

IN THE SUPREME COURT, STATE OF WYOMING

April Term, A.D. 2021

In the Matter of the)
Amendments to the)
Bylaws of the Wyoming State Bar)

ORDER AMENDING THE BYLAWS OF THE WYOMING STATE BAR

The Officers and Commissioners of the Wyoming State Bar have recommended that the Wyoming Supreme Court amend the Bylaws of the Wyoming State Bar. This Court finds the proposed amendments should be adopted. It is, therefore,

ORDERED that the amendments to the Bylaws of the Wyoming State Bar, attached hereto, be, and hereby are, adopted by the Court to be effective October 1, 2021; and it is further

ORDERED that this order and the attached amendments be published in the advance sheets of the Pacific Reporter; the attached amendments be published in the Wyoming Court Rules Volume; and this order and the attached amendments be published online at the Wyoming Judicial Branch's website, <http://www.courts.state.wy.us>. The amendments shall also be recorded in the journal of this Court.

DATED this 26th day of August, 2021.

BY THE COURT:

/s/

KATE M. FOX
Chief Justice

BYLAWS OF THE WYOMING STATE BAR

ARTICLE I. MEMBERSHIP

Section 5. Annual license fee.

(p) Political and Ideological Activities. The Wyoming State Bar shall not, except as provided herein, use the license fees of its members to fund activities of a political or ideological nature that are not reasonably related to:

- (1) the regulation and discipline of attorneys;
- (2) matters relating to the improvement of the functioning of the justice system;
- (3) increasing the availability of legal services to the public;
- (4) the education, ethics, competence, integrity, and regulation of the legal profession; and
- (5) any other activity authorized by Court rule or law.

(q) Objection and Refund Procedure. If any active, new active or inactive member chooses to assert that any activity of the Wyoming State Bar is of a political or ideological nature and is not within such purposes of, or limitations on, the Wyoming State Bar, the member may register his or her objection thereto with the executive director of the Wyoming State Bar for resolution as described below.

(1) In the annual license fee notification that is emailed to members during the first week of October of each year, members shall be provided notice of the Wyoming State Bar's approved budget for the current fiscal year and the procedure for objecting to specific expenditures. A written objection shall be submitted to the executive director setting forth the specific activity to which the member objects along with an explanation of the basis for the objection, and shall be submitted in accordance with the provisions of Rule 5(b)(2) of the Wyoming Rules of Civil Procedure by ~~February 1 following publication of the Wyoming State Bar's approved budget and financial statements for the fiscal year just ended in the Wyoming Lawyer~~ November 30.

(2) Upon receipt of a member's objection, the executive director shall promptly review such objection together with the allocation of license fees budgeted to be spent on the disputed activity and, in consultation with the Executive Committee, shall have the discretion to resolve the objection, including refunding a *pro rata* portion of the member's license fees ~~expended upon~~ budgeted for such activity or action, plus interest. A written response setting forth the proposed resolution shall be served on the objecting member in accordance with the provisions of Rule 5(b)(2) of the Wyoming Rules of Civil Procedure within 30 days of the objection.

(3) If the member is not satisfied with the response, he or she may submit a written demand for arbitration. The demand must be served in accordance with the provisions of Rule 5(b)(2) of the Wyoming Rules of Civil Procedure within 30 days of the response. An impartial arbitrator will be appointed by a Circuit Court judge from the First Judicial District. The arbitration proceedings are informal, and the Wyoming State Bar will have the burden to show that the disputed activity is within the purposes of, and not outside the limitations on, the Wyoming State Bar. The arbitrator will issue a written decision and any award. The arbitrator's fee will be paid by the Wyoming State Bar.

ARTICLE VII. ELECTIONS

(a) Vacancies for the positions of president-elect, vice president, treasurer, commissioner, ABA delegate, and membership on the Judicial Nominating Commission, which vacancies arise by virtue of the expiration of the applicable term of office or membership, shall be filled as follows:

(1) Nominations must be signed by at least two active, ~~resident~~ members and submitted to the executive director on or before July 1 for vacancies occurring in the coming twelve-month period. Nominations for commissioners must be signed by at least two active members who reside or maintain a practice within the applicable judicial district.

(2) In the event that no member is nominated for a given vacancy, the Board of Officers and Commissioners shall nominate one or more qualified candidates.

(3) The executive director shall provide an electronic ballot to all eligible voters on or before August 1 of each year. Only active, ~~resident~~ members who have provided email addresses to the Wyoming State Bar shall be eligible to vote. Voters for vacant commissioner seats must be active, resident members of the applicable district, and no member may vote for a commissioner in more than one district.

ARTICLE XIII. NOTICES TO MEMBERS

Section 3. Publication of ~~Budget and~~ Annual Financial Statements.

The ~~approved budget and~~ annual financial statements of the Wyoming State Bar shall be published in the ~~December~~ February issue of the *Wyoming Lawyer*. ~~The following notice shall be published in conjunction therewith:~~

~~If any member chooses to assert that any activity of the Wyoming State Bar is of a political or ideological nature and is not within the purposes of, or limitations on, the Wyoming State Bar, then such member may object thereto and seek a refund of a *pro rata* portion of his or her annual license fee expended, plus interest, by filing a written objection with the Executive Director. The objection must be made in writing, addressed to the Executive Director of the Wyoming State Bar, and submitted in accordance with the provisions of Rule 5(b)(2) of the Wyoming Rules of Civil Procedure by February 1 following publication of the approved budget and financial statements for the fiscal year just ended of the Wyoming State Bar.~~
