repository of knowledge and experience and viewable by ASB members