

**BYLAWS  
ENTERTAINMENT and SPORTS LAW SECTION  
STATE BAR OF NEVADA**

**Section 1  
IDENTIFICATION**

**1.1 NAME:** This Section shall be known as the "Entertainment and Sports Law Section, State Bar of Nevada," and hereinafter shall be designated simply as "Section".

**1.2 PRINCIPAL OFFICE:** The principal office of the Section shall be the State Bar of Nevada, 3100 W. Charleston Blvd., Suite 100, Las Vegas, NV 89102. The Executive Committee of the Section may change the location of the principal office at any time.

**1.3 PURPOSE:** The purpose of the Section is to:

a. enhance the role and skills of the lawyers engaged in the practice of entertainment law through study, collection, development and dissemination of materials on subjects of interest to law practitioners in this field;

b. assist in the formation, administration and implementation of programs, forums and other activities for the education of members of the State Bar of Nevada in matters pertaining to entertainment and sports laws and regulations;

c. engage in outreach efforts to persons engaged in the entertainment and sports industry inside the State of Nevada to work with Nevada entertainment and sports lawyers.

d. engage in outreach efforts to persons outside the State of Nevada engaged in the entertainment and sports industry to bring their entertainment business to the State of Nevada and to work with Nevada entertainment and sports lawyers.

e. recognize and discuss means of improving the law and the practice of law in the field of entertainment and sports; and

f. act upon all matters germane to its purpose as so described or referred to by the Board of Governors.

**Section 2  
GENERAL MEMBERSHIP OF THE SECTION**

**2.1 ENROLLMENT:** Any Nevada licensed attorney, or in-house attorney admitted to practice under the rules of the State Bar of Nevada, who is a member in good standing with the State Bar of Nevada may qualify for membership upon payment of the Section dues ("Member"). Additionally, the Executive Committee may invite non-attorneys or those who do not otherwise meet Membership requirements to become honorary members of the Section ("Honorary Members"). Honorary Members shall not be eligible to serve on the Executive Committee, nor shall they have voting or other Member rights. Honorary Members may, however, serve on an advisory sub-committee of the Section and may attend meetings or events upon the

invitation of the Executive Committee. The Executive Committee may terminate the honorary membership of any Honorary Member at any time.

**2.2 THE MEMBERSHIP:** Members enrolled and whose dues are paid pursuant to the provisions of this Section shall constitute the "Membership" of the Section. Student members shall also be permitted to join the Section with limited rights and non-dues paying obligations.

**2.3 TERM:** The term of Membership shall be for a period of one (1) year, corresponding to the membership year established by payment of State Bar dues. Membership dues shall not be prorated for any portion of a year.

**2.4 DUES:** Dues for Membership shall be in an amount set by the Section and approved by the Board of Governors, payable upon enrollment and thereafter annually at the beginning of the State Bar's fiscal year. Fees shall be paid to the State Bar of Nevada, along with all other funds generated by this Section, and appropriately accounted for by the Accounting Department of the State Bar of Nevada in conjunction with the Treasurer of the Section and shall be used for the purposes of defraying costs and expenses of the Section or such other purposes as the Board of Governors may designate. The dues shall be as determined by the Section and approved by the Board of Governors. Student membership shall be admitted to the Section as non-dues paying members and are exempt from fee requirements.

**2.5 DELINQUENCY:** Any Member whose annual dues are more than two (2) months past due shall thereupon cease to be a Member of the Section.

**2.6 MEMBERS RIGHTS:** Members shall have the following rights:

- a. to attend meetings, including meetings of the Executive Committee.
- b. to vote, if eligible under Section 4.5.
- c. to hold office.
- d. to participate in all activities of the Section not prohibited or assigned in accordance with the Bylaws.

**2.7 STUDENT MEMBERS RIGHTS:** Student members shall have the following rights:

- a. to attend meetings, including meetings of the Executive Committee.
- b. to attend subcommittee meetings, if existing.
- c. to participate in all activities of the Section not prohibited or assigned in accordance with the Bylaws.
- d. non-voting members.

**Section 3**  
**MEETINGS OF THE MEMBERSHIP**

**3.1 ANNUAL MEETING:** The Section shall hold a meeting for its Membership at least annually at a place and time to be determined by the Executive Committee.

**3.2 NOTICE:** Written notice of each meeting specifying the time and place shall be mailed or e-mailed to each Member at least thirty (30) days prior to meeting.

**3.3 QUORUM:** The Members present at any meeting shall constitute a quorum for the transaction of business.

**3.4 CONTROLLING VOTE:** Action of the Section which requires Membership votes shall be decided by the majority of votes of the Members present.

**3.5 VOTING ELIGIBILITY:** Any Member of the State Bar and Section whose good standing can be certified by official State Bar records for thirty (30) days prior to the time of voting and who is current with his or her Membership dues shall be eligible to vote.

**3.6 AGENDA:** Among the matters of business to be transacted at the annual meeting of the Membership shall be the election of the Officers and Executive Committee members. With regard to the first installment of Officers and Executive Committee only, the applicant of this new Section shall identify the person(s) who are designated to serve as initial officer(s) of the Section and seek the approval of the designation of such person(s) at the first Annual meeting of the Section. The agenda at the annual meeting may also consist of other matters as decided by the Chair or Executive Committee.

**3.7 ALTERNATE FORMS OF VOTING:** The Executive Committee may direct that a matter be submitted to the Members for a vote by alternate means, including mail or e-mail. In that event, binding action of the Section shall be by a majority of the votes received from Members in accordance with rules fixed by the Executive Committee.

**3.8 RULES OF ORDER FOR MEETINGS:** Robert Rules of Order shall apply, if so determined by the Executive Committee.

**Section 4**  
**OFFICERS**

**4.1 OFFICERS:** The Officers of the Section shall be the Chair, Vice-Chair, Secretary, and Treasurer.

**4.2 CHAIR:** The general Membership shall elect the Chair by a majority vote at the annual meeting of the Section. The Chair shall:

- a. preside at all meetings of the Section and of the Executive Committee.
- b. plan and superintend the programs of the Section during that term, subject to the direction and approval of the Executive Committee.

- c.       superintend the performance of all duties of the Section.
- d.       keep the Executive Committee duly informed and carry out its decisions.
- e.       perform such other duties and acts as are necessary and proper to the office or as may be designated by the Executive Committee.
- f.       make an annual written report to the Board of Governors which shall be available at the annual meeting of the State Bar.

**4.3       VICE-CHAIR:** The Vice-Chair shall be elected in the same manner as the Chair and shall serve for the same term as the Chair. The Vice-Chair shall aid the Chair in the performance of the responsibilities of office in the manner and to the extent the Chair may request, and shall perform such further duties and have such further powers as usually pertain to this office, or as may be designated by the Chair or the Executive Committee. In case of death, resignation, or disability of the Chair, the Vice-Chair shall perform the duties of the Chair for the remainder of Chair's term or disability, as the case may be. In the event the Chair is temporarily unavailable, the Vice-Chair shall assume and perform the duties of the Chair.

**4.4       SECRETARY:** The Secretary shall be elected in the same manner as the Chair and for the same term. The Secretary shall consult and assist all the officers of the Section; be the liaison between the Section and the State Bar staff regarding the retention and maintenance of books, papers, documents, and other property; keep a true record of the proceedings of all meetings of the Section and of the Executive Committee; and attend generally to the business of the Section as directed by the Chair. The Secretary shall maintain the official copies of the Bylaws, Minutes, Membership Rolls, List of Executive Committee Members, and Officers of the Executive Committee.

**4.5       TREASURER:** The Treasurer shall be elected in the same manner as the Chair and for the same term. The Treasurer shall monitor all accounts, reports, and other documents prepared as to Section funds, revenues and expenditures, and seek to make certain that all such accounts, reports, and other documents are at all times accurate and correct; report on the Section's present and projected financial condition at each meeting of the Section Executive Committee; advise the Officers and Executive Committee as to the financial impact of any proposed action by the Officers, Executive Committee or Section which, in the judgment of the Treasurer, would have a significant impact on the financial condition of the Section; at least once a year, prepare and submit a projected budget to the Executive Committee for approval or modification at such time as may be expressly fixed by the Executive Committee, which shall be done in a sufficient time to submit to the membership and the State Bar Board of Governors for approval. The Section budget shall be effective only upon approval by the Board of Governors, a copy of which, once approved, shall be maintained by the Treasurer. The Treasurer shall also submit a copy of the Section budget to the Section membership, at the annual meeting, a report on the Section's financial affairs and financial condition; prepare such other recommendations and special reports on financial affairs of the Section as may be requested by the Chair of the Section.

**4.6       TERM:** All Officers shall serve a one (1) year term or until a successor has been

elected or otherwise appointed. No Officer shall hold more than one Officer office at the same time, although an Officer may serve in an Officer position as well as in a Section Committee as Chair or in another capacity in such Section. No Member shall serve more than four (4) consecutive terms in the same Officer capacity. The time served in filling a vacancy for part of a term shall not be included in computing the term limit.

## **Section 5** **THE EXECUTIVE COMMITTEE**

**5.1 POWERS:** The Executive Committee shall be vested with the powers and duties necessary for the administration of the affairs of the Section. The policy of the Executive Committee shall be consistent with the policies set by the Board of Governors. It shall especially authorize all committees which entail the payment of money, and shall authorize the expenditure of all monies appropriated by the State Bar for the use or benefit of the Section. It shall not, however, authorize commitments which entail the payment of more money during any fiscal year than the amount appropriated to the Section for the fiscal year. The Executive Committee should at least annually review the Section's mission, goals, objectives and priorities and make recommendations for change, if any. The Executive Committee may also adopt procedures for establishing, implementing and reviewing priorities in the allocation of resources. The Executive Committee may also establish committees within the Section as it deems necessary or appropriate ("Committees") and in connection therewith may identify chairpersons for such Committee(s). Initial Section Committees may include (1) CLE, (2) Membership and (3) Substantive Law. Committee Chairs elected by the Executive Committee shall serve a one-year term coinciding with the year for which the Membership pays dues, and may be re-elected by the Executive Committee yearly, serving up to four (4) consecutive years as that Committee Chair.

**5.2 COMPOSITION:** The Executive Committee shall be composed of the following members

- a. Chairperson
- b. Chair-Elect or Vice Chair
- c. Secretary
- d. Treasurer
- e. Section Committee Chairs(s) (if any)

**5.3 CONTROLLING VOTE:** Action of the Executive Committee shall be by majority vote of those Executive Committee members who are present. A quorum consisting of a majority of the Executive Committee members shall be required to conduct its business.

**5.4 MEETINGS:** The Executive Committee shall hold at least four (4) regular meetings each year either in person or by teleconference to dispatch any necessary business, with those meetings being held quarterly. The Chair may, and upon request of three (3) members of the Executive Committee shall, call special meetings of the Executive Committee. Each member of the Executive Committee shall make himself/herself reasonably available to participate in

Executive Committee meetings and shall make reasonable good faith efforts to attend and vote in such meetings as may be called upon.

**5.5 POLL OF EXECUTIVE COMMITTEE:** In urgent matters requiring immediate attention, the Chair may, and upon request of three (3) members of the Executive Committee shall, submit in writing to each of the members of the Executive Committee a proposition upon which the Executive Committee may be authorized to act, and the members of the Executive Committee may vote upon the proposition either by written ballot, by telephone or e-mail vote, confirmed in writing which may be accomplished by electronic means, to the Secretary, who shall record the proposition and votes in the matter.

**5.6 COMPENSATION OF EXPENSES:** No salary or other compensation shall be paid to any member of the Section for performance of services to the Section. However, the members may be reimbursed for such reasonable and necessary telephone, reproduction and other similar out-of-pocket expenses which are incurred as a result of the performance of such services and as are specifically authorized by the Chair of the Section or the Executive Committee.

**5.7 TERM:** All Executive Committee members who are not also Officers of the Section shall serve a one (1) year term or until a successor has been elected or otherwise appointed. No such Executive Committee member shall serve more than four (4) consecutive terms in the same capacity. The time served in filling a vacancy for part of a term shall not be included in computing the term limit. Executive Committee members who are also Officers of the Section shall be subject to Section 4.6 above.

## Section 6 **SUCCESSION OF OFFICERS AND VACANCIES**

**6.1 OFFICERS AND EXECUTIVE COMMITTEE:** Between annual meetings of the Section, the Executive Committee may fill vacancies in its own membership, including Officer positions for the duration of the term. Members of the Executive Committee and Officers so appointed by a majority of the members of the Executive Committee shall serve until the next annual meeting of the Section at which time the Membership of the Section shall elect Officers and Executive Committee members. The Board of Governors shall approve all interim appointments of Officers made by the Executive Committee.

**6.2 ABSENTEEISM:** If any Officer or member of the Executive Committee shall fail to attend two consecutive meetings of the Executive Committee, his/her office shall be automatically vacated, unless excused upon good cause accepted by the majority of members of the Executive Committee.

**6.3 RESIGNATION:** Any Officer or Executive Committee member may resign by giving written notice to the Executive Committee.

**6.4 REMOVAL:** Upon written notice, the general Membership may remove a member of the Executive Committee by a majority vote.

## Section 7

## **CONTINUING LEGAL EDUCATION PROJECTS**

All educational projects of the Section for which CLE credits will be sought must be submitted to the Continuing Legal Education of the State Bar Department for approval. The Continuing Legal Education Department will administer and coordinate all such projects with the Section. Net profits or losses of such projects will be divided in a manner consistent with Board approved policies.

### **Section 8** **LEGISLATION AND PUBLIC POLICY**

**8.1 INTRODUCTION:** The Section may draft or propose to support or oppose the adoption of legislation by the Nevada State Legislature. The Section's proposed legislation or position on legislation is consistent with its purpose and (1) relates closely and directly to the administration of justice; (2) involves matters which are not primarily political and as to which evaluation by lawyers would have particular relevance if not related closely and directly to the administration of justice; or (3) comes within the Section's special expertise and jurisdiction. Any proposed legislative position must be adopted by the Section pursuant to this Section 8 Entertainment and Sports Law Section Bylaws and Section 6.9 of the State Bar of Nevada Bylaws. Any committee of this Section, including the Executive Committee, may draft or propose to support or oppose the adoption of legislation by the Nevada State Legislature. Any such draft legislation or proposal must be approved by the Executive Committee of this Section. If the Executive Committee approves the draft legislation or the taking of the position pursuant to these Bylaws, the Executive Committee, by and through the Chair or Vice Chair, must present the draft legislation or legislative position to the Board of Governors of the State Bar of Nevada for review pursuant to Section 6.9 of the State Bar of Nevada Bylaws ("SBNB"). No committee of this Section is permitted to present the draft legislation or the proposal to the Board of Governors; only the Executive Committee may do so and only after the draft legislation or proposal is approved by the Executive Committee. Sections 8.1-8.3 are adopted in compliance with the SBNB. If SBNB are updated or changed regarding practice sections' legislative support and comments subsequent to the adoptions of these Section Bylaws, Sections 8.1-8.3 should be read as if they contain the updated SBNB language. Any conflicts that exist between Section 8.0 and Sections 8.1-8.3 shall be resolved to be read as 8.1-8.3 as controlling.

**8.2 GUIDELINES:** Bar legislative or policy activities must be germane to the State Bar of Nevada's mission and reasonably related to any of the following subjects: Regulating and disciplining lawyers; improving the functioning of the courts including issues of judicial independence, fairness, efficacy and efficiency; making legal services available to society; the education, ethics, competence, integrity and regulation of the legal profession; issues involving the structure and organization of federal, state and local courts in or affecting Nevada; issues involving the rules of practice, procedure and evidence in federal, state or local courts in or affecting Nevada; or issues involving the duties and functions of judges and lawyers in federal, state and local courts in or affecting Nevada.

**8.3 LEGISLATIVE PROCESS:** Because of the nature of the legislative process, the Board retains the right to sponsor or take positions on appropriate legislation. In so doing, the Board will make a reasonable effort to do the following: Encourage as wide a participation of the membership as possible in formulating positions on legislative issues; inform members, especially

sections and committees, of the Bar's legislative positions; respect divergent opinions of subgroups within the legal profession; provide assistance to bar sections and committees; and avoid committing Bar funds to issues that are divisive or result in creating factions within the profession.

**8.4 COMMITTEE AND SECTIONS:** Any committee or section wishing to sponsor legislation or take a position on any rule or public policy issue will inform the Board of Governors of the exact nature of the legislation proposed. A copy of the bill, proposed rule or policy will be presented for consideration and approval of the Board. A committee or section of the Bar may not represent to the Nevada State Legislature or any individual, committee, or agency thereof, a position or proposal or any bill or act, as the position of that committee or section of the Bar without the majority approval of the members of that committee or, in the case of a section, the section's executive committee and the prior approval of the Board, except as follows:

a. Approval. If the Board of Governors approves of the legislative position taken by the section, the section may take the legislative position and may assert that the legislative position is endorsed by the State Bar generally or the Board of Governors.

b. Disapproval. If, on the other hand, the Board of Governors disapproves of the legislative position taken by the section, the section shall not take a position on such matter.

c. No Express Disapproval and Disclaimer. If the Board of Governors does not expressly disapprove of the section's position, or fails to take any action on the section's legislative position, the section may, as a section, seek to influence the legislation if and only to the extent that all such efforts and activities of the section to influence the legislation are funded entirely from the voluntary dues of its section members, and not through any funds obtained from the State Bar of Nevada through its imposition of mandatory dues. Under such circumstances, the legislative action taken by the section shall be clearly identified as the legislative position of the section and not that of the State Bar or the Board of Governors. A legislative position statement of a section to a legislative body must, as a preamble, contain the following disclaimer in capital letters and underlined:

THESE POSITIONS ARE BEING PRESENTED ONLY ON BEHALF OF THE EXECUTIVE COMMITTEE OF THE ENTERTAINMENT AND SPORTS SECTION OF THE STATE BAR OF NEVADA. THIS POSITION SHOULD NOT BE CONSTRUED AS REPRESENTING THE POSITION OF THE BOARD OF GOVERNORS OR THE GENERAL MEMBERSHIP OF THE STATE BAR. THE EXECUTIVE COMMITTEE OF THE ENTERTAINMENT AND SPORTS SECTION, WHICH TAKES THIS POSITION, IS A VOLUNTARY SECTION OF ENTERTAINMENT AND SPORTS MEMBERSHIP COMPOSED OF LAWYERS PRACTICING IN A SPECIFIED AREA OF LAW.

This disclaimer shall be filed before the presentation of testimony with the clerk of the committee or subcommittee before which testimony is to be presented. Additionally, the disclaimer must be read at the beginning of any oral testimony before a committee or subcommittee. If the general membership of the section has approved the section's position, the disclaimer may be omitted.



**Section 9**  
**ACTION OF THE STATE BAR OF NEVADA**

No action of the Section shall be represented or construed as the action of the State Bar of Nevada until the same has been approved by the Board of Governors of the State Bar of Nevada.

**Section 10**  
**AMICUS CURIAE BRIEFS**

If the Section wishes to enter an amicus curiae appearance, approval must be obtained from the Board of Governors. The request must be in writing and must include a synopsis of the question involved, the posture of the case, the position to be taken in the amicus appearance, and the anticipated cost of appearing amicus curiae including lawyer fees, if any. The question involved must be directly or substantially affect admission to the practice of law, discipline of members of the bench or bar, the method selecting members of the judiciary or other questions of substantial interest to the State Bar or Section. If the Board of Governors approves the filing of an amicus curiae brief appearance by a committee, the Bar will pay any costs for the appearance.

**Section 12**  
**AMENDMENT TO BYLAWS**

These Bylaws may be amended at any annual meeting of the Section by a majority vote of the Members present and voting, providing such proposed amendment shall first have been approved by a majority of the Executive Committee. They shall become effective upon approval by the Board of Governors and may be amended or repealed at any time by the Board of Governors on its own motion.