

**AMERICAN BOARD OF TRIAL ADVOCATES
BYLAWS OF THE SOUTH CAROLINA CHAPTER**

I. CHAPTER OFFICERS

Section 1. (a) The officers of the Chapter shall be President, President-Elect, Secretary/Treasurer and Immediate Past President.

(b) All officers shall be elected for a one-year term. The term shall run from the Annual Chapter Meeting one year to the Annual Chapter Meeting the next year. The Executive Committee shall propose a slate of officers for vote by the membership at the Annual Chapter Meeting.

Section 2. Officers of the Chapter shall have the job duties and responsibilities described in the Exhibits to these Bylaws:

- (a) President – Exhibit 1;
- (b) President-Elect – Exhibit 2;
- (c) Secretary/Treasurer – Exhibit 3;
- (d) Immediate Past President – Exhibit 4;

Section 3. (a) The Chapter shall have an Executive Committee comprised of:

- Officers of the Chapter;
- National Board Representatives, including those elected by the Chapter, those appointed to the National Board by presidential appointment and those on the National Board as a result of being past National Presidents of ABOTA or the ABOTA Foundation;

- Masters in Trial Coordinator, year 2;
- Masters in Trial Coordinator, year 1;
- Such other persons as may be appointed to the Executive Committee by the President and approved by vote of the Executive Committee.

(b) The Chapter Executive Committee shall have the powers and duties necessary and appropriate for the administration of the business and affairs of the Chapter, subject to the limitations of these Bylaws, and of the general laws of South Carolina, including: (1) the power to make rules and regulations for the government of the Chapter members and officers, and for the management of the affairs of the Chapter; (2) the power to incur indebtedness when necessary for legitimate functions of the Chapter as provided in these Bylaws; (3) the power to levy and collect such dues and assessments as may be established from time to time by majority vote of those voting from the membership of the Chapter; (4) the power to raise funds in any lawful manner to assist in producing ABOTA programs and taking other actions in furtherance of the ABOTA goals; (5) the power to establish procedures for the selection, nomination and election of new members that are not inconsistent with the provisions of the National ABOTA Constitution and Bylaws; (6) the power to call a general meeting of the membership of the Chapter at least once each calendar year and at other times for valid and legitimate purposes; (7) the power to commit the Chapter to join a Regional ABOTA Chapter; and (8) all other

powers necessary and proper for carrying out these powers and the goals of ABOTA, not inconsistent with the National ABOTA Constitution and Bylaws.

(c) If, in the discretionary judgment of the Chapter Executive Committee, an officer is or becomes unable, unsuitable or is disqualified to serve while in office or before taking office, the Chapter Executive Committee may, by a vote of two-thirds (2/3rds) of the Committee members, remove that officer and name another in the Chapter to serve the remainder of the term.

II. CHAPTER COMMITTEES

A. Standing Committees

The Chapter may have four Standing Committees outlined in Sections 1 through 4.

Section 1. A Chapter Membership Committee may be appointed by the President from the members of the Chapter. The Membership Committee shall aid the Chapter Executive Committee in the job of recommending nominees for membership as provided in the ABOTA Constitution, Article III, Sections 1 through 3, or Termination of Membership as provided in Article III, Section 4. The Chapter Executive Committee shall give consideration to, but shall not be bound by, the recommendations of the Membership Committee. An affirmative vote of three-fourths (3/4ths) of the Chapter Executive Committee shall be necessary to

recommend a nominee for membership except where otherwise specifically provided in these Bylaws.

Section 2. The Chapter Program Committee shall arrange and sponsor all events given in the name of the Chapter and shall provide for speakers on appropriate topics.

Section 3. The Chapter Public Relations Committee shall act as counsel for the Chapter in matters pertaining to public relations and shall formulate and disseminate such public statements as may be approved by a majority of the Chapter Executive Committee in accordance with the Constitution, Bylaws and rules of the National Association. However, no statement shall be made in the name of the Chapter except through or with the express authority of the Chapter President.

Section 4. The Chapter Diversity Committee shall be concerned with the exploration, formulation and recommendation of policies and activities of the organization designed to improve diversity of membership and attract accomplished trial lawyers from a broad spectrum of those practicing in the jurisdiction of the Chapter.

B. Additional Committees

The Chapter President may appoint ad hoc committees in addition to the Standing Committees described above.

III. MEETINGS OF THE CHAPTER EXECUTIVE COMMITTEE

Section 1. The Chapter Executive Committee shall use reasonable efforts to meet, face-to-face, on a bi-monthly basis (once every other month) at a date, time and location to be selected by the Chapter President. At the start of his/her one-year term, the President shall publish a list of dates, times and locations of the bi-monthly Executive Committee meetings for the year. No further written notice of the Executive Committee meetings shall be required. Meetings of the Executive Committee may also be called at any time by any member of the Executive Committee upon three days advance notice by mail, telephone, email, or any similar electronic means reasonably calculated to provide Executive Committee members with notice of the meeting.

Section 2. A majority of the membership of the Chapter Executive Committee shall normally constitute a quorum for the purposes of the bi-monthly meetings of the Executive Committee under Article III, Section 1. However, the absence of a quorum shall not prevent the Executive Committee from convening and conducting any bi-monthly meeting. At the sole discretion of the Chapter President, the Executive Committee may convene and conduct a bi-monthly meeting (including taking up and voting on any Chapter matters or business) without the presence of a quorum provided that: (a) within 7 business days of any Executive Committee meeting where a quorum is not present, the Chapter President sends written notice,

by email to all members of the Executive Committee, which specifically identifies any matters voted at the Executive Committee meeting where a quorum was not present; and (b) any matters voted on at such a meeting are approved by a majority of the Executive Committee, said majority to include the votes of those actually present at the meeting where a quorum was not present and the votes of any absent Executive Committee members given by written email within 7 business days of the written notice.

Section 3. A member of the Chapter Executive Committee may give his or her authority to vote at an Executive Committee meeting to another member of the Executive Committee by written proxy using either a letter, memo or e-mail. If the proxy is given by e-mail, the member giving the proxy shall copy all other members of the Executive Committee with the e-mail. The written proxy shall be considered and counted in determining both whether a quorum is present at the Executive Committee meeting and in counting actual votes on any matter considered by the Executive Committee. A written proxy shall be deemed sufficient for the purposes of this Section if it identifies the person to whom the proxy is given and states that said person has the authority to vote on all matters which come before the Executive Committee at the meeting.

Section 4. All matters or business within the powers of the Chapter Executive Committee may also be taken up, transacted and voted on during a

telephonic conference call or by written e-mail. A face-to-face meeting is not required to transact any matter or business within the powers of the Executive Committee.

Section 5. Unless otherwise expressly provided in these Bylaws, a simple majority vote of a quorum present at any Chapter Executive Committee meeting under this Article III is sufficient for the Executive Committee to act on any matter.

Section 6. The President, or in the President's absence, such member of the Chapter Executive Committee as the President may designate, shall preside over Executive Committee meetings. At least three business days before an Executive Committee meeting, the President shall publish, by e-mail, a written agenda for the Executive Committee meeting.

Section 7. Meetings of the Chapter Executive Committee are generally open to all members of the South Carolina Chapter without notice of the member's planned attendance. On 10 days written notice to all members of the Executive Committee, any member of the Executive Committee may invite a person who is not a member of the South Carolina Chapter (by way of example only, a prospective South Carolina Chapter member, an ABOTA National Officer, a Judge or the Dean of a law school) to attend an Executive Committee meeting. However, any voting on matters prescribed by these Bylaws shall be limited to the actual members of the Executive Committee. By direction of the President or by motion and vote of a

simple majority of the Executive Committee members present, the Executive Committee shall have the right to go into executive session which shall be limited solely to the members of the Executive Committee.

IV. EXECUTIVE DIRECTOR OF THE CHAPTER

Section 1. The Chapter may, from time to time, employ, at will, an Executive Director to perform the job duties described in Section 2, below. Compensation shall be paid in an amount determined by the Chapter Executive Committee. Employment of the Executive Director shall be in the sole discretion of the Executive Committee. Nothing in this Article IV, or the Chapter Bylaws, is intended to create a contract between the Chapter and the Executive Director or to create a definite term of employment. The employment of the Executive Director may be terminated by a majority vote of the Executive Committee at any time, with or without cause, for any reason or no reason at all.

Section 2. An Executive Director, when employed by the Chapter, shall have the duties and responsibilities described in Exhibit 5 to these Bylaws.

V. NATIONAL BOARD REPRESENTATIVES

Section 1. This Article V applies only to National Board Representatives who are elected by the Chapter Membership to serve on the ABOTA National Board of Directors. This Article does not apply to Chapter members who are appointed by the President of ABOTA National to serve on the ABOTA National Board of

Directors or Chapter members who are on the ABOTA National Board of Directors as a result of previously being a President of ABOTA National.

Section 2. The Chapter shall endeavor to elect the maximum number of elected National Board Representatives permitted by the National ABOTA Constitution and/or authorized written directives of ABOTA National. A candidate for elected National Board Representative from the Chapter shall be nominated by a majority of a quorum of the Chapter Executive Committee and then shall be elected by a majority vote of those Chapter members in good standing who attend the Annual Chapter Meeting at the Annual Black Tie Dinner. The Executive Committee of the Chapter may, in its discretion, seek nominations of candidates for elected National Board Representative from the Chapter Membership or may solicit interest in serving as an elected National Board Representative from the members of the Chapter. The Chapter Executive Committee retains the sole and complete discretion on which Chapter member to propose to the Chapter Membership as a candidate for elected National Board Representative.

Section 3. A candidate for elected National Board Representative shall be a member in good standing of the Chapter with no history of non-payment or significantly late payment of annual dues. A candidate should have demonstrated prior active involvement in the Chapter and/or ABOTA National such as serving as an Officer in the Chapter; participating in the Chapter's James Otis Lecture Series,

Masters in Trial or other Chapter Programs; making significant financial contributions to the ABOTA Foundation, etc. A current officer of the Chapter can be elected and concurrently serve as an elected National Board Representative.

Section 4. The term of each elected National Board Representative from the Chapter shall be three (3) years or such other time period as may be specified in the ABOTA National Constitution or other appropriate written directive from the ABOTA National Board. If the Chapter has more than one elected National Board Representative, the terms shall be staggered so the terms of the elected National Board Representatives do not all expire in the same year.

Section 5. There shall be no restriction on the number of terms an elected National Board Representative from this Chapter may serve on the National Board of Directors.

Section 6. Elected National Board Representatives from the Chapter shall attend at least one National Board meeting each calendar year and shall also attend at least fifty percent (50%) of the Chapter's bi-monthly Executive Committee Meetings in each Chapter Year unless excused in writing by the Chapter President. These attendance requirements shall be considered mandatory. Failure to attend the required National Board meeting and/or Chapter Executive Committee Meetings shall be grounds for removal from the National Board and replacement with another Chapter member in good standing. The Chapter Executive Committee shall also

have the right to remove an elected National Board Representative who the Executive Committee determines, in its sole discretion, is not physical or mentally able to serve or is not adequately serving the Chapter or not acting in the Chapter's best interests while serving on the National Board. Removal under this Section 6 shall be by a vote of a majority of a quorum of the Chapter Executive Committee. The elected National Board Representative shall be offered the opportunity to resign from the National Board at least ten (10) days before he/she is removed from the National Board under this Section 6. The fact and circumstances surrounding any resignation or removal under this Section 6 shall be kept confidential by the Chapter Executive Committee. In the event an elected National Board Representative resigns, only the fact of his/her voluntary resignation will be disclosed to the Chapter Membership.

Section 7. In the event an elected National Board Representative dies, becomes disabled, resigns from the National Board or is removed under Section 6 above, the Executive Committee of the Chapter shall appoint, by a vote of majority vote of a quorum of the Chapter Executive Committee, a replacement to serve as an elected Representative on the National Board until the next Annual Meeting of the Chapter Membership. The replacement elected National Board Representative shall have all the powers and rights of an elected National Board Representative as if he/she were elected by the full Chapter Membership. The replacement elected

National Board Representative shall serve until the next Annual Meeting of the Chapter Membership at the Chapter's Annual Black Tie Dinner at which time a National Board Representative shall be elected in accordance with Section 2, above, to fill the unexpired term of the elected National Board Representative who died, became disabled, resigned or was removed under Section 6, above.

VI. MEETINGS OF THE CHAPTER

Section 1. Annual Chapter Meeting. There shall be at least one Annual Meeting of this Chapter to be held at any convenient place to be selected by the Chapter Executive Committee. Unless otherwise specified in writing to each Chapter member in good standing at least one month in advance, the Annual Chapter Meeting shall be held at the Chapter's Annual Black Tie Dinner. At the Annual Chapter Meeting, annual reports of officers and committees shall be delivered and the officers for the ensuing year shall be installed. The Chapter may conduct such other business and call for votes on issues as the Executive Committee determines. All matters of the Chapter may be taken up at the Annual Chapter Meeting at the Annual Black Tie Dinner without any further written or oral notice to Chapter members.

Section 2. Other Meetings of the Chapter. The time and place of meetings other than the Annual Chapter Meeting shall be selected by the President or by such individual or committee as designated by the President for this purpose, and written

notice shall be given by the President or Secretary/Treasurer to each Chapter member in good standing at least two weeks in advance of the meeting. Business may be transacted at such meetings if a quorum is present.

Section 3. Quorum. All members in good standing present at any Chapter Meeting shall constitute a quorum sufficient for a vote on all Chapter matters.

Section 4. Conduct of Chapter Meetings. All meetings shall be conducted by the President, or in his absence, by the President-Elect or such other person as the President may designate. All matters requiring the vote of the Chapter members shall be presented by a motion from the floor by a Chapter member eligible to vote. All motions must be seconded by an additional Chapter member eligible to vote before being voted upon. The voting shall be by voice or by ballot according to the discretion of the presiding officer, except for issues requiring a secret ballot under these Bylaws. A simple majority vote shall suffice to carry any motion unless otherwise specified prior to the voting by the presiding officer. Motions will be acted upon in the order presented. Any motion that fails to be seconded shall be a nullity.

Section 5. Voting. At any meeting of the general Chapter membership, only members actually present may cast votes on any issue presented for the vote of the general membership, except that in voting on amendments to these Bylaws, or in voting on any other business that has already been the subject of a particular and

timely written notice to the membership by the Secretary/Treasurer, an absent member may vote by proxy. The method of casting a proxy vote shall be determined in advance of the meeting by the Chapter Executive Committee and the Secretary/Treasurer shall give written notice of such method in advance of the meeting to the Chapter membership.

VII. NEW MEMBERS

Section 1. Qualifications

To be admitted to membership in ABOTA from this Chapter, a nominee shall have been invited by the Chapter to apply and shall have completed at least 10 civil jury trials to jury verdict or hung jury as lead counsel. The applicant must possess the civility, professionalism, ethical attributes and other accomplishments as becomes one committed to the preservation of the Seventh Amendment and the promotion of the rule of law. Each successful applicant shall be admitted to the rank of “Member,” “Associate” or “Advocate,” as set forth in Article III, Section 2 of the ABOTA National Constitution, and shall have all the rights of Chapter members as set forth in the ABOTA National Constitution.

Section 2. Nomination of Proposed Members

(a) Any member in good standing of this Chapter may nominate an attorney admitted to practice in the State of South Carolina for membership in this Chapter provided they do so in writing on a form approved by the Chapter Executive

Committee. The member nominating a proposed member shall make reasonable efforts to determine whether the proposed member has the minimum ten (10) jury trials needed to be a member of ABOTA. The Chapter Executive Committee will not consider the nomination of a proposed candidate for membership where either: (a) the ABOTA member in good standing nominating the candidate practices in the same law firm, partnership, PA, LLC, etc. as the candidate for membership; (b) the proposed candidate's primary office of practice is located in a geographic area covered by the Charleston, South Carolina Chapter of ABOTA; or (c) the member nominating the proposed candidate for membership fails to fully complete and sign the nomination form approved by the Chapter Executive Committee.

(b) Each member of the Chapter Executive Committee may nominate a proposed member with specific consideration given to diversity on the basis of race, religion, ethnicity, gender and/or geographic area of practice.

(c) The Chapter Executive Committee shall have sole and complete discretion to propose a slate of nominees for new membership for election by the Chapter membership. The fact that an attorney is nominated for membership does not mean that such person will be proposed by the Executive Committee to the Chapter membership for election.

(d) To the extent reasonably possible, the Chapter Executive Committee shall endeavor to keep the membership of the Chapter approximately

50% attorneys who represent plaintiffs in civil cases and 50% attorneys who represent defendants in civil cases.

Section 3. Election of Proposed Members

Once nominated, to become a member of ABOTA, a successful candidate for membership must receive:

- (1) An affirmative vote of 75% of the Executive Committee, present and voting, of this Chapter;
- (2) An affirmative vote of 75% of the general membership of this Chapter actually submitting a ballot;
- (3) An affirmative vote of the majority of the National Membership Committee duly voting on the application; and
- (4) An affirmative vote of 75% of the votes cast by members of the National Board of Directors, present and voting.

Section 4. Application to ABOTA National; Time for Candidate to Submit Application to ABOTA National

Upon receiving an affirmative vote which satisfies the requirements of Article VII, Sections 3(1) and (2), above, a candidate for membership shall, within a reasonable period of time, be sent a letter by a representative of the Chapter Executive Committee advising the candidate that he/she has been nominated for membership in the South Carolina Chapter of ABOTA and that, to become a member

of ABOTA, the candidate must submit a written application to ABOTA National which complies with any requirements set by the National Membership Committee and/or the National Board of Directors. The candidate shall have one (1) year from the date of this letter to submit a written application satisfactory to the National Membership Committee and/or the National Board of Directors. If the candidate fails to submit a satisfactory written application within one (1) year of the letter to the candidate, the candidate shall not be eligible for membership in the Chapter until he/she once again successfully completes the nomination and voting process set forth in Article VII, Sections 2 and 3 of these Bylaws. The letter to the candidate shall be of a form and content approved by the majority of the Chapter Executive Committee and shall expressly inform the candidate that he/she has one (1) year from the date of the letter to successfully submit a written application to ABOTA National.

Section 5. Voting Procedures Generally; Voting for Proposed Honorary Diplomates

Voting by this Chapter for approval of membership and to nominate an individual for Honorary Diplomat shall be by written ballot, electronic means, or such other method, as members of the Executive Committee of the Chapter shall determine. When voting for approval of new members or to nominate an individual for Honorary Diplomat, a member of the Chapter may in his/her sole discretion,

vote anonymously. All other votes by the Chapter shall be by the method designated by the Chapter, unless otherwise required to be secret.

VIII. INITIATION FEES AND DUES

Section 1. The National Board of Directors will set Initiation Fees, Annual Dues and other assessments for ABOTA membership.

Section 2. In addition, Chapter assessments and fees may be imposed at any time by an affirmative vote of a majority of a quorum of the members present and voting at any meeting of the Chapter. This includes dues for membership in any Regional ABOTA organization, if formed.

Section 3. Any member of the Chapter who fails to pay National Association dues or assessments within six months from the due date thereof is automatically suspended from membership.

Section 4. Any member of the Chapter who fails to pay Chapter assessments or fees shall be subject to suspension by the affirmative vote of a majority of a quorum of the Chapter Executive Committee.

Section 5. A suspended member may not hold any office or position in the Chapter, serve as a member of any committee, or attend any meeting of the Chapter, receive any of its publications, notices or other communications, or otherwise have any of the privileges of membership.

Section 6. Upon failure of a member to pay National Association dues or assessments within 12 months of the due date thereof, his/her membership thereupon terminates as provided in Article III, Section 4 (5) of the National Constitution, and his/her name shall be removed forthwith from the roll of the members of the Chapter.

Section 7. The fiscal year of the Chapter is from the first day of January to the last day of December of the current year.

IX. TERMINATION FOR CAUSE

Section 1. Upon receipt of reliable information, of the nature set forth in Article III, Section 4 (2) of the ABOTA National Constitution, against any member of this Chapter, the National President, may choose to appoint a member of the Board of Directors, or a committee of members from the Board of Directors, to undertake an investigation of the information received. All members of this Chapter shall cooperate fully and honestly with such investigation. The investigator, or investigating committee, shall submit to the National President and National Board a written report of findings and recommendations. Such findings and recommendations shall be completed and submitted within 120 days of the appointment.

Section 2. (a) Upon receiving reliable information of the nature set forth in Article III, Section 4 (2) of the ABOTA National Constitution, against a member

of this Chapter, the President of this Chapter shall immediately notify the National President.

(b) The President of this Chapter may cause the matter to be investigated and he/she may conduct a hearing on the matter at a regular or special meeting of the Chapter. All Chapter members shall cooperate fully and honestly in such an investigation.

(c) If a hearing is conducted by the Chapter President, it shall be conducted fairly and promptly. The outcome of the hearing shall be reported promptly to the National President in writing.

Section 3. The National President and the President of this Chapter may coordinate their respective investigations.

Section 4. If the Board of Directors, after receiving the report of the investigating officer, investigating committee, or the Chapter President following a hearing under Section 2 (c), determines preliminarily that good cause for expulsion exists, the member being investigated may be granted a hearing before the National Board of Directors, if the member requests such a hearing. If such a hearing is requested and granted, it shall be conducted fairly and promptly.

Section 5. No hearing before the National Board will be necessary when:

- a. The member has been convicted of a felony or a misdemeanor involving dishonesty or moral turpitude;

- b. The member has been disbarred by a federal court or the highest court of a state.

In other cases, a hearing should ordinarily be granted, on request.

Section 6. The vote required for expulsion is set forth in Article III, Section 4 (3), of the ABOTA National Constitution.

X. AMENDMENTS

These Bylaws may be amended, provided such amendments are not inconsistent with the ABOTA Constitution or National Bylaws, by affirmative vote of a majority of the members present and voting at any meeting of the Chapter, provided, also, that notice of such amendment or amendments and the nature thereof shall have been given to the members of the Chapter at least ten days prior to the date of the meeting at which the amendment or amendments are to be presented for consideration. Notwithstanding anything in this Article, these Bylaws may be amended by a vote of two-thirds (2/3) of the Executive Committee present during an Executive Committee meeting to the extent these Bylaws conflict with and solely to bring these Bylaws into compliance with any change, modification or amendment to the ABOTA National Constitution and/or Bylaws. Notwithstanding anything else in this Article X, the job duties and responsibilities of the officers and Executive Director of the South Carolina Chapter listed on Exhibits 1 through 5 to these Bylaws may be added to, reduced, changed, modified or otherwise amended by a majority

vote of the Chapter Executive Committee without any vote or approval of the Chapter membership.

XI. ROSTER OF MEMBERS

Section 1. The names of the Chapter Officers and National Board Representative(s) elected shall be furnished to the National Executive Director sixty (60) days in advance of the Annual Meeting of the Association or promptly at any time requested by the National Executive Director or his or her nominee.

Section 2. The Roster of officers and members of the South Carolina Chapter of ABOTA shall be the roster of officers and members for the South Carolina Chapter available on the ABOTA National Web Site. The South Carolina Chapter is not required to create a separate roster of officers and members.

XII. CHAPTER REQUIREMENTS

Section 1. The ABOTA National Board of Directors shall have the right to suspend or revoke the charter of the South Carolina Chapter for good cause as set forth in Article VII, Section 1 of the ABOTA National Constitution. Good cause shall include, but not be limited to, the following:

- a. Failure to timely file an annual accounting related to the depository and use of chapter funds;
- b. Failure to conduct an Annual Chapter Meeting;

- c. Failure to timely elect officers and to name a National Board representative of the Chapter;
- d. Failure to timely report to the National Board the names of the elected officers and the National Board Representative(s) of the Chapter;
- e. Failure to timely submit to an audit under Section 2, if requested;
- f. Failure to adopt and adhere to Bylaws pursuant to Section 2 and failure to timely provide those adopted Bylaws to the National Board; and
- g. Failure of the Chapter to have a National Board Representative attend one National Board meeting during the year without excuse.

Section 2. The Bylaws of this Chapter may not be inconsistent with the National Constitution or National Bylaws. If there is a conflict between the Chapter Bylaws and the National Constitution or Bylaws, the provisions of the ABOTA National Constitution and Bylaws will supersede the Chapter Bylaws.

Section 3. The South Carolina Chapter shall promptly submit to an audit of the Chapter funds and of its adopted Chapter Bylaws by the National Board or its designee when requested by the Executive Committee of the National Board.

Section 4. In the event of a revocation or suspension of the charter of the South Carolina Chapter, this revocation or suspension shall not have any effect upon an individual member's standing in this Association. Members under the circumstances of a charter suspension or revocation are free to apply to an

appropriate Chapter for membership and shall be given credit for the balance of the year for dues paid, or may themselves apply to form a new Chapter in accordance with the ABOTA National Constitution and Bylaws.

Section 5. In the event this Chapter's charter is suspended, the National Executive Committee, with the approval of the Board of Directors, shall have the authority to appoint a new National Board Representative from this Chapter and new officers as needed until such time as either the suspension is lifted or the Chapter has been re-formed and officers and permanent representatives have been elected by the members.

Section 6. If the charter of this Chapter has been suspended or revoked, all funds held by or in the name of this Chapter shall be remitted to the National Board promptly upon request. The National Board shall retain these funds thereafter for up to 180 days in trust for the Chapter, until such time as a new Chapter is formed, in which case the funds will be remitted to the new Chapter. If no new Chapter is formed within 180 days, the funds will be retained by the National Board, at its discretion, except those funds remitted to any Chapter on behalf of a member who chooses to transfer to another chapter, in which case funds retained on behalf of any member who transfers will be remitted by the National Board to the member's new Chapter.

XIII. REVOCATION OF PREVIOUS BYLAWS

By adopting these Bylaws, the South Carolina Chapter revokes all previously adopted Bylaws of the Chapter.

ADOPTED by vote of the South Carolina Chapter and **RATIFIED** by the Executive Committee of the South Carolina Chapter on the 4th day of April, 2023.

s/ Anthony W. Livoti April 4, 2023
Chapter President Date

s/ Stanley L. Myers April 4, 2023
Chapter President-Elect Date

s/Elizabeth M. McMillan April 4, 2023
Chapter Secretary/Treasurer Date

s/ Theile B. McVey April 4, 2023
Chapter Immediate Past President Date

s/ Luther J. Battiste III April 4, 2023
Chapter National Board Representative Date

s/ Joel W. Collins, Jr. April 4, 2023
Chapter National Board Representative Date

s/ D. Reece Williams April 4, 2023
Chapter National Board Representative Date

s/ Kirby D. Shealy III April 4, 2023
Chapter National Board Representative Date

s/ Clarence Davis April 4, 2023
Chapter National Board Representative Date

s/ Robert F. Goings April 4, 2023
Chapter National Board Representative Date

s/ H. Sam Mabry III April 4, 2023
Chapter Executive Committee Member Date

s/ Gray T. Culbreath April 4, 2023
Chapter Executive Committee Member Date

s/ Paul D. Harrill April 4, 2023
Chapter Executive Committee Member Date

s/ Geoffrey W. Gibbon April 4, 2023
Chapter Executive Committee Member Date

s/ Brett H. Bayne April 4, 2023
Chapter Executive Committee Member Date

EXHIBIT 1
SC ABOTA
GENERAL RESPONSIBILITIES OF
CHAPTER PRESIDENT

- At the beginning of the President's term, create and distribute to the Chapter Executive Committee a list setting forth the times, dates and places for bi-monthly meetings of the Executive Committee;
- Work with the Executive Director to create and distribute to the members of the Chapter Executive Committee an agenda for each bi-monthly Executive Committee meeting;
- Preside over all Executive Committee meetings or designate someone to do so;
- Periodically report to Chapter membership on activities of the Chapter Executive Committee and the Chapter;
- Moderate the Annual James Otis Program occurring during the President's term of office;
- Supervise the Executive Director and those Chapter members carrying out activities of the Chapter such as Masters in Trial Program, the James Otis Program, and the Teachers Law School;
- Make arrangements for the Annual Chapter Meeting and Black Tie Dinner, including selecting recipients of the Chapter's Trial Lawyer of the Year award, Young Lawyer of the Year award, Clerk of Court of the Year award, Jurist of the Year award and Joel W. Collins, Jr. Chapter Service award;
- Create and appoint Chapter members to such committees as may be needed to carry out Chapter activities;
- Generally represent the South Carolina Chapter of ABOTA and speak for the South Carolina Chapter of ABOTA publically during the President's term;
- Consider and adopt a program or activity of particular focus for the President's term of office; and
- Perform all other duties usually appertaining to the office of President of an organization.

EXHIBIT 2
SC ABOTA
GENERAL RESPONSIBILITIES OF
CHAPTER PRESIDENT-ELECT

- Supervise all aspects of the new member nomination and election process in accordance with Chapter Bylaws including:
 - solicit and review new member nominations from members on the form approved by the Chapter Executive Committee;
 - solicit comments from the membership on potential new member nominations;
 - provide ballots to the Chapter membership to vote on new member nominations;
 - tabulate ballots from the Chapter membership; and
 - report to the Chapter Executive Committee on the results of new member nominations and elections.
- Function as chairman of any Standing Committee on membership;
- Preside over any Chapter Executive Committee meetings in the absence of the Chapter President;
- Execute new member applications as nominating member and on behalf of the Executive Committee and the Chapter and forward those applications to ABOTA National;
- Propose nominees to the Chapter Executive Committee for the Trial Lawyer of the Year award;
- Perform all other duties usually appertaining to the office of the Vice President or President-Elect of an organization.

EXHIBIT 3
SC ABOTA
GENERAL RESPONSIBILITIES OF
CHAPTER SECRETARY/TREASURER

- Supervise the Executive Director to ensure appropriate minutes are kept concerning Chapter Executive Committee meetings;
- Maintain a complete record of all proceedings and correspondence of the Chapter;
- At the beginning of the Secretary/Treasurer's term, provide to each member in good standing of the Chapter a roster of officers, Chapter Executive Committee members, Standing Committee members and members at large of the Chapter. Such roster shall contain the name, business address and telephone number of the listed members;
- At the beginning of his/her term, ensure the signature authority and records for the Chapter's checking account are properly transferred from the prior Secretary/Treasurer;
- Maintain the Chapter's checking account, issue checks to pay appropriate expenditures of the Chapter and keep an accurate record of the revenue and expenditures of the Chapter;
- Report to the Chapter Executive Committee at each bi-monthly meeting, on a form approved by the Executive Committee, the status of the Chapter's checking account and revenue and expenditures of the Chapter;
- Complete, sign and provide, to the appropriate person at ABOTA National, a Statement of Cash Receipts and Disbursements on the Chapter's finances and all other related information when requested by the National President or his/her designee in late December of each year or early January of the following year. Such form is typically due and must be received in the National office by January 31 for the previous calendar year.
- Certify to ABOTA National, for the current Chapter year, the officers of the South Carolina Chapter and the National Board Representatives for the South Carolina Chapter.
- Propose to the Chapter Executive Committee potential recipients of the Young Lawyer of the Year award;
- Perform all other duties usually appertaining to the office of Secretary and/or Treasurer of an organization.

EXHIBIT 4
SC ABOTA
GENERAL RESPONSIBILITIES OF
CHAPTER IMMEDIATE PAST PRESIDENT

- Work with the Executive Director to organize and implement the James Otis Program occurring during the term of the Immediate Past President;
- Provide proposed nominees to the Chapter Executive Committee for Clerk of Court of the Year award;
- Provide advice and counsel to the President regarding Chapter activities and duties of the President;
- Perform such duties usually appertaining to the office of Immediate Past President of an organization.

EXHIBIT 5
SC ABOTA
GENERAL RESPONSIBILITIES OF
CHAPTER EXECUTIVE DIRECTOR

- Attend and participate in quarterly conferences with the appropriate person at ABOTA National and all Executive Directors nationwide;
- Provide assistance as appropriate to the Masters in Trial coordinators for the South Carolina Chapter of ABOTA;
- Work with the Chapter President to create a schedule and agendas for Chapter Executive Committee meetings and make arrangements for such Executive Committee meetings;
- Attend all Chapter Executive Committee meetings of the South Carolina Chapter and prepare minutes of each meeting for circulation to and approval by the Chapter Executive Committee;
- Work with the Chapter President and Chapter members in organizing, scheduling and making arrangements for the James Otis Lecture Series;
- Work with the Chapter President in scheduling, organizing and making arrangements for the Chapter's Annual Black Tie Dinner and Annual Chapter Meeting;
- Work with the Chapter President to organize and make arrangements for any other social events or Chapter programs which may occur during the Chapter year;
- Perform such other functions as may be directed by the Chapter President or the majority vote of the Chapter Executive Committee.

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