

ESSEX COUNTY BAR ASSOCIATION
RESOLUTION IN RESPECT OF
REORGANIZATION OF THE ECBA PRESIDENT'S COUNCIL

WHEREAS, the Essex County Bar Association, incorporated in 1899, is the largest county bar association in New Jersey; and

WHEREAS, the Essex County Bar Association exists to uphold and defend the constitutions of the United States, the State of New Jersey and the Constitution of the Essex County Bar Association; to facilitate and improve the administration of justice; to promote the welfare of the bar and its capacity for public service; and to further the trust and confidence in the practice of the law.

WHEREAS, the Presidents' Council (the "Council") was established without a formal resolution in the mid-1980's and was intended to parallel the Federal Bar Association's Presidents' Council. Further, the Council was designed to mobilize members around significant issues facing the ECBA and to increase participation in its events.

WHEREAS, following its establishment, the Council met annually and the meetings were attended by the Council members, the Officers and Trustees of the Bar Association, the Essex County Vicinage Assignment Judge and Presiding Judges.

WHEREAS, there do not appear to be any documents that govern the establishment of the Council, the selection of its members and/or terms and conditions of membership. Despite this lack of structure, Council members apparently were selected based on recognized excellence in the profession, commitment to ECBA activities and educational programs, and a historical connection to ECBA. Additionally, factors such as firm association and others were also considered with the belief that that by selecting an influential member at a larger firm not already actively involved with the Association, that individual would encourage his/her colleagues to become ECBA members and be active in the Association.

WHEREAS, the ECBA Presidents serving over the past 20 years since its creation have called upon the Council in varying degrees. The Council has been convened for roundtable discussions on issues of importance to the ECBA and/or the legal community. It has further been called upon to encourage support of ECBA events and programs and to provide informal feedback on ECBA administrative issues..

WHEREAS, an informal survey of past ECBA presidents suggests the existence of the Council offers additional stature and validity to the Association and that its collective guidance and input into the Association's Board on developing and implementing policies and procedures for the Association and Essex County Bar Foundation have been of great value.

THEREFORE, BE IT RESOLVED THAT, based on the foregoing and the current needs of the ECBA, the following are the minimum qualifications to serve as a Council member:

- (i) Licensed Attorney in New Jersey for the last 15 years;
- (ii) Continuous Member of the ECBA for the past 10 years; and,
- (iii) Licenses to practice law in any state, have never been suspended or revoked;

FURTHER BE IT RESOLVED THAT, the following are the recommended qualifications of a Council member:

- (i) Member actively practices law in Essex County, New Jersey or was a member of the Judiciary in the Essex Vicinage;
- (ii) Member has been actively engaged in ECBA activities, i.e., he or she has served as a Committee Chair, Trustee, or Officer or fulfilled an equivalent role; and/or,
- (iii) Member is viewed in his or her field as a leader, and actively participates in CLE activities.

FURTHER, BE IT RESOLVED THAT, the following are the recommended duties and responsibilities of the Council members:

- (i) Members are expected to be active in CLE participation and attendance at ECBA functions;
- (ii) Members shall be current in their ECBA dues;
- (iii) Members are expected to encourage ECBA membership and participation in ECBA activities. For example, a Council Member who is a partner and/or affiliated with a firm is expected to encourage newer attorneys in the firm to become involved in the ECBA. On occasion, the ECBA President and/or Board members may call upon Council members to help them in Bar-related activities, including membership related activities; and,
- (iv) For at least two Officers & Trustee meetings, Council members should be invited and expected to attend to discuss ECBA issues, which participation shall be non-voting.

FURTHER, BE IT RESOLVED THAT Council members will be appointed to two (2) year terms beginning in September 2007, with half of the appointments being made for a three-year term. Therefore, beginning in 2009, and for every year thereafter, half of the Council Members will have to be re-nominated and re-appointed by the ECBA Board each year in September. There are no term limits; however, the ECBA Board shall be vigilant in ensuring that Council members fulfill their responsibilities as outlined herein or otherwise determined by the ECBA Board by resolution or vote of a majority of the Board members.

FURTHER, BE IT RESOLVED THAT the President of the ECBA shall nominate for approval by the ECBA Board a Chairperson to preside over the Council for a two-year term, expiring at the end of the Members term.

FURTHER, BE IN RESOLVED THAT a Council member should be replaced only when the Member has either not fulfilled their duties or responsibilities to the satisfaction of the ECBA Board

and/or has been consulted and has expressed a willingness to step down from the Council.

FURTHER, BE IT RESOLVED THAT the President and Officers, with the approval of a majority of the ECBA Board, will re-nominate or replace the members of the Presidents' Council as it is comprised as of September 2007.

NOW, THEREFORE, BE IT RESOLVED that the Essex County Bar Association hereby adopts this resolution to govern its President's Council and provide a formal structure for it.

BE IT FURTHER RESOLVED that a copy of this Resolution be served on the members of the Essex County Bar Association by posting on the Association's website under governing documents and that the same be filed at the Association offices and made available to all current Council members or future Council nominees, upon their request.

July 11, 2007.

Marc J. Gross,
President
Essex County Bar Association