

**BYLAWS OF THE TEXAS CHAPTER OF THE AMERICAN IMMIGRATION  
LAWYERS ASSOCIATION**

**ARTICLE I  
NAME AND OBJECT**

**Section 1.1 – Name**

The name of this organization shall be the TEXAS CHAPTER of the AMERICAN IMMIGRATION LAWYERS ASSOCIATION (hereinafter referred to as the “Chapter” and the “Association” respectively).

**Section 1.2 – Objects**

The objects of this Chapter shall be the same as those set forth in the Bylaws of the Association, as amended from time to time (hereinafter referred to as the “Association’s Bylaws”).

**ARTICLE II  
JURISDICTION AND AUTHORITY**

**Section 2.1 – Jurisdiction**

The geographic area of jurisdiction of this Chapter shall encompass that area covered by the District Offices and Suboffices of the Immigration and Naturalization Service located in Texas, New Mexico, and Oklahoma, or as determined by the Board of Governors of the Association (hereinafter referred to as the “Board of Governors”) from time to time.

**Section 2.2 – Authority**

The authority of this Chapter in the conduct of affairs shall be as set forth in the Association's Bylaws, which are incorporated herein by reference.

**ARTICLE III  
MEMBERSHIP**

**Section 3.1 – Eligibility**

- (a) An attorney whose principal place of business, or if retired whose principal place of residence, is within the geographic jurisdiction of this Chapter and who possesses the qualifications set forth in the Association's Bylaws, shall be eligible to be a Member of this Chapter. Every Chapter Member must be a Member of the Association. In the event a Member moves his or her principal place of business out of the geographic area, the member becomes an “Out-of-Jurisdiction Member.”
- (b) In addition, the Chapter may admit as a Member an attorney who nether has a principal

place of business, nor principally resides as a retiree, in the geographic jurisdiction of this Chapter (hereinafter referred to as “Out-of-Jurisdiction Member”), provided such attorney is and remains in good standing as a Member of another Chapter or is and remains in good standing as a Member at Large of the Association.

### **Section 3.3 – Waivers**

Waivers of any requirement for election to Membership by the Chapter shall be available only as set forth in the Association's Bylaws.

### **Section 3.4 – Applications and Election**

- (a) Application for each type of membership shall be made on such forms as issued by the Association and approved by the Board of Governors.
- (b) The Membership Committee shall receive and consider such application to determine an applicant's eligibility for the applicable type membership pursuant to these Bylaws. A list of names of applicants shall be published the next available Chapter mailing for comments from Members. The Committee shall make a recommendation regarding approval unless objection is received by the Committee within 30 days of the next Chapter mailing. Any applicant with respect to whom an objection has been received may, upon such applicant's request, meet informally with the Membership Committee to respond to such objection. If the Committee determines a negative recommendation is in order, the applicant may come to the Spring or Winter Chapter Conference to respond to such negative recommendation to the Chapter membership as a whole.
- (c) The Chapter shall generally extend comity to the consideration of applications for Chapter Membership by Association Members in good standing who are transferring their principal place of business or principal residence as a retiree to the geographic jurisdiction of the Chapter.
- (d) Review of Chapter action, or failure to act within six months, on applications for elections to Membership shall be available as set forth in the Association's Bylaws and pursuant to the rules and procedures established by the Board of Governors.
- (e) Applications for Membership shall be completed by an officer of the Chapter and sent to the National Office of the Association (hereinafter “National Office”) within seven days after final action thereon by the Chapter or approval by the Membership Committee, together with the applicable dues payment if not already forwarded to the National Office.

### **Section 3.5 – Chapter Dues**

- (a) Chapter dues shall be in an amount established from time to time by the Chapter

by a majority of the Chapter Members present and voting at a regularly scheduled meeting of the Chapter; provided that at least 15 days advance notice of such a vote shall be given by a mailing to the Chapter.

- (b) Chapter dues for Special Members and Members employed by non-profit organizations shall be in accordance with the rules and procedures established by the Board of Governors.
- (c) Chapter dues, together with Association dues, shall be billed and received on behalf of the Chapter by the National Office. The Treasurer of the Chapter shall communicate with the Treasurer of the Association and the National Office to provide information regarding Chapter dues and shall receive remittances of Chapter dues collected by the National Office.

### **Section 3.6 – Fiscal Year**

The fiscal year of the Chapter shall be the same as the fiscal year of the Association, unless otherwise determined by the Board of Governors.

### **Section 3.7 – Governance of the Association's Bylaws**

The Association's Bylaws, as they relate to payment and default in dues, maintenance of Chapter and membership status, resignation, loss of membership, censure, suspension, expulsion, reinstatement of property interest, good standing, and certificates of membership shall be applicable to and govern these Bylaws. No provision of these Bylaws shall be in conflict with the Association's Bylaws, as construed from time to time by the Board of Governors; and in the event of any such conflict, the Association's Bylaws shall govern.

## **ARTICLE IV OFFICERS**

### **Section 4.1 – Officers**

The officers of this Chapter shall constitute the Executive Committee and shall be:

- (a) A Chairperson, who shall not be eligible to succeed to that office more than once in succession without the approval of the Board of Governors;
- (b) A Vice-Chairperson;
- (c) A Treasurer;
- (d) A Secretary; and
- (e) Immediate Past Chairperson

## **Section 4.2 – Qualification of Officers**

Only Members of the Chapter in good standing immediately preceding an election shall be eligible to be officers of the Chapter. Out-of-Jurisdiction and Special Members shall not hold office; however, an Out-of-Jurisdiction Member may complete a term of office if such person becomes an Out-of-Jurisdiction Member after having been elected or appointed to an office.

## **Section 4.3 – Election of Officers**

Candidates for Chapter offices shall be selected at its Spring Chapter Conference, as follows:

- (a) There shall be a Nominating Committee consisting of the Immediate Past Chairperson of the Chapter, who shall be the Chair of the Committee, and at least two other Members, who shall be appointed by the Chapter Chairperson. Should the Immediate Past Chairperson be unable or unwilling to serve, the Chapter Chairperson shall appoint a Chair of the Nominating Committee to act instead.
- (b) The election of officers shall be conducted each year immediately following the Spring Chapter Conference from the nominees nominated by the Nominating Committee and from the floor at such meeting with acceptance by said nominee. Should there be more than two nominees for any given office, a trial vote shall be conducted at such meeting and two candidates receiving the highest number of votes at the Spring Chapter Conference shall be nominated and only their names placed on the official ballot.
- (c) The official ballot shall be either electronic or a paper ballot, on white bond paper, and shall include the name of each office and the nominees for each office. The decision to vote either electronically or via paper ballot is to be made by the Chapter officers no later than 30 days prior to the Spring Chapter Conference. If the Chapter officers elect to vote electronically, a paper ballot may still be sent to any member who so requests in writing to the Chapter Secretary no less than 30 days prior to the date of dissemination of the ballots.
- (d) Each nominee shall be allowed a maximum fifty word synopsis of that nominee's qualifications for that office. This synopsis must be provided by said nominee to a designated Chapter officer at least 10 days prior to the date on which ballots are transmitted electronically or mailed.
- (e) The official electronic or paper ballot containing the name of each nominee for the respective offices shall be electronically sent or mailed by the Chair of the Nominating Committee to the membership after the Spring Chapter Conference and the results announced prior to the Annual Conference of the Association. If voting is done via paper ballot, the Secretary shall also mail to each Member a blank envelope in which his marked ballot shall be enclosed, and a return addressed envelope on which the Member shall sign and put his name and return address, so that such envelope can be checked to determine that the ballot has been returned by a Member in good standing who is eligible to vote. Any paper

ballot and signed envelope shall be returned to the Chair of the Nominating Committee within a time certain, to be specified. The choice for each officer shall be the qualified member receiving a majority of valid votes.

- (f) Each Member, including Out-of-Jurisdiction and Special Members, of the Chapter entitled to vote who is in good standing shall have one vote for each office.
- (g) No person shall be a nominee for office unless that person's Association and Chapter dues are current; provided that, in the event any nominee is challenged by notice to the Secretary on the grounds of delinquency in dues, that nominee shall be given five days within which to correct such delinquency.
- (h) No nominations shall be considered or voted upon unless made as herein provided.
- (i) The Chair of the Nominating Committee shall count any paper ballots and review the electronic votes and forward the results, along with the ballots and signed envelopes if voting was done via paper ballot, to the Chapter Chairperson before or at the Annual Conference of the Association.

#### **Section 4.4 – Term of Office for Officers**

The officers shall serve for one year beginning with the Annual Conference of the Association immediately after their election and ending with the commencement of the next Annual Conference of the Association, or until their successors take office, whichever is later. If any office becomes vacant by resignation or otherwise, it shall be temporarily filled for the remainder of the unexpired term by the Executive Committee.

#### **Section 4.5 – Duties of the Officers**

- (a) The Chapter Chairperson shall be the Chapter's chief presiding officer; shall preside at any meetings of the Chapter and meetings of the Executive Committee; shall be the representative and directive head in the general conduct of Chapter affairs; shall be an ex-officio member of all committees; shall manage and distribute the publications of the Chapter; and shall perform whatever other duties as may be necessary to fulfill the responsibilities prescribed by these Bylaws and the Association's Bylaws.
- (b) The Vice-Chairperson of the Chapter shall, as called upon by the Chairperson, assist and advise the Chairperson in the conduct in the absence or incapacity of the latter; and shall perform whatever other duties these Bylaws or the Association's Bylaws may prescribe.
- (c) The Treasurer of the Chapter shall receive the dues and other monies payable to the Chapter; shall maintain all the financial records of the Chapter; shall promptly record all Chapter receipts and shall deposit same within 30 days of receipt in a

banking or financial institution approved by the Executive Committee; shall promptly transmit all funds, as appropriate, to the National Office; shall endorse checks for deposit only in a bank or financial account of the Chapter; shall issue and sign checks for the withdrawal of said receipts in payment of Chapter obligations; shall, in communication with the Treasurer of the Association and the National Office, maintain a current record of the standing of all members in respect to the payment of dues and shall report to the Chapter the names of those who have been notified of their delinquency in the payment of dues; shall submit a report to the Chapter and the Treasurer of the Association on or before the date of the Spring Chapter Conference covering all receipts and expenditures for the preceding year, together with a report of the Chapter's Budget and Audit Committee; shall report to the Chapter conferences on the financial condition of the Chapter; shall report in writing to the Executive Committee on the financial condition of the Chapter at least semi-annually; and shall perform whatever other duties these Bylaws or the Association's Bylaws may prescribe.

- (d) The Secretary of the Chapter shall record and permanently maintain the minutes of all Chapter meetings; shall maintain an inventory of Chapter property, including all papers, addresses, and reports, other than bank deposits and cash on hand; shall serve in the procedure governing amendments of Bylaws; shall send all required notices to Members; shall conduct whatever other correspondence the Chapter Chairperson or the Chapter may require; shall maintain a current mailing list of Members and Candidates for Membership and others designated to receive Chapter publications; shall have general charge of files of Chapter correspondence; and shall perform whatever other duties these Bylaws or the Association's Bylaws may prescribe.

## **ARTICLE V MEETINGS**

### **Section 5.1 – Meetings**

- (A) There shall be a Spring Chapter Conference, which conference shall take place during the months of March, April, or May, but in any event prior to the Annual Conference of the Association. The business of the Spring Chapter Conference shall include, along with other matters as deemed appropriate by the Chapter Chairperson, the following:
  - (a) nomination of candidates for elective Chapter offices;
  - (b) annual membership report;
  - (c) annual fiscal reports;
  - (d) annual reports of Committees;
  - (e) selection of site of subsequent Spring Chapter Conference; and

- (f) any other Chapter business
- (B) There shall be a Winter Chapter Conference, which conference shall take place during the months of November or December. The business of the Winter Chapter Conference shall include, along with other matters as deemed appropriate by the Chapter Chairperson, the following:
  - (a) selection of site of subsequent Winter Chapter Conference;
  - (b) any other Chapter business

### **Section 5.2 – Regular Meetings**

The regular meetings of the Chapter shall be the Chapter Winter Conference and Chapter Spring Conference. The Chapter Chairperson shall have the authority to call other meetings that may be required upon 30 days notice to all Chapter Members. In an emergency or in any matter required Chapter approval, the Executive Committee may act on behalf of the Chapter.

### **Section 5.3 – Quorum at Meetings**

Ten Members of the Chapter in good standing shall be sufficient to constitute a quorum to transact business at the Spring and Winter Chapter Conferences. The presiding officer at any of the meetings of the Chapter may vote only to break a tie.

### **Section 5.4 – Resolutions, Motions, and Other Actions**

Except as otherwise specifically prescribed by these Bylaws or the Association's Bylaws, all resolutions, motions, and other actions of this Chapter shall be deemed approved by the affirmative vote of the majority of valid votes cast by those present and voting. Proxy votes are not permitted.

### **Section 5.5 – Meeting Procedures**

Except as otherwise provided by these Bylaws or the Association's Bylaws, or by agreement of the Members present, all meetings of this Chapter and of its committees shall be conducted in accordance with the latest edition of Robert's Rules on Parliamentary Procedure.

### **Section 5.6 – Who May Attend Meetings**

Only Members, Out-of-Jurisdiction Members, and Special Members of the Chapter; members of the Board of Governors; and guests invited by Members of the Chapter may attend meetings of the Chapter; provided, however, that a majority of Chapter Members present at a meeting may vote to exclude such invited guests for good cause.

## **ARTICLE VI COMMITTEES**

### **Section 6.1 – Appointment of Committees**

The Chapter Chairperson shall appoint such committees as are necessary for the purpose of realizing the objectives and transacting the business of the Chapter, including but not limited to, the following standing committees:

- (a) Awards Committee
- (b) Budget and Audit Committee
- (c) Membership Committee
- (d) Spring Conference Arrangements Committee
- (e) Spring Conference Program Committee
- (f) Winter Conference Arrangements Committee
- (g) Winter Conference Program Committee
- (h) Donations Committee

In addition, the Chapter Chairperson shall appoint Section Chairpersons, EOIR and/or INS Liaison Persons for Albuquerque, Dallas, Harlingen, Houston, Oklahoma City, San Antonio, and any other cities or regions deemed appropriate by the Chapter Chairperson.

### **Section 6.2 – Appointment and Tenure of Committees**

The members of the committees shall be appointed by the Chapter Chairperson to serve for the ensuing year and until their respective successors are appointed by the succeeding Chapter Chairperson. The Chapter Chairperson shall designate the chairperson of the committees and notify the other members of such committee of their appointment. A committee of one may be appointed, as appropriate. Co-chairpersons may be appointed, as appropriate.

### **Section 6.3 – Quorum in Committees**

A majority of the members of any committee shall constitute a quorum thereof at any of its meetings.

### **Section 6.4 – Functions of Committees**

- (a) General Functions. All committees shall report on their activities to the Chapter orally and/or in writing from time to time, and they shall make a final written



summary report to the Spring Chapter Conference of the Chapter on their progress and accomplishments for the preceding year as requested by the Chapter Chairperson.

- (b) Sections. The Chapter recognizes Sections corresponding to the areas of jurisdiction of INS district offices and suboffices. Sections, under the leadership of the Section Chairpersons, are responsible for organizing and implementing activities appropriate to meet the needs of the Members of the Sections. Section INS Liaison Persons and EOIR Liaison Persons, who may be the same as the Section Chairpersons, are responsible for organizing appropriate liaison activities with the INS offices and suboffices and EOIR Offices of the Immigration Judges, respectively.
- (c) The Awards Committee shall determine the recipients of regular and special awards made by the Chapter.
- (d) The Budget and Audit Committee shall participate with the Executive Committee in preparing a Chapter budget for each fiscal year and shall periodically review the carrying out of that budget and the financial affairs of the Chapter.
- (e) The Membership Committee shall recruit new Chapter Members and perform other activities assigned by these Bylaws or by the Chapter Chairperson from time to time.
- (f) The Spring and Winter Conference Arrangement Committees shall make all arrangements for the Spring Chapter Conference and Winter Chapter Conference, respectively, except for the organization of the programs.
- (g) The Spring and Winter Conference Program Committees shall plan and carry out the program for the Spring Chapter Conference and Winter Chapter Conference, respectively. These committees will arrange programs that qualify for Continuing Legal Education Credit in Texas, New Mexico, and Oklahoma (including accreditation by the Texas Board of Legal Specialization) and shall take all necessary actions to effect the awarding of credit to Chapter Member attendees who are members of the bar of Texas, New Mexico, and/or Oklahoma.
- (h) The Donations Committee shall review all timely filed donation requests submitted by those organizations who adhere to and comply with the Committee's adopted protocols. The Committee shall then make a recommendation to the Executive Committee as to which organization(s) should be considered for funding, which will subsequently be voted on by the membership at the Chapter's Spring business meeting.

**ARTICLE VII**  
**ADOPTION AND AMENDMENT OF BYLAWS**

### **Section 7.1 – Methods**

Subject to the approval of the Board of Governors, these Bylaws may be adopted, amended, or rescinded at the Winter or Spring Chapter Conferences upon the affirmative vote of two-thirds of the Members of the Chapter in good standing present and voting; provided that notice of the proposed action, which may be filed by one or more Chapter Members with the Chapter Secretary, shall have been given by said Secretary to the Chapter in writing at least 15 days before the meeting at which such action is proposed to be taken. Proposed amendments shall be submitted to the Chapter Secretary at least 30 days before such Chapter Conference.

### **Section 7.2 – Effective Date**

These Bylaws shall take effect immediately upon adoption by the Chapter membership and approval by the Board of Governors.

### **Section 7.3 – Savings Provision**

All of the officer and committee persons of the Chapter holding office at the time these Bylaws take effect shall continue to hold office thereunder and in accordance therewith.