

Amended and Restated Bylaws of the Colorado Access to Justice Commission ~~Bylaws~~

Article I. ~~Article I.~~ **Mission**

The mission of the Colorado Access to Justice Commission is to develop, coordinate and implement policy initiatives to expand access to and enhance the quality of justice in civil legal matters for persons who encounter barriers in gaining access to Colorado’s civil justice system.

~~Article I.~~ Article II. ~~Article II.~~ **Members**

Section 2.01 ~~Section 2.01~~

Number and Appointment. The Commission shall have no ~~less~~fewer than seventeen and no more than twenty voting members, appointed by the following organizations or persons:

<u>Appointing Entity or Person</u>	<u>Number of Members</u>
Colorado Bar Association	Ten
Supreme Court of Colorado	Four
Colorado Legal Services	One
Colorado Lawyer Trust Account Foundation	One
Legal Aid Foundation of Colorado	One
Governor of Colorado	One
President of the Colorado Senate	One
Speaker of the Colorado House of Representatives	One

~~Section 2.02~~

~~Section 1.01~~ Section 2.02

Qualifications. Members of the Commission shall be residents of the State of Colorado with a demonstrated interest in access to justice. The Commission may from time to time make suggestions to the appointing organizations, and take other steps to encourage the appointing organizations to consider diversity and inclusiveness in making their respective appointments to the Commission.

~~Section 1.02~~ Section 2.03 ~~Section~~ _____ 2.03

Terms of Office. Terms of office shall be three years commencing on the first day of each calendar year, and each appointing entity may reappoint members for up to two additional terms. ~~In order to provide continuity in the membership of the Commission, the Commission’s initial members were appointed for terms of one, two and three years. The table below sets out the term expiration dates, the names of the Commissioners in office as of March 2, 2007, and the name of the entity or person who appointed each of~~

them; for a total limit of nine years of service by a member. A member who has completed terms totaling nine years may be designed as a “Commissioner Emeritus” by the Chair; and be permitted to continue serving on any of the Commission’s committees. The Chair may appoint a Commissioner Emeritus to serve on or chair any of the Commission’s committees.

December 31, 2007	Hon. Angela R. Arkin Hon. William D. Alexander Ilene Lin Bloom David Butler James Peters John S. Zakhem Diana M. Poole	Colorado Supreme Court Colorado Bar Association Colorado Bar Association Colorado Bar Association Speaker, Colorado House President, Colorado Senate COLTAF
December 31, 2008	Hon. Gregory J. Hobbs, Jr. Hon. JoAnn L. Vogt Mary Ann Corey Karen H. Duwaldt Hon. Daniel M. Taubman Ryan Call Frederick J. Baumann	Colorado Supreme Court Colorado Supreme Court Colorado Bar Association Colorado Bar Association Colorado Bar Association Governor of Colorado Legal Aid Foundation
December 31, 2009	Hon. Barney Iuppa Inga M. Causey Hon. Simon Mole Constance C. Talmage Janet Price Jonathan D. Asher	Colorado Supreme Court Colorado Bar Association Colorado Bar Association Colorado Bar Association Colorado Bar Association Colorado Legal Services

Section 2.04

Ex Officio Members. In addition to members of the Commission appointed as provided in this Article, the Executive Directors of Colorado Legal Services and the Legal Aid Foundation of Colorado shall be *ex officio* members of the Commission. Additional *ex officio* members may be appointed at the discretion of the Chair.

Section 1.05 Section 2.05

Resignation. Any member may resign by filing a written notice of resignation with the Secretary of the Commission which shall be effective on the date of filing unless an effective date subsequent to the date of filing is included in such notice.

Section 1.06 Section 2.06 Section _____ 2.05

Involuntary Termination. Any member may be expelled by a two-thirds vote of all members of the Commission if such member (i) has failed to attend any meeting of the Commission or a

Committee thereof for a period of ~~twelve-six~~ consecutive months or (ii) after appropriate hearing, has been found to have committed an act or acts which in the judgment of such two-thirds majority have made such member unfit for continued membership on the Commission. Any member who ceases to be a resident of Colorado shall be terminated as of the date he or she ceased to be a Colorado resident.

~~Section 1.07~~Section 2.07 ~~Section~~ _____ ~~2.06~~
Vacancies. The entity or person which appointed any member who has completed a term of office, may reappoint such member subject to the limitation on reappointments in Section ~~32.03~~ of ~~this ARTICLE II~~these Bylaws or may appoint a successor to such member. The entity or person which appointed any member who has died, resigned or been removed shall be notified of the resulting vacancy and shall have the right to appoint a successor to serve the balance of such member's term. In either case, if no such appointment of a successor is made within 60 days following written notification of such vacancy to the appointing entity or person, the majority of a quorum of the Commission at a meeting may reappoint or appoint a successor to such member.

~~Section 1.08~~Section 2.08 ~~Section~~ _____ ~~2.07~~
Appointees of Governmental Officials. Notwithstanding the provisions of Section ~~62.06~~ of ~~this ARTICLE II~~these Bylaws, the Commission shall not have authority to initially appoint, remove or replace any members appointed by the Speaker of the Colorado House of Representatives, the President of the Colorado Senate or the Governor of Colorado.

~~Article II~~Article III. ~~Article III~~. Meetings

~~Section 2.01~~Section 3.01 ~~Section~~ _____ ~~3.01~~
Regular Meetings. The Commission shall hold regular meetings no less often than quarterly at such dates, times and locations as the Commission shall determine.

~~Section 2.02~~Section 3.02 ~~Section~~ _____ ~~3.02~~
Special Meetings. Special meetings of the Commission may be called by or at the request of the Chair or of any five or more Commission members. The person calling any special meeting shall give no less than five days' prior notice stating the purpose of the meeting by personal delivery, first class mail, electronic transmission or facsimile to the address of each member as shown in the records of the Commission.

~~Section 2.03~~Section 3.03 ~~Section~~ _____ ~~3.03~~
Action and Quorum. The Commission may act through a majority of a quorum of its members at a meeting. A quorum shall consist of a majority of the members of the Commission in office at the date of such meeting. If a quorum is not present at a meeting, the majority of the members at such meeting may adjourn the meeting to a specified date, time and place as to which written notice shall be given in accordance with Section ~~23.02~~ of ~~this ARTICLE III~~these Bylaws. Proxy voting shall not be permitted at any meeting of the Commission.

~~Section 2.04~~Section 3.04 ~~Section~~ _____ ~~3.04~~
Attendance by Telephone. Members of the Commission may attend meetings by telephone or videoconference, and shall in such case be counted in the determination of a quorum.

~~Section 2.05~~Section 3.05 ~~Section~~ ~~3.05~~
Compensation. Members of the Commission shall serve without compensation, but may be reasonably reimbursed for expenses incurred while carrying out their duties as members if money is available for such reimbursement.

~~Section 2.06~~Section 3.06 ~~Section~~ ~~3.06~~
Action by Unanimous Consent. Any action which may be taken at a meeting of members may be taken without a meeting through a consent in writing describing such action and executed by all members entitled to vote thereon.

~~Section 2.07~~Section 3.07 ~~Section~~ ~~3.07~~
Waiver of Notice. Any member may waive notice of any meeting before, at or after such meeting, and such waiver shall be deemed equivalent to the giving of such notice.

~~Article III.~~Article IV. ~~Article IV.~~ **Officers**

~~Section 3.01~~Section 4.01 ~~Section~~ ~~4.01~~
Officers. The officers of the Commission shall be the Chair, Vice Chair, Secretary, and Assistant Secretary. The Commission may establish other offices from time to time. The Chair, Vice Chair and Secretary shall be Commission members. The Assistant Secretary shall not be required to be a Commission member.

~~Section 3.02~~Section 4.02 ~~Section~~ ~~4.02~~
Time and Term of Election. The officers of the Commission shall be elected by Commission members at the last meeting of the ~~Commission in each~~ calendar year and their terms shall commence on January 1 of the next calendar year. New offices may be created and filled at any meeting of the Commission. The term of office for an officer is two years. Officers may be re-elected for ~~two~~ one additional ~~term~~ term after serving a full or partial term. Officers serving as of the adoption of these Bylaws in November, 2018, may be re-elected for one additional term after serving a full or partial term.

~~Section 3.03~~Section 4.03 ~~Section~~ ~~4.03~~
Resignation, Removal and Replacement. Any officer may resign office by filing a written notice of resignation with the Assistant Secretary of the Commission which shall be effective on the date of filing unless an effective date subsequent to the date of filing is included in such notice. Any officer may be removed by a majority of a quorum at any Commission meeting. Any vacancy caused by the death, resignation or removal of an officer may be filled by a majority of Commission members at any meeting.

~~Section 3.04~~Section 4.04 ~~Section~~ ~~4.04~~
Chair. The Chair shall be the principal officer and spokesperson of the Commission, shall preside at all meetings of the Commission, and shall carry out such other duties as are authorized or assigned by the members of the Commission.

~~Section 3.05~~Section 4.05 ~~Section~~ ~~4.05~~
Vice Chair. The Vice Chair shall perform the duties and exercise the powers of the Chair when the Chair is absent or unable to act and shall carry out such other duties as are authorized or assigned by the members of the Commission.

~~Section 3.06~~Section 4.06 ~~Section~~ _____ ~~4.06~~
Secretary. The Secretary shall keep the minutes and other records of the Commission, give or cause to be given all necessary notices to members of the Commission or to third parties and, in general, perform all duties incident to the position of Secretary or assigned by the Chair.

~~Section 3.07~~Section 4.07 ~~Section~~ _____ ~~4.07~~
Assistant Secretary. The Assistant Secretary shall keep a register of current addresses, telephone and facsimile numbers and electronic mail addresses of Commission members and, in general, perform all duties assigned by the Secretary or the Chair.

~~Article IV.~~Article V. ~~Article V.~~ Committees

~~Section 5.01~~ ~~Section~~ _____ ~~5.01~~
Committees. ~~Committees of the~~ The Commission shall have the authority to establish such committees as it deems necessary, including standing and ad hoc committees.

Committee Membership. Committee members shall be appointed by the Chair of the Commission, at the first meeting of the Commission in each calendar year.

~~Section 4.01~~Section 5.02 ~~Section 5.02,~~ or at such time as new committees are established, The Chair of the Commission shall appoint one or more members of each committee as Chairs, who shall be members of the Commission or a Commissioner Emeritus
~~Committee Membership.~~ Committees shall consist of a Chair, who shall be a member of the Commission, and other members who may include members and nonmembers of the Commission. The Commission may at any meeting appoint original, additional or replacement Committee members.

~~Section 4.02~~Section 5.03 ~~Section~~ _____ ~~5.03~~
Reports. Committees shall submit written reports of their activities and recommendations at such times as the Commission shall determine.

~~Section 4.03~~Section 5.04 ~~Section~~ _____ ~~5.04~~
Responsibilities of Committee Chairs. Committee Chairs shall schedule and preside at Committee meetings, prepare agendas for such meetings, assign duties as appropriate to Committee members, draft, or cause to be drafted, reports to the Commission, and, in general, carry out the responsibilities ~~incident~~necessary to effective functioning of each Committee. Committee Chairs may enlist the assistance of the Assistant Secretary of the Commission in scheduling and sending notices and reports. Committee Chairs or their designees shall attend meetings of all Committee Chairs called by the Chair.

~~Article VI.~~ Dissolution

Section 5.05

Executive Committee. In addition to any other Committees established by the Commission under Section 5.01 of these Bylaws, there shall be an Executive Committee comprised of the Chair, Vice Chair, Secretary, and up to two members appointed by the Chair. The Executive Committee shall meet at the discretion of the Chair.

Article VI. Dissolution

The Commission's existence may be terminated at any time by a joint notice in writing from the Colorado Bar Association and the Colorado Supreme Court ~~of Colorado~~. Such notice may, but is not required to, follow a recommendation by the Commission that it be dissolved or reconstituted in a different form.

~~Article V.~~ Article VII. ~~Article VII.~~ Amendment

These Bylaws may be amended at any meeting of the Commission by affirmative vote of two-thirds of all members of the Commission, provided that written notice shall have been given to all members no less than 10 days prior to such meeting, setting forth the text of the proposed amendment or amendments.

~~Section 2.03As~~ amended, ~~March 2, 2007~~

and restated as of November 2, 2018.