

BAMSL MAILING LIST AND E-MAIL POLICY

Adopted 9/18/2019

This policy combines and replaces the former “Policy on Availability of Labels”, “BAMSL Committee/Section E-Mail Policy for Committee and Section Notices Sent via E-Mail”, and any other prior BAMSL policies relating to the use and/or sharing of members’ information for purposes of mailing or e-mailing.

General Policy

1. The names, addresses, e-mail addresses, and other information collected about the members of The Bar Association of Metropolitan St. Louis (“BAMSL” or “Association”) are maintained by the Association for the official purposes of the Association. The membership list shall remain the exclusive property of the Association, and shall be under the control of the Association’s Executive Director.
2. Only the Board of Governors or the Executive Committee can authorize the use of members’ e-mail addresses for purposes other than official Association business. Occasionally, requests from groups who would like to use members’ e-mail addresses for purposes directly related to the administration of justice can be authorized by the Board or the Executive Committee. As to such third-party groups, only proposed uses directly related to the administration of justice should be considered, and any authorized use would be strictly limited to the specific purpose requested.
3. Mailings and e-mails by the Association shall be limited to those matters to serve the needs of the Association and its membership. Accordingly, the membership list shall only be used for mailings of activities of the Association and of organizations that have contractual relationships with the Association for use of the Association’s mailing list, including but not limited to: the Saint Louis Bar Foundation. The Association shall not provide its mailing list for any other use except upon prior approval by either the Board of Governors or the Executive Committee, and upon payment of fees established by the Association. The Executive Director shall, from time to time, determine appropriate fees for use of the mailing list. These fees shall be referred to the Finance Committee and to the Board of Governors for approval.
 - a. The Board of Governors recognizes that there is a legitimate need for members of the Board of Governors and Committee Chairpersons to communicate with their constituents. As such, should a member of the Board of Governors or Committee Chairperson determine that the need to communicate with their constituents, the staff of the Association will provide labels for them to mail, at their expense, letters to their constituents. If an e-mail communication is desired, the staff of the Association will send that e-mail communication on their behalf at no cost. A copy of the communication to be sent must be filed with the Executive Director of the Association before mailing or e-mail addresses are provided or utilized, and that information may be provided to the members of the Executive Committee for their information. Mailing and e-mail address information should only be used to communicate information which is within the scope of the Association and related to the function of the Association.

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- b. The Association's information should not be used for purposes related to re-election to the Board of Governors or any other office except under the policy related to the election/re-election of members of the Board of Governors.
- c. The Board of Governors recognizes that members may wish to limit the number of e-mails they receive from the Association, so the Association shall send no more than two (2) emails to the full membership each week unless otherwise approved by the Board of Governors, Executive Committee, or the Association's Executive Director. The two weekly e-mails shall consist of the e-newsletter and the continuing legal education ("CLE") bulletin.
 - i. E-mails regarding deadlines about Association elections, meetings, membership renewals, outstanding balances due to the Association, and the like shall be permitted and sent as is reasonably necessary.
- d. Any member may request that their name be omitted from the mailing list for Association mailings or e-mails. Members may opt-out by marking the appropriate field in their online profile at <https://www.bamsl.org> or by submitting a written request to BAMSL. *Members may not opt-out of mailings or e-mails regarding Association elections, membership renewals, or outstanding balances due to the Association.*

Board of Governors Election Communications

- 4. A member of the Association, who has filed a valid nominating petition for election to the Association's Board of Governors and is running in a contested election, shall receive a list of the members of the Association who are eligible to vote in the election. Such lists with mailing addresses and/or e-mail addresses shall be provided at no cost to the candidates for use only in connection with promoting their candidacy for election to the Board of Governors. A signed agreement from each candidate indicating that the list will be used only for the purpose of promoting their candidacy for the current vacancy and agreeing to send a maximum of two (2) e-mails to the members on the list must be signed in advance of providing the list to the candidate. Candidates must also agree to destroy the list at the completion of their candidacy.
 - a. Any member may request that their name be omitted from the mailing list for campaign mailings or e-mails. Members may opt-out by marking the appropriate field in their online profile at <https://www.bamsl.org> or by submitting a written request to BAMSL.

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Third-Party Communications: Use of Mailing List

5. The Executive Director shall prepare and maintain a “mailing list” consisting of printed labels and/or electronic listings that may be made available to third-party users (communications not originating within or on behalf of the Association) for communications germane to the professional interests of the membership. Requests for use of the mailing list shall include a copy of all materials proposed to be mailed or e-mailed. The materials furnished must be approved by the Board of Governors or Executive Committee. Prior to receiving the mailing list, the user must execute a contract containing provisions against unauthorized use of the list and indemnification from all claims arising out of either use of the list or the materials distributed. In addition, the user shall prepay a fee which shall be determined initially by the Executive Director and shall be in an amount that will reimburse the Association for all direct and indirect costs associated with the maintenance and furnishing of the mailing list to the requestor. The Executive Director shall, from time to time, determine appropriate fees for use of the mailing list. These fees shall be referred to the Finance Committee and to the Board of Governors for approval.

Third-Party Communications: CLE Programs

6. Requests for use of the mailing list for continuing legal education (“CLE”) programs may be denied if, in the opinion of the Executive Director, the user's proposed program conflicts with dates, locations, or subject matter of a scheduled program or activity of the Association. To minimize such conflicts, the Executive Director may require that prospective users of the mailing list for legal education programs supply the Association with the date, location, and subject matter of the proposed program.

Third-Party Communications: Right to Opt-Out

7. While the availability of the mailing list, including members’ mailing addresses and/or e-mail addresses, for use other than by the Association is intended to be limited to third-party users whose communications are germane to the professional interest of the membership, it is recognized that members may not wish to have their names and contact information included in such mailings or e-mails. Accordingly, any member may request that their name be omitted from the mailing list for mailings or e-mails originating outside the Association. Members may opt-out by marking the appropriate field in their online profile at <https://www.bamsl.org> or by submitting a written request to BAMSL.