

1 BYLAWS
2 OF THE
3 OHIO ASSOCIATION FOR JUSTICE
4 (Adopted March 2006)
5 Revised April 6, 2017
6

7 ARTICLE 1

8 Reserved.

9 ARTICLE 2

10 Reserved.

11 ARTICLE 3 – MEMBERSHIP

12 ARTICLE 4

13 Reserved.

14 ARTICLE 5 – BOARD OF TRUSTEES

15 Section 1. An executive session occurs when the Board of Trustees or the Executive
16 Committee excludes staff from a portion of a meeting, and executive session may be
17 held only to discuss limited matters. Only persons invited by the Board of Trustees or
18 Executive Committee to join the executive session may attend, and the Board of
19 Trustees or Executive Committee may permit anyone it chooses to attend.

20 Section 2. Valid reasons for the Board of Trustees or Executive Committee to adjourn
21 into executive session are:

22 A) personnel: to consider the employment , dismissal, discipline, promotion,
23 demotion, or compensation of the Chief Executive Officer, Director of
24 Government Affairs or staff;

25 B) property: to consider the purchase or leasing of property (real or personal,
26 tangible or intangible), and to consider the sale of property.

- 27 C) court action: communication with the Association's attorney to discuss
28 pending or imminent court action; or
29 D) confidential matters: to discuss matters required to be kept confidential by
30 federal law, federal rules, state statutes, the Operating Articles, or these
31 Bylaws.

32 Section 3. The Board of Trustees or the Executive Committee may not make
33 determinations (actual voting) in the executive session. The only vote that may be taken
34 during the executive session is the vote on a motion to adjourn or recess the executive
35 session.

36 Section 4. An executive session must always begin and end in an open session, as
37 follows:

- 38 A) first, there must be a motion that states the purpose for the executive session
39 and the motion must be specific as to the matters to be discussed;
40 B) after the motion, there must be a second on the motion; and
41 C) a vote to adjourn into executive session must be made by either a roll call vote
42 or by a show of hands by a majority of a quorum of the Board of Trustees or
43 Executive Committee.

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45 ARTICLE 6

46 Reserved.

47 ARTICLE 7

48 Reserved.

49 ARTICLE 8 – DUES

50 Section 1. Except for members of the Board of Trustees, the dues of the association
51 are as follows:

52	Law Students	\$25.00
53	Government Attorneys	\$100.00
54	Attorneys practicing 2 or fewer years . . .	\$55.00
55	Attorneys practicing 2 - 5 years	\$250.00
56	Attorneys practicing 5 - 10 years	\$300.00
57	Attorneys practicing 10 - 15 years	\$350.00
58	Attorneys practicing 15 or more years . .	\$395.00
59	Retired Attorneys	\$35.00

60 Section 2. Members of the Association in good standing, including applicants
61 pending approval, will have their dues waived upon request while serving on active duty
62 in the Armed Forces of the United States. This dues waiver is good for one year and
63 renewable for up to four years. An applicant for this dues waiver must serve active duty
64 for more than 60 days to qualify for it and submit an application on a form approved by
65 the association.

66 Section 3. Members in good standing who become disabled may request a waiver of
67 dues until they are able to return to work. Before a disability waiver can be granted, the
68 member must:

- 69 A) submit a written request to the Board of Trustees for the disability waiver
70 stating that the payment of dues would be a financial hardship;
- 71 B) submit proof of disability by attaching a statement of disability from an
72 attending physician or from the Social Security Administration or from a
73 disability insurance company; and
- 74 C) submit to the association verification of continued disability every two years.

75 Section 4. A member who is 65 or older may be granted retired status by applying to
76 the Board of Trustees. For purposes of obtaining retirement status, the retired attorney
77 may not:

- 78 A) be actively practicing law;
- 79 B) hold himself or herself out as authorized to practice law;
- 80 C) hold nonfederal judicial office;
- 81 D) occupy a nonfederal position in which the attorney is called upon to give
82 legal advice or counsel or to examine the law or pass upon the legal effect
83 of any act, document, or law;
- 84 E) be employed in the judicial system in a position required to be held by an
85 attorney; or
- 86 F) practice before any nonfederal court or agency on behalf of any person
87 except himself or herself.

88 Section 5. A member enjoying any dues waiver or retired status has all of the rights
89 and privileges of any other member.

90 Section 6. The dues for the Board of Trustees of the Association, Ohio representatives
91 to the American Association for Justice, and for any Past President who wants to vote at
92 Board of Trustees' meetings are:

- 93 A) First year of service as trustee: \$1800.00
- 94 B) Practicing five or fewer years: \$1800.00
- 95 C) All others: \$3000.00

96 ARTICLE 9 – COMMITTEES

97 Section 1. The standing committees of the association are the Nominating
98 Committee, the Continuing Legal Education Committee, the Membership Committee,

99 the Personnel & Budget Committee, the Public Affairs Committee, the Amicus Curiae
100 Committee, the Publications Committee, the Technology Committee, the Bylaws
101 Committee, and the Annual Convention Committee.

102 Section 2. The Nominating Committee consists of the President, the Immediate Past
103 President, and five members appointed by the President. This Committee nominates for
104 election at the annual meeting officers and District Trustees and the members to
105 represent Ohio on the Board of Governors and as State Delegates to the Association of
106 Trial Lawyers of America. The Nominating Committee must be appointed in adequate
107 time so that its report may be circulated among the members at least 30 days before the
108 annual meeting. Additional nominations for each office, and for District Trustee, may
109 be made not less than 15 days before the annual meeting by written petition of five
110 members, but to be valid petitions for nominations for District Trustee must be
111 submitted by members from the same appellate district as the nominee.

112 Section 3. The Continuing Legal Education Committee is responsible for all
113 educational programs provided by and on behalf of the Association. It reviews both the
114 content and the speakers for each program to determine the suitability of the program
115 for the membership and to assure the profitability of the program.

116 Section 4. The Membership Committee is responsible for securing new members of
117 the association and membership retention. It conducts the preliminary review of
118 applications for dues waivers and requests for retired member status. It is responsible
119 for reviewing new member applicants for qualifications for membership, consistent with
120 Article III of the Operating Articles, and making recommendations to the Board of
121 Trustees for expulsion or suspension as provided in Article III, Section 3 of the
122 Operating Articles.

123 Section 5. The Personnel & Budget Committee is responsible for formulating criteria
124 for evaluation of all personnel, conducting a periodic review of the Chief Executive
125 Officer and/or Director of Government Affairs, and reporting to the Board of Trustees
126 about these matters for appropriate action. It is responsible for formulating the annual
127 budget, making periodic adjustment of line items in the budget to reflect fiscal
128 exigencies which may occur during the year, and reporting these matters to the Board of
129 Trustees for appropriate action.

130 Section 6. The Public Affairs Committee is responsible for representing the
131 Association before the Ohio General Assembly. In conjunction with appropriate Section
132 Chairs, it reviews proposed legislation and formulates strategy on behalf of the
133 Association regarding legislation which will impact on the membership and the clients
134 served by the membership. Where appropriate, it will develop legislative positions and
135 formulate strategies for introduction of legislation favorable to the membership and the
136 clients served by the membership.

137 Section 7. The Amicus Curiae Committee represents the Association by presenting its
138 position in the courts of Ohio when cases present issues of overriding importance to the
139 membership and the clients served by the membership.

140 Section 8. The Publications Committee is responsible for managing the publications
141 of the Association, including Ohio Trial, the Advisory, and the Verdict Reporter.

142 Section 9. The Technology Committee is responsible for monitoring the Listserve and
143 providing guidelines and policies for its use. The committee also works with staff to
144 review matters involving the web site and other technology matters which are brought to
145 its attention by staff.

146 Section 10. The Bylaws Committee is responsible for the periodic review of the
147 Operating Articles and the Bylaws of the Association and recommending proposed
148 amendments to the Board of Trustees for appropriate action. The Chair of the Bylaws
149 Committee is the Parliamentarian of the Association.

150 Section 11. The Annual Convention Committee is responsible for planning the
151 Association's annual convention. The Annual Convention Committee is comprised of
152 the President-Elect and the Section Chairs. It assists the President-Elect in formulating
153 the educational programs to be provided, securing the faculty, planning entertainment,
154 and otherwise assisting in promoting a profitable event.

155 Section 12. The President or the Board of Trustees may from time to time establish
156 other committees.

157 **ARTICLE 10 – SECTIONS**

158 Section 1. The sections of the Association serve as educational forums for members
159 with shared interests in particular legal issues and areas of specialization.

160 Section 2. The sections include the Consumer Law Section, the Criminal Law Section,
161 the Employment Law Section, the Environmental Law Section, the Family Law Section,
162 the Insurance Law Section, the Medical Negligence Section, the Negligence Law Section,
163 the New Lawyers Section, the Products Liability Section, the Social Security Section, and
164 the Workers' Compensation Section.

165 Section 3.

166 I. Workers' Compensation Section Chair

167 a. Role: The duties of the Workers' Compensation Section Chair shall include the
168 following:

- 169 i. Communication with the Section Vice-Chair about relevant information
170 obtained at Executive Committee Meetings, and distribution of relevant
171 information to the listserv, when appropriate.
- 172 ii. Communication with the Section Vice-Chair about section activities.
- 173 iii. Communication between the Workers' Compensation Section and OAJ, as
174 well as between OAJ and the Regional Representatives. At all times possible, the
175 Section Chair shall do their best to update the Section through the workers'
176 compensation listserv.
- 177 iv. Participation in the official OAJ/BWC meetings.
- 178 v. Participation in the nomination of Regional Representatives.
- 179 vi. Participation in the nomination of the next Section Vice-Chair.
- 180 b. Election: The Person who has served as Section Vice-Chair the previous year will
181 become Section Chair following their term as Section Vice-Chair.
- 182 c. Term: The Section Chair will serve a one year term beginning at the OAJ Annual
183 Convention.
- 184 II. Workers' Compensation Section Vice-Chair
- 185 a. Role: The duties of the Vice-Chair shall include the following:
- 186 i. Communication with the Chair about section activities.
- 187 ii. Distribution of relevant information to the listserv when appropriate.
- 188 iii. Participation in official OAJ/BWC meetings.
- 189 b. Election:
- 190 i. Qualifications: In order to serve as Vice-Chair, an individual must have
191 demonstrated a commitment to furthering the interests of OAJ and its Workers'
192 Compensation Section. The following activities can be taken into consideration

193 when electing the Section Vice-Chair: previous service as a Workers'
194 Compensation Regional Representative, Representative at OAJ/BWC Meetings,
195 or Workers' Compensation Section Chair.

196 ii. The Vice-Chair will be selected prior to the OAJ Annual Convention.

197 iii. Nominations: Qualified Members shall apply to OAJ indicating their interest
198 in the Workers' Compensation Section Vice-Chair position. Applicants may
199 include recommendations from active section members along with their
200 applications.

201 iv. The Vice-Chair shall be selected by a majority vote from the sitting Section
202 Chair, a representative selected by past Section Chairs, and the sitting OAJ
203 President.

204 v. In the event that no candidate receives a majority vote, the position will be
205 filled by a majority vote of the Board of Trustees for OAJ.

206 c. Term: The Vice-Chair shall serve a one year term beginning at the OAJ Annual
207 Convention. Following the expiration of the one year term, the Vice-Chair shall become
208 the Section Chair for the following term.

209 III. Workers' Compensation Regional Representatives

210 a. Role: Ensure that issues relevant to the Section that arise in each region of the state
211 are conveyed to the Chair and Vice-Chair of the Workers' Compensation Section.

212 i. As such, Regional Representatives must gather information regarding pertinent
213 issues in their regions to be provided to the Chair of the Workers' Compensation
214 Section.

215 ii. When pertinent, oral and/or written reports of regional issues shall also be
216 provided to section members sitting on pertinent committees.

217 iii. When issues are raised by Representatives from other regions, a Regional
218 Representative may also be asked to investigate the impact of issues in the region
219 they represent.

220 b. Representation: Six Regional Representatives shall be selected to represent the
221 following regions:

222 i. Cincinnati/Dayton (1 representative)

223 ii. Cleveland (1 representative)

224 iii. Columbus/SE Ohio (1 representative)

225 iv. Akron/Canton (1 representative)

226 v. Toledo (1 representative)

227 vi. Youngstown (1 representative)

228 c. Election:

229 i. Qualification: Members of the OAJ Workers' Compensation Section in good
230 standing are eligible to be selected as Regional Representatives.

231 ii. Nomination:

232 1. Qualified Members shall apply to OAJ indicating their interest in serving
233 as Regional Representative.

234 2. The application shall indicate the region in which that individual
235 practices and the region the applicant seeks to represent, for an attorney
236 may not represent a region if they do not practice workers' compensation
237 law in that region.

238 3. It is recommended that an individual applying for the position of

239 Regional Representative include with their application, three

240 recommendations from other attorneys practicing in the field of workers'

241 compensation. It is preferred that at least two of those recommendations
242 come from attorneys who practice workers' compensation in the region
243 that the applicant seeks to represent.

244 iii. Selection: Regional Representatives shall be selected by majority vote of the
245 sitting Section Chair, a representative selected by past Section Chairs, and the
246 sitting President.

247 iv. Term: Regional Representatives shall serve two year terms, beginning at the
248 OAJ Annual Convention.

249 v. In the event an applicant for a Regional Representative position does not
250 receive a majority of the votes, the position will be filled by a majority vote of the
251 Board of Trustees for OAJ.

252 IV. Official OAJ/BWC Meetings

253 a. The official meetings held between OAJ and the BWC or Industrial Commission, or
254 any other government office regarding workers' compensation matters, shall include
255 five members. Those members shall include the following:

256 i. Current Section Chair

257 ii. Past Section Chair: At least one past Section Chair will represent the section at
258 OAJ/BWC meetings. That representative will be selected by a vote of the former
259 Section Chairs, with each former Section Chair getting one vote, irrespective of
260 the number of times that person served as Section Chair.

261 iii. Executive Committee Representative

262 iv. President's Picks: Two representatives to the meetings shall be chosen through
263 discussions between the sitting OAJ President, the sitting Section Chair, and a
264 representative selected by the past Section Chairs.

265 v. Where additional Committees are created to address specific issues between
266 OAJ and the BWC, Industrial Commission, or any other government agency,
267 persons other than those who participate in the official OAJ/BWC meetings may
268 be considered. Those persons shall be chosen by a vote of the five persons
269 participating in the OAJ/BWC meetings.

270 b. Number of Representatives: If the President and the past Section Chairs agree to
271 appoint the same individual, there shall be five representatives at the OAJ/BWC
272 Meetings. If a disagreement exists, six representatives may be appointed.

273 c. Additional Considerations for Representatives at OAJ/BWC Meetings

274 i. Experience: Only workers' compensation practitioners who are actively
275 involved with the OAJ Section can represent the section at OAJ/BWC Meetings.
276 Prior experience, such as roles as Section Chair, Section Vice-Chair, Regional
277 Representative, and/or OAJ/BWC meeting participant, may be considered when
278 determining participants at the OAJ/BWC meetings.

279 ii. Regional Diversity: The different regions of the state should be adequately
280 represented at the OAJ/BWC Meetings. Therefore, the Section Chair and OAJ
281 President should consider the representation of the three primary regions of the
282 state – North (Cleveland, Akron, Canton, Toledo, etc.), Central (Columbus, SE
283 Ohio, etc.), South (Cincinnati, Dayton, etc.) – when committee members are
284 selected.

285 iii. An individual who fails to regularly attend OAJ/BWC meetings should be
286 replaced in order to ensure adequate representation at the OAJ/BWC meetings.

287 ARTICLE 11

288 Reserved.

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ARTICLE 12

290 Reserved.

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ARTICLE 13 – AMENDMENTS

292 Section 1. These Bylaws may be amended by a majority vote of the members of the

293 Board of Trustees present and voting at a duly constituted meeting.

294 Section 2. An amendment must be proposed to the President or Secretary in writing

295 not less than ten days before a meeting of the Board of Trustees.

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