

BYLAWS of the American Agricultural Law Association

Article I

Offices

The business office of the Association shall be the business address of the secretary-treasurer of the Association. The registered office of the Association shall be Department of Economics, Iowa State University, Ames, Iowa 50011. The registered agent at such address shall be Neil E. Harl.

Article II

Membership

Section 1. Application for membership. Any individual, firm, corporation, agency, association, group, partnership or other entity eligible for membership in one or more classes of members as hereinafter provided may file with the secretary-treasurer of the Association an application for membership in said class or classes of membership. Upon payment of dues as prescribed for the particular membership class, and upon acceptance of the application for membership, the applicant shall be considered a member in good standing of the Association.

Section 2. Classes of membership. The membership of the Association shall be comprised of five classes: (a) regular membership, (b) student membership, (c) institutional membership, (d) foreign-affiliated membership, and (e) associate member associations.

a. Regular members shall include those individuals with a professional interest in the subject of agricultural law. These persons shall include, but not be restricted to (1) educators and researchers involved in resident instruction, continuing education, extension or research that deals with agricultural law topics, and (2) practitioners who regularly engage in advising farmers or ranchers, agribusiness firms, or other agencies and associations that deal with agricultural matters.

b. Student members shall include those individuals presently in full-time training for academic professional positions or whose training will permit them to serve in agricultural advisory capacities. Student membership cannot be maintained for longer than five years.

c. Institutional members shall include those firms, corporations, agencies, associations, groups, partnerships or other entities that support the objectives of the Association. Each institutional member shall have the right to designate three regular members of the Association.

d. Foreign-affiliated members shall include all persons except residents of the United States, Canada and Mexico.

e. Associate Member Associations shall include associations where membership consists primarily of individuals with a professional interest in the subject of agricultural law, but which do not exist under the laws of the United States or any subdivision thereof. Membership as an associate member association is conferred by the Board of Directors.

f Only regular and student members, as defined above, shall have voting rights in Association matters.

Section 3. Affiliated student associations.

a. Definition. The Association shall grant affiliation status to qualified student associations. A qualified student association is defined as a voluntary group of students, who are enrolled in a post-secondary education, formed for the purpose of furthering the study, pursuit and advancement of agricultural law, and whose goals are compatible with those of the Association.

b. Application for membership. To be eligible for affiliation, a qualified student association must apply to the Association's Board of Directors. The application must state the name, institution and purpose of the association. A list of the student Association's current members must also be provided. To be considered for affiliation, a student association must have a minimum of 10 members and require that as a condition of membership that members join and be a member in good standing of the Association.

c. Approval. The Board of Directors shall consider the application of each student association and approve for affiliation on a majority vote those applicants meeting the affiliation requirements. The requirements for affiliation are:

- (1) The association meets the definition in Paragraph a.
- (2) The association is located at an accredited college or university in the United States, Canada, or Mexico.
- (3) The membership dues in the Association of a majority of the student association members have been paid.
- (4) That the granting of affiliation status will forward the best interest of the Association.

d. Renewal. Affiliation status, once granted, shall be renewed on a yearly basis as long as appropriate Association membership dues are paid. Any Board member at a regular meeting can move to have the Board reconsider the affiliation status of a student association, which status can be revoked if the Board determines that the requirements for this status are not met.

Section 4. Human Rights. Membership in the Association shall be open to all persons without regard to race, color, religion, creed, sex, national origin, ancestry, ethnicity, age, marital status, disability, sexual orientation, or veteran status. The Association shall not discriminate against any person because of the above factors. While participating in the activities of the Association, all persons shall comply with this policy.

Article III

Association Dues

Section 1. Scale of dues. Each member shall pay association dues for each year from January 1 to December 31 following, payable on January 1 of each year in advance. The amounts of dues shall differ by class of membership, as follow:

MEMBERSHIP CLASS DUES

- a. 1. Regular \$ 125.00
2. Regular Sustaining \$ 200.00
3. New Professional \$75.00
- b. Student \$ 30.00
- c. Institutional (up to 3 members) \$ 350.00
- d. Foreign-Affiliated \$ 125.00
- e. Associate member association - **none**

Section 2. Default in payment. Membership for any calendar year shall become delinquent as of March 31 of that year if dues are not paid prior to that date. The secretary-treasurer may delete from the Association's mailing list the names of non-paid members on April 30.

Article IV

Board of Directors

Section 1. General powers. The business and affairs of the association shall be managed by its Board of Directors.

Section 2. Number, tenure and qualifications. The number of elective directors of the association shall be six, serving for three-year terms. Except for the initial terms, two of which shall be for terms of one year, two of which shall be for terms of two years, and two of which shall be for terms of three years, all directors elected to the Board of Directors shall serve for terms of three years.

The president, president-elect and past president shall serve also as members of the Board of Directors for the duration of their respective offices in the Association. Each shall have the right to vote on all matters brought before the Board of Directors. No person may serve as a member of the Board of Directors by virtue of being an officer of the Association and also as an elective member of the Board. In such event, the elective Board position shall be declared vacant upon election to an officer position.

Each director shall take office at the adjournment of the annual meeting and shall serve until a successor is elected and qualifies or until death or resignation from office. A director may resign at any time by filing a written resignation with the secretary-treasurer of the Association. Directors must be regular members of the Association.

Section 3. Meetings. A regular meeting of the Board of Directors shall be held immediately prior to and at the same place as the annual meeting of the Association without other notice than this Bylaw. The Board of Directors may provide, by resolution, for the holding of other regular or special meetings without other notice than such resolution. Such meetings may be conducted by telephone conference.

Special meetings may also be called by or at the request of the president or any four directors, such call to specify the time and place for the meeting.

Section 4. Quorum. A majority of the total number of directors fixed by Section 2 hereof (being both elective members and those serving by virtue of an officer position) shall constitute a quorum for the transaction of any business at any meeting of the Board of Directors. However, a majority of the directors present though less than a quorum may adjourn the meeting from time to time without further notice.

Section 5. Manner of acting. The act of a majority of the directors present at a meeting at which a quorum is present shall be the act of the Board of Directors.

Section 6. Vacancies. Any vacancy occurring on the Board of Directors with respect to elective positions shall be filled until the annual meeting following the next succeeding annual election by a two-thirds vote of the directors then in office.

A vacancy on the Board of Directors by virtue of holding the office of president, president-elect or past president shall be filled in the manner prescribed for filling the offices as provided in Article V.

Section 7. Presumption of assent. A director of the Association who is present at a meeting of the Board of Directors or a committee thereof at which action on any Association matter is taken shall be presumed to have assented to the action taken unless such director enters a dissent in the minutes of the meeting or unless a written dissent to such action is filed by said director with the person acting as the secretary of the meeting before the adjournment thereof or shall forward such dissent by restricted certified mail to the secretary-treasurer of the Association immediately following the adjournment of the meeting. Such right to dissent shall not apply to a director who voted in favor of such action.

Section 8. Informal action without meeting. Any action required or permitted by the articles of incorporation or bylaws to be taken by the Board of Directors at a meeting or by resolution may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the directors then in office.

Article V

Duties of Officers

Section 1. President. The office of president shall be filled by the president-elect from the preceding year for a one-year term. The president shall be the chief executive officer of the Association (and subject to the control of the Board of Directors) shall, in general, supervise and conduct the business and affairs of the Association. The president shall, when present, preside at all meetings of the Association and of the Board of Directors and shall have authority to sign, execute, and acknowledge, on behalf of the Association, those instruments provided in Article VII hereof and instruments necessary or proper to be executed in the course of the Association's regular business or which shall be authorized by resolution of the Board of Directors.

The president shall make appointments to special and standing committees and subcommittees created by action of the Board of Directors or general membership. In general, the president shall perform all duties incident to the office of president and such other duties as may be prescribed by the Board of Directors from time to time.

Section 2. President-elect. The office of president-elect shall be an elective position. In the event of temporary disability of the president to perform duties or absence from any meeting of the general memberships or of the Board of Directors, the president-elect shall perform the duties of the president during the continuance of such temporary disability or absence as acting president, and when so acting, shall have all the powers of and be subject to all the restrictions upon the president.

In consultation with the Board of Directors, the president-elect shall be responsible for preparing a program for the annual meeting. The president-elect shall perform such other duties and have such authority as from time to time may be assigned

by the president or the Board of Directors.

In the event of death, incapacity or inability to serve of the president-elect or nominee, the Board of Directors shall determine, giving due consideration to exigencies of time, whether the selection of a president shall be by vote of members of the Association having voting power by mail ballot or by vote of the members of the Association at the annual meeting.

Section 3. Past President. The office of past president shall be filled for a one-year term by the immediate past president of the Association, or the most immediate past president available. The past president shall chair the nominating committee and shall have such duties and authority as from time to time may be assigned by the Board of Directors.

Section 4. Secretary-Treasurer. The office of secretary-treasurer shall be an appointive position, filled by action of the Board of Directors. The secretary-treasurer shall (a) keep the minutes of the meetings of the general membership of the association and of the Board of Directors in one or more books provided for that purpose; (b) see that all notices are duly given in accordance with the provisions of these Bylaws, Articles of Incorporation, or as required by law; (c) be custodian of the Association's records; (d) maintain the register of the post office address of members of each class; (e) certify resolutions; (f) have charge and custody and be responsible for all funds and securities of the Association, receive and give receipts for moneys due and payable to the Association from any source whatsoever, endorse and deposit all such moneys in the name of the Association in such banks, trust companies or other depositories as shall be designated by resolution of the Board of Directors; (g) function as principal accounting officer in charge of books of account, accounting records, and forms of the Association; (h) maintain adequate records of all assets, liabilities, and transactions of the Association; (i) obtain from other officers all reports needed for recording the general operation of the Association or for supervising and directing accounts; and (j) in general, perform all of the duties incident to the office of secretary-treasurer and have such other duties and exercise such other authority as from time to time may be delegated or assigned by the president or the Board of Directors. The secretary-treasurer shall be covered by a fidelity bond in an amount determined by resolution of the Board of Directors.

Section 5. Executive Director. The Association may contract with a University or other organization to provide a national, administrative office. In connection with providing the office, the University/organization will designate an employee to serve as executive director of the Association. The executive director shall (a) assume the powers, duties and responsibilities of the secretary-treasurer; (b) provide responses or referrals to general inquiries, handle routine correspondence to and from Association officers, committees and members, and initiate other correspondence as directed by the Association officers; (c) provide administrative and promotional support for the Association's annual meeting to include securing facilities and services for the annual meeting at a site and within a budget determined by the board; (d) conduct the Association Job Fair; (e) act as a liaison with other associations or legislative bodies; and (f) in general, perform all of the duties incident to the office of executive director and have such other duties and exercise such other authority as from time to time may be delegated or assigned by the president or the Board of Directors. The executive director shall be covered by a fidelity bond in an amount determined by resolution of the Board of Directors.

Section 6. Appointments. As an operating procedure, the Board of Directors may reach agreements with appointees to the positions of secretary-treasurer and editor of the official journal of the Association, if one is created, for appointments of three to five years, with the provision for an evaluation preceding reappointment each year and a performance review at the end of the three to five-year appointment if an additional three to five-year term is being considered. As pertains to the national office/executive director, at the end of each two year term, if not before, the Board will evaluate the effectiveness of the relationship and make a decision on whether to continue and/or modify the contract.

Article VI

Elections

Section 1. Ballots. Not later than May 1 of each year, the Nominating Committee shall make a report of the nominees for office to the secretary-treasurer. Not later than June 1 of each year, the secretary-treasurer shall mail by first class an official ballot and an official envelope to each member of the association having voting rights as of April 1 (as determined by the payment of dues for that year). Said ballot shall provide for an opportunity to vote for a nominee for each elective office to be filled. The nominees for each director shall be listed and voted upon. For each elective office, the ballot shall contain one blank line for write-in candidates.

A brief biographical sketch of each nominee selected by the nominating committee shall be included. To be counted by the tellers, the official ballot shall be returned in the official envelope. The secretary-treasurer may deviate from the above procedures for foreign membership if prescribed by the Board of Directors.

Section 2. Tellers. The sealed ballots shall be opened by tellers appointed by the president. The results shall be reported to the Board of Directors not later than August 1, and appropriately thereafter to the membership. The persons receiving a plurality of votes shall be declared elected. A tie for any office shall be resolved by chance, conducted under the supervision of the tellers, and reported to the Board of Directors.

Article VII

Commercial Transactions

Section 1. Endorsement of stock certificates. Any share or shares of stock issued by any corporation and owned by this Association may, for sale or transfer, be endorsed in the name of the Association by the president or the secretary-treasurer, subject to specific directions as to such sale or transfer by the Board of Directors.

Section 2. Voting of shares. Any share or shares of stock issued by any corporation and owned by this Association may be voted at any shareholders' meeting of such corporation in person or by proxy by the president or the secretary-treasurer.

Section 3. Deposits. All funds of the association not otherwise employed shall be deposited from time to time to the credit of the association in such banks, trust companies, or other depositories as may be determined by resolution of the Board of Directors.

Section 4. Execution of deeds, mortgages and releases. All deeds, conveyances, leases and mortgages of real property made by the Association shall be executed by the president, and all releases of mortgages, liens, judgments, and other claims that are required by law to be made a matter of record may be executed by the president or secretary-treasurer of the Association.

Section 5. Negotiable instruments. All checks, drafts, notes, bonds, bills of exchange, and orders for the payment of money of the Association must be signed by either the president or the secretary-treasurer.

Section 6. Borrowing money. The secretary-treasurer may borrow money up to a maximum total amount of \$1,000 without further Board of Directors authorization, and may pledge as security therefor stocks and securities of the Association as required.

Section 7. Purchase and sale contracts. The president shall have the authority to enter into written or oral contracts for the purchase and sale of goods and services on behalf of the Association. The secretary-treasurer may enter into written or oral contracts for the purchase of supplies, postage, printing services, and other goods and services reasonably related to operation of the office of secretary-treasurer. The executive director may enter into written or oral contracts for the purchase and sale of goods and services reasonably related to the operation of the national office and duties assigned to the executive director.

Article VIII

Fiscal Year

The fiscal year of the association shall begin on the first day of January and end on the thirty-first day of December each year.

Article IX

Procedures for Meetings

Section 1. Resolutions. All resolutions pertaining to policy matters presented from the floor at meetings of the Association for approval must be submitted at least one full day in advance to the Board of Directors. The Board of Directors shall report all such proposed resolutions and resolutions initiated by the Board of Directors and the president to the general membership for action with appropriate recommendation for or against passage.

Section 2. Appropriations. All motions presented from the floor at meetings of the Association entailing (directly or indirectly) appropriation of moneys of the Association, must be submitted at least two full days in advance to the Board of Directors. The Board of Directors shall report all such proposed motions to the general membership for action, with appropriate recommendations for or against passage.

Section 3. Parliamentary authority. The rules contained in Roberts' Rules of Order Revised shall govern meetings of this

Association in all cases in which they are applicable and in which they are not inconsistent with these Bylaws, the Articles of Incorporation, or applicable law.

Article X

Appropriations and Expenses

Section 1. Annual budget. The Board of Directors shall approve the annual budget for the association, which approval shall constitute authorization for expenditure.

Article XI

Committees

Section 1. Standing Committees.

a. Standing Committees and Charges.

(1) Nomination Committee, which shall be comprised of the three most current past-presidents and be chaired by the immediate past president. The committee shall annually review the names of all members of the Association and develop a slate of eligible nominees for all elected positions. This slate shall contain at least two nominees for each elected Board position. Since 1994, only one candidate for president-elect is submitted to the membership for approval. The President-elect nominee must have previously served as a director on the board.

(2) Membership Committee, which shall inform persons with an interest in agricultural law about the Association and opportunities for membership. The committee shall also coordinate appropriate membership recruitment efforts.

(3) Program Committee, which shall plan and coordinate the substantive programs of the Association, and be chaired by the president-elect.

(4) Finance Committee, which shall handle all budget matters of the Association. The committee shall prepare annually a proposed budget for operation of the Association, initiate recommendations to enhance the financial well-being of the Association, review annually any investments of the Association, periodically review the account statements issued by the financial institutions where AALA funds are deposited, and assure that an audit is performed annually with the audit being conducted by someone not on the Board of Directors at least every third year. If an external audit is performed the Finance Committee also shall work with the external auditor selected by the Board.

(5) Awards Committee, which shall carry out the awards program as outlined in Article XIII.

(6) Communications Committee, which shall assist the editor of the Agricultural Law Update in providing timely information to the membership and the public. The newsletter editor shall be a member of this committee.

b. Appointments.

(1) The president, upon the advice of the Board, may appoint up to two members to one-year terms on each standing committee.

(2) The president, upon the advice of the Board, shall appoint from each standing committee one person to serve as the chairperson for a one-year term.

(3) The president-elect, upon the advice of the Board, shall appoint two members for a three-year term on each standing committee.

c. Special Rules

(1) A Board member shall serve as liaison with each standing committee and make timely reports of committee activities to the Board.

(2) Each standing committee shall make a written report to the Board and report at the annual meeting.

(3) Appointments procedure shall not apply to the Nomination and Program Committees.

(4) The Finance Committee shall be chaired by the Past-President and will have the senior two Board members and the secretary/treasurer as members. The President may appoint additional members.

Section 2. Special committees. There shall be such special committees as the Board of Directors shall, from time to time, create by resolution. The president, upon the advice of the Board of Directors, shall appoint the chairperson and all members of special committees for one-year terms.

Section 3. Ad hoc committees. The president may, from time to time, create ad hoc committees, whose existence shall terminate with the expiration of the president's term of office, but may be extended by the succeeding president so long as the committee is not in existence more than three years.

Section 4. Travel expenses for committee activities. Committees may incur travel expenses in connection with their assignments only as specifically authorized by action of the Board of Directors except that the president may, at his or her discretion, authorize travel expenses for an individual member in clearly unusual circumstances. In general, the association does not assume responsibility for travel or other expenses associated with committee activities.

Article XII

Journal
(Reserved)

Article XIII

Awards Program

Section 1. Purpose and Procedures.

a. Statement of Purpose. Through its awards program, the American Agricultural Law Association will recognize professional excellence in agricultural law. Awards may be given for achievement at both the student level and the professional level.

The awards will be restrictive in nature, recognizing true excellence. Therefore, an award in each category need not be made each year. Awards will be presented at the annual meeting of the Association. Recipients will be identified in appropriate publications.

b. Operational Procedure. The specific awards to be granted and the operational procedures for selecting recipients shall be governed by the Board of Directors following recommendations by the Awards Committee. The Awards Committee will coordinate the awards program. Its members may serve as judges for the awards competition, or with the concurrence of the president, they may appoint four judges to make a particular award or selection. The last three recipients of the Association's Distinguished Service Award (DSA) will join the Awards Committee in selecting the new Distinguished Service Award recipient.

A member of the Association may who has served the Association as president may not be named a Distinguished Service Award recipient for a period of five years after leaving the office of immediate past-president.

Any member of the Awards Committee who is nominated for an award, or has supervised a student whose work has been nominated, will not serve in the selection process for that award. A substitute will be appointed, with the concurrence of the chairperson or the president.

Article XIV

Amendments

These Bylaws may be amended by a majority vote of the members of the Board of Directors at a meeting in which a quorum is present and at which the same is voted on.

Appendix to AALA bylaws
AMERICAN AGRICULTURAL LAW ASSOCIATION
BOARD APPROVED POLICIES

Approved October 6, 2003

Awards (see also Operational Procedures for AALA Awards below)

Award to president is not done at awards ceremony

The awarding of a plaque to the outgoing president is not a part of the awards program of the by-laws. The president-elect will provide this plaque to the outgoing president. Such plaques will be presented at the annual conference and the Awards committee chairman Will present certificates to the outgoing board members.

Awards program

General - all nominations for awards shall be submitted to the chair, awards committee. Reminders of the awards and deadlines for submission should be published periodically in the AALA newsletter.

Student writing competition

The competition – The Agricultural Law Journal, in association with the American Agricultural Law Association, will sponsor an annual student writing competition for papers in any area of agricultural law. If possible, this award will be published with the cooperation of an appropriate journal. The competition will be open to any registered student (law, graduate or undergraduate) in a law school or college of agriculture in any field of study, or in any other field of study where the interest of the student is in the legal problems of agricultural production, distribution or marketing. A person will be considered a student for a period of 60 days after graduation.

The award - The Board may award a cash prize of \$750 to the writer of the paper judged to be the best paper in the annual competition. In addition, the winner may be published with the annual meeting proceedings. Those writers of papers judged to be "meritorious" will be invited to submit their papers for possible publication in the journal, although no cash prizes will be awarded except for the first place paper. The best paper may be presented at the annual meeting of the association.

Entries will not be returned to the author. Submission of an entry shall give the association the right of first publication if the paper is selected for an award. Should the association not publish the work the right of publication will be released to the student. However, the association is not obligated to publish any paper submitted for the competition, and the association is not obligated to select any winner or award any prize if none of the papers makes a substantial contribution to the discipline of agricultural law.

Several issues must be resolved for future years. One involves payment of printing and mailing costs associated with the competition. The other is the possible need for separate contests for law and non-law students and separate contests for graduate and undergraduate students.

The paper: The paper must demonstrate original thought on a question of current interest in agricultural law. Articles submitted to the association will be judged for perceptive analysis of the issues, thorough research, originality, timeliness, and writing clarity and style. Student papers submitted for the competition can be on any of the topics general considered to be "agricultural

law." This might include, by way of illustration, topics dealing with agricultural taxation, farm estate and business planning, agricultural cooperatives, agricultural labor, food law, environmental, agricultural finance, and credit; international agricultural law and policy, water law, preservation and protection of agricultural resources, agricultural accounting, and agricultural marketing.

A range of 40-70 pages is preferred. The style can vary but all citations should follow the rules published in A Uniform System of Citation (current edition) and footnotes should appear at the end of the paper rather than on each page. Papers should be typed, double spaced, with at least 1.5 inch margins on all sides. Single-spaced papers or papers longer than 50 pages may be disqualified from the award competition. All entries should include a cover letter containing the student's name, permanent and temporary addresses and telephone numbers and a statement describing the student's status. The letter should also contain the date the paper was submitted for academic credit, if relevant, and date of submission to the Association. If the paper is prepared for academic credit, it is eligible only if it is submitted for credit during the current academic year. If the paper is not submitted for academic credit, it is eligible if it is prepared for this competition during the present academic year. Papers prepared for paid legal work outside law school or college are not eligible for the competition. All papers submitted must not have been previously published. Joint author entries are not acceptable. The paper must not have been submitted for any other essay contest. Papers must be submitted by May 1 for each year's competition. Papers received after May 1 will be considered in the following year's competition. Student papers submitted for the competition must be sent to the awards committee in care of the secretary-treasurer.

The judging - Papers will be judged by the awards committee or another appropriately appointed committee. First and second place winners in the Student Writing contest be invited to attend the association's annual meeting with the registration fee waived. In addition, each winner may have up to \$150 of expenses paid by the association if the committee finds the winner in need. This would be in addition to the prize money of \$500 for first place winner and 250 for the second place winner.

Distinguished service award. - will focus on accomplishments in a specific year; recipients must be AALA members. The Awards committee will screen nominations, and the selection committee will choose the winner. The selection committee will consist of the three immediate past distinguished service award recipients.

Nominations: Any member of the association may nominate another member for selection by submitting the name to the chair of the awards committee, in care of the secretary-treasurer of the association. Any member making a nomination may be requested to submit biographical information in support of the nominee. A nominee must be a current member of the association. Any nominations must be made by May 1 of each year. The awards committee may also submit nominations for the award.

Selection - The awards committee will screen the nomination and submit a list of appropriate candidates to the selection committee. The distinguished service award selection committee shall report to the president and the secretary-treasurer of the association at least 30 days before the annual meeting the name(s) of the recipient(s).

Announcement of the selection: The name of the recipient will be announced at the annual meeting of the association by the president of the association or the president's appointed representative, who will read a statement regarding the achievements of the recipient and present the certificate of recognition to the person so honored. The statements regarding achievements may be published as part of the annual proceedings.

Membership

Memberships paid in September will be credited to the following year.

Directory - The membership directory is a function of the membership committee and is compiled based on information collected when dues are paid. Members are given the option to opt out of any directory and until that opportunity has been provided a list of members will not be made available to anyone. Once the information has been collected and compiled with subject matter areas of interest designated, it is available to anyone who requests it for a minimum cost of \$25 plus handling and special expenses.

Membership list. Uses of the mailing list of members are limited to those compatible with the objectives of the association and the list is distributed only upon specific Board approval. Any such use is limited to the specific purpose for which the board has granted approval.

Student membership. There is a 5-year limit to student membership. There is no requirement that the student be in a specific law program. The intent is that the involvement with students be broad and have the fewest possible restrictions.

Membership certificate. The membership committee is to develop the content of a membership certificate which may also be used as a dues receipt.

Membership dues. Annual dues received after November 1 will be credited to the following year.

Default in Payment. Members who do not pay their dues will receive the January and February newsletters. Instead of the March issue they may receive a final reminder prior to being removed from the mailing list. The Secretary-Treasurer may delete from the Association's mailing list the names of unpaid members on April 1.

Exam Exchange. The Association will bear the cost of providing an examination book to the law teachers participating. Non-members of the AALA will be allowed to purchase the examination book at a cost of \$50.

Membership directory:

Members will be given an option to opt out of a public access membership directory. The public directory should be name, address and city, but not telephone and e-mail.

A portable document file (PDF) version of the directory, downloadable and printable will be supplied to members in the members' only section of the AALA Web site. This directory will include member name, address, telephone, e-mail and areas of specialty.

A searchable membership directory will be provided to AALA members through the members' only section of the AALA Web site with name, address, telephone, e-mail and area of specialty.

Public access information will be provided using all appropriate disclosures and disclaimers.

Dues are to be prorated for those joining after April 1.

1) That AALA members be given the option to choose not to be listed in either the print directory, the web-based directory, or both. This option should be listed on the membership application form, with a boxes to check to indicate preferences. [Comments: I think we have all already agreed on this. As an administrative matter, members who sign up on the condensed membership form included with conference registration should be contacted subsequently to address this and other issues, e.g., areas of interest, not on the form.]

2) That AALA membership data will not be sold or otherwise provided directly to any non-member of the association other than through access via our website.

3) That AALA membership data in the form of address labels for mailing be provided to any AALA member upon request for one-time use in providing information to other members about products and services related to agricultural law. In this circumstance, the AALA administrative office at cost, plus a reasonable fee for handling will provide the mailing labels.

Association dues

Dues Year. Each Member shall pay Association dues for each year from November 1 to October 31, Payable on January 1 of each year in advance.

Board of Directors

Board meetings

The board will meet regularly (at least bi-monthly) in conference call meetings at times established by the president.

Board dinner. The treasurer is authorized to pay from the president's discretionary fund for one meal associated with the annual meeting of the Board of directors. The president or president-elect, at his or her discretion, may invite guests to the annual dinner of the board with this expense also to be paid from the president's discretionary fund.

Minutes of the Board of Directors meeting shall be placed in the members only section of the AALA Web site.

Elections

AALA members as of May 1 are eligible to vote in the election

Ballots must be mailed not later than June 1.

Annual Agricultural Law Conference

Job Fair. The job fair is to be held at the site of the annual conference and will be coordinated by the program chairman. There is authorized to be spent up to \$1,500 on this fair. Space will be reserved for messages and reserved rooms will be provided for interviews.

Student housing at conventions. A student at the college hosting the annual conference will arrange low-cost housing for students attending the meeting.

Audio tapings of proceedings. Audio tapings of the proceedings will be sold at the discretion of the Board of Directors.

Notebook materials from Annual Conference. Persons requesting copies of the notebook materials from the annual conference will be charged a price established by the board.

Proceedings from annual conference. The Association cannot publish its own proceedings due to resource and marketing problems which make the idea unworkable. After a law review is chosen other law reviewed expressing interest will be thanked by the president-elect for their interest and asked to consider publishing the next year's proceedings.

An expenditure of up to \$2,500 is authorized to acquire and distribute to current nonstudent members a copy of the proceedings. The board will inform members of the availability of the proceedings and send copies only to members who request it. This avoids waste and ensures that copies the association purchases for members are used.

Payment for speakers/guests/board members for conference -

Speakers. Speakers are encouraged to seek travel expense through their own institutions and association members are generally not reimbursed. Nonmembers (and nonmembers who are not government employees), may have travel, lodging, registration, and a waiver of the registration fee paid by the association if requested. This is at the discretion of the president-elect.

Program planning. - program planning will be at the discretion of the president-elect.

Calculation of profit and loss. - All expenses incurred in preparation for the annual meeting by the AALA will be paid from conference funds before determining conference profits and losses. The AALA will share in profits and losses with its co-sponsors in a manner approved annually by the Board of Directors.

Advertising revenues. - Those who use booths for advertising are not required to pay the conference registration fee, but may be charged a fee approved by the program chairman.

CLE Accreditation: ~ registration for both attorneys and accountants in states where CLE accreditation is necessary will be provided by the AALA. Board members are charged with the responsibility of checking on requirements for their states and the president-elect will designate persons in other states or provide for CLE accreditation administration in another appropriate manner.

Co-sponsorship: — The principal co-sponsor may be asked to agree to share half the expenses and profits of the annual meeting. Other potential co-sponsors will be listed as "cooperators" so long as this is agreeable to such organizations. For the annual conference, prepayment by credit card or check or a purchase order from an employer should be required.

Symposium materials shall be offered to members on both CD Rom and in paper format in a binder.

Publications

Advertising. There is a possibility of profit for the Association from the sale of advertising and subscriptions to nonmembers, the approval of which shall be the responsibility of the chair of the publications committee. This is subject to an agreement that any proposal for advertising in the newsletter be discussed and approved by the Board.

Newsletter subject matter - Subject matter will include business of the association, substantive legal articles, sections on tax, land, use, finance, environmental and other areas, news of government regulations and cooperatives, and development of case law in various jurisdictions.

Newsletter state reporter system. - A state reporter system for the AgricVultural Law Update will consist of regional chairpersons who will arrange for a member from each state to report on judicial and legislative developments.

Disclaimer - the Agricultural Law Update will include disclaimers stating that the articles do not represent the position of AALA and that the publication is not intended as an offering of legal services.

Newsletter editorial liaison. An editorial liaison shall be appointed by the board for the Agricultural Law Update. An annual stipend of \$3,000 will be given payable quarterly in advance. Expenses of up to \$3,000 per year will be reimbursed. The editorial liaison will be entitled to have an advance balance of \$250 towards expenses and will submit vouchers verifying expenses to the secretary-treasurer.

The Ag Law Update will be made available for group purchase (such as state bar associations), not to individuals. The subscription price (for one year only, subject to review for future years) will be \$40 per subscription.

Finance

Annual audit - in exchange for the annual audit of the Association, travel expenses of the auditors will be paid for by the association up to \$300.

Presidential expense account. The Association is authorized to reimburse the president or president-elect a reset amount established each year by eh board of directors for actual expenses incurred by the officer of the officer's institution in carrying out the business of the association.

Reconciling of statements. The secretary-treasurer is to be bonded in the amount of \$20,000 and this expense is to be borne by the association. The bonding company with whom AALA does

business requires that different individuals make and record bank deposits and reconcile bank statements. To accommodate this requirement the board has adopted this resolution: that the president shall appoint, each year, a member of the association, in good standing, to perform the duty of reconciling bank statements for the purpose of internal audit control. The appointee shall report any discrepancies to the secretary-treasurer and to the audit committee.

Changed fiscal year from September 1 to January 1.

Finance committee composition is the president-elect and the two senior board members. They will be involved in the development of the association's budget.

Board approved amendment of the by-laws removing the Finance committee from budget preparation, leaving the budget preparation in the hands of the president and the executive director, and the board of directors.

Committees

Liaisons - The board members liaisons with the association's committees are stipulated to assure inter-communication and guidance; cross, ex-officio, or dual membership should exist for the Publications, Membership, and Awards Committees; the chair, designated members, or sub-committees of the Publication Committee are responsible for working with publishers of the AALA newsletter, proceedings, or other materials.

Long Range Planning. This committee will address such topics as the development of agriculture as a specialty and its place in the law school curriculum; the communication mechanism concerning IRS regulations; general exchange of information on key individuals in agriculture in and out of government; the facilitating of communication among interested people, developing lists of persons with expertise in certain areas i.e., veterinary law and environmental law; a telecommunications project; the possible recording of papers at the annual conference; the purpose and direction of the newsletter; availability of publications for use by laymen; the student writing competition; a possible bibliographical service and using state reports for the bibliographical project; the subsidization of conference calls for board and committee meetings and educational exchange; the sponsoring of sectional meetings of AALA members; the providing of objective information for legislators on agricultural law subjects; the arranging of sectional (or interest group) sessions at annual conferences; the serving as a clearinghouse for continuing legal education programs; a directory with a more sophisticated format; a scholarship to support the law or graduate student who assists the Update editor.

The communications committee will develop and maintain a media outreach package for the media sources identified as covering agricultural issues. This outreach effort will focus on media in the location of the AALA symposium to bring media recognition to local AALA members and participation in an annual media-training seminar.

Ethical Considerations

Model Acts

There are to be limits to the political involvement, i.e. the AALA will participate in discussion and recommendation, but a line is to be drawn between discussion and advocacy. This

is not to preclude, for example, discussion of model acts. The association should stop short of recommendations but should have objective discussions of various positions.

A legislative educational role may be feasible, with meetings in Washington or with councils of state government. Also along these lines are: a national newsletter with proposed legislation, helping congress to establish legal committees that will do some lobbying; and, gatherings of State and Federal agencies to reverse the decline in government representation, which might include the National Association of Attorney General, the National Association of State Departments of Agriculture, the Conference of State Legislators.

Operational Procedures for AALA Awards (See Bylaws, Article XIII)

1. Awards that may be granted by the American Agricultural Law Association include the Distinguished Service Award, the Professional Scholarship Award, and the Student Scholarship Award. In addition, the Association may present special awards and recognitions as approved by the Board of Directors on an *ad hoc* basis.
2. Selection of recipients for the Distinguished Service Award, the Professional Scholarship Award, and the Student Scholarship Award shall be made by the Awards Committee in accordance with guidance provided in Article XIII of the Bylaws and the additional guidance appearing below. If no Awards Committee has been operational during the year, the Board of Directors may function as the Awards Committee that year.
3. As a general rule, each award should be restrictive in nature, recognizing true excellence. Typically, one award in each category would be presented each year; in some years it may be more appropriate to present more than one award in a category, or no award.
4. Additional Procedures Specific to the Distinguished Service Award.

The criteria for selecting an award recipient includes **sustained excellence in** one or a combination of the following:

- Contributions to the development of the law important to agriculture; such contributions may arise through critical analysis, novel and creative approaches to problem-solving, logical argument, and other components of scholarship.
- Contributions to the professional development of legal practitioners serving rural America; such contributions may arise through excellence in continuing legal education programs, classroom teaching, newsletters, or the development of other resources or organizations assisting rural practitioners.
- Contributions to a better understanding of the law by rural citizens; such contributions may arise through innovative, effective teaching or outreach programs addressing important legal topics.
- Other noteworthy service reflecting the commonly understood ideals and purposes of the American Agricultural Law Association.

Over time, it is expected that the Distinguished Service Award recipients will, cumulatively, reflect sustained excellence in the many ways one can serve with distinction in furthering the development of the law, strengthening the legal profession, or fulfilling the law-related information needs of lawyers and citizens alike.

Nominations for the Distinguished Service Award should normally be submitted electronically and include a statement summarizing why the person is being nominated and any other supporting materials.

5. Procedures Specific to the Student and Professional Scholarship Awards.

The two scholarship awards are intended to recognize and encourage scholarly work. Criteria include (a) excellence in quality of writing, (b) relevance to important legal issues in agriculture, broadly defined, (c) clarity of analysis, (d) potential impact, and (e) other attributes of scholarship.

A nominee for the student award must have been a student at the time the work was accepted for publication; for example, student-authored *Notes* or *Comments* in law reviews would be eligible. A nominee for the professional award should have completed the J.D. or other highest degree when the writing was accepted for publication. As a general guideline, the work should have been published during the twelve month period ending on June 30 preceding the AALA Annual Conference.

Nominations for either the Student or Professional Scholarship Award should normally be submitted electronically and include the complete citation to the published work, a brief statement summarizing why the work is being nominated, and any other supporting materials deemed appropriate.

Respectfully submitted,

The 2003-04 AALA Awards Committee:

Walt Armbruster (appointed through 2004),
Mike Massie (appointed through 2004),
Jesse Richardson (appointed through 2005),
David Waggoner (appointed through 2005),
A. Bryan Endres (*ad hoc* appointee, 2004), and
Don Uchtmann, Chair (appointed through 2004)