

Notice to All ACBA Members

Special Meeting of the Bar Association

to be held on Friday, June 17, 2005 at 12:00 p.m.

during the 43rd Annual ACBA Bench-Bar Conference

Seven Springs Resort, Champion, Pa

A Special Meeting of the Allegheny County Bar Association will be held at 12:00 p.m. on Friday, June 17, 2005 during the 43rd Annual Bench-Bar Conference at Seven Springs Resort, Champion, Pa. The purpose of the Special Meeting is to consider amendments to the Bar Association by-laws.

Two significant amendments are being recommended for adoption by the membership. The amendments include the removal of the word "mail" in Section 6.2 of Article 6 Nominations and Elections. Removing the word "mail" will enable the Board of the Bar Association to conduct future elections by mail ballot and/or other means.

Article 13, Judiciary Committee includes amendments to Section 13.2 Purposes and Jurisdiction and Section 13.8 Powers and Duties. The amendments to Section 13.2 define the jurisdiction of the Judiciary Committee for the purposes of rating Court of Common Pleas Candidates, State Court Candidates, Western District and Third Circuit Court Candidates. The proposed language removes the mandatory language which requires the Judiciary Committee to rate all candidates for the Western District Court.

The ACBA By-Laws Committee at the request of the Board of Governors prepared the proposed by-law amendments. The Board of Governors has reviewed the proposed amendments and is recommending their adoption by the membership of the Bar Association.

Outlined on the attached pages is a complete description of the amendments to the ACBA by-laws. Deletions are identified in brackets with "strikethroughs" and new language is identified by bold type.

Any member who wishes to see the proposed set of the ACBA by-law amendments may contact David Blaner, Executive Director at (412) 402-6601.

Note: **All changes are underlined**
Additions are in bold type/underlined
Deletions are in brackets [~~bold~~] with strikethrough/underline.

ARTICLE 6

Nominations and Elections

Section 6.2. VOTING BY BALLOT. All elections shall be by mail ballot. Only a plurality of the votes cast shall be requisite for the election of all officers and members of the Board of Governors. Procedures to assure the integrity of the voting process shall be established by the Board of Governors. Elections pursuant to this Article shall be conducted at such time and in such a manner as to permit the announcement of the results of the election at the annual meeting.

ARTICLE 13

Judiciary Committee

Section 13.2. PURPOSES AND JURISDICTION.

(a) Except as set forth in Subsection (c) of this Section, the Committee shall be the only committee, division, section or affiliate of the Association which is authorized to consider the qualifications of Allegheny County judges and members of the bar of Allegheny County who seek judicial office; to conduct polls or surveys concerning candidates seeking judicial office or judges holding judicial office; or to become engaged in the collection of information or conduct studies relating to the conduct of judicial officers, or the conduct of the courts, both civil and criminal, or the conduct of those judicial systems subject to its jurisdiction as set forth in Subsection (b) of this Section.

(b) The court systems over which this Article confers jurisdiction upon the Committee are: Court of Common Pleas of Allegheny County, Commonwealth Court of Pennsylvania, Superior Court of Pennsylvania, Supreme Court of Pennsylvania, United States District Court for the Western District of Pennsylvania, United States Court of Appeals for the Third Circuit, and Supreme Court of the United States. The Committee may, at its discretion, exercise jurisdiction over an appointment or election to the office of magistrate in the City of Pittsburgh, district justices in the County of Allegheny, bankruptcy judges, and magistrate judges in the United States District Court for the Western District of Pennsylvania and concern itself with the operation of said offices.

(c) The Judiciary Committee shall rate any candidate seeking appointment or election to the Allegheny County Court of Common Pleas who resides in Allegheny County, or has his or her principal office or place of law practice in Allegheny County.

(d) The Judiciary Committee may rate any candidate who is seeking statewide judicial office and who resides in, or has his or her principal office or place of law practice in Allegheny County, or who is a judge of a Court of the Commonwealth of Pennsylvania whose judicial office is located in Allegheny County.

(e) The Judiciary Committee may rate candidates seeking appointment to the U.S. District Court for the Western District of Pennsylvania whose judicial office is or will be located in Allegheny County. The Committee may only evaluate a candidate who resides in, or has his or her principal office or place of practice in Allegheny County.

(f) The Judiciary Committee may rate candidates seeking appointment to the U.S. Court of Appeals for the Third Circuit. The Committee may only evaluate a candidate who resides in Allegheny County, or has his or her principal office or place of law practice in Allegheny County or whose judicial office is located in Allegheny County.

(g[€]) Nothing contained in this Section is intended to preclude the Board of Governors from authorizing polls, surveys or studies to be conducted by any section, affiliate, standing or ad hoc committee of the Association relating to judicial officers or judicial candidates, or relating to the operation of the various courts or to perform any of the functions, duties or powers granted to the Committee by this Article.

Section 13.8. POWERS AND DUTIES.

(a) The Committee shall have the power to consider the qualifications of all candidates for election or appointment to all courts and court systems referred to in Section 13.2 (b).

(b) The Committee shall make every effort to determine the identity of all persons seeking election or appointment to the aforesaid courts or court systems. The Committee shall have the duty to consider the qualifications of each candidate for the Court of Common Pleas of Allegheny County ~~and each candidate for the United States District Court for the Western District of Pennsylvania~~. The Committee shall invite each such candidate to participate in the Committee's evaluation process in order to aid the Committee in its consideration of the candidate's qualifications to hold judicial

office. The Committee may, at its discretion, choose to consider the qualifications of candidates for any other court referred to in Section 13.2 (b) and shall likewise invite them to so participate in the evaluation process aforesaid in accordance with the Committee's duly established guidelines, rules and procedures.