

# **Bylaws of the Thomas E. Penick, Jr. American Inn of Court**

## **Article I General**

### **Section 1. Purpose.**

In addition to the purposes set forth in the Organization Charter issued by the American Inns of Court Foundation, the Thomas E. Penick, Jr. American Inn of Court is a specialty Inn focused on elder and disability law, estate planning, real property, probate, and trust law.

### **Section 2. Principal Location.**

The Thomas E. Penick, Jr. American Inn of Court shall be located in the Sixth, Twelfth, and Thirteenth Judicial Circuits of the State of Florida.

## **Article II Organization**

### **Section 1. The Officers.**

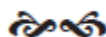
The Officers of the Inn shall be a President, a President-elect, a Counselor (the Immediate Past President), a Secretary, and a Treasurer. The Officers shall serve a one-year term and may succeed themselves only once. The Officers are selected by a majority of the active member of the Inn and voted into office by a majority of the active members attending such meeting where the vote takes place or as the vote may otherwise be taken. It is the aspirational policy of this Inn that the person holding the office of President-elect, President and Counselor represent a different Circuit within this Inn.

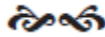
### **Section 2. Circuit Representatives.**

Being composed of three Judicial Circuits, the Inn shall have a Circuit Representative for each of its Circuits. The Officers shall select and appoint the Circuit Representatives.

### **Section 3. Committees.**

The Officers may establish standing and ad hoc committees from time to time from among the active members of the Inn, and from time to time may change or discontinue committees. The President may also establish standing and ad hoc committees, and unless so objected to by the Officers, such action shall be considered an action of all the





Officers. When establishing committees, a committee Chair shall be appointed who shall serve a one year term unless a shorter time is directed by the President or the Officers. Upon serving a full one year term, a committee Chair may only succeed herself or himself one time. Committee Chairs may create ad hoc sub-committees, as the Chair deems appropriate.

Initially, the following standing committees shall be established: Membership Committee, Program Committee, and Social Committee.

Among such other duties as may be assigned by the Masters and the Executive Committee, the duties of each committee shall be as follows:

Membership Committee—The Membership Committee shall solicit and review applications and make recommendations to the Executive Committee, for membership in the Inn; shall maintain records of attendance and oversee attendance in accordance with Article IV. Section 2 of these Bylaws; and, shall assign members to Pupillage Teams.

Program Committee—The Program Committee shall oversee and approve program topics, shall be responsible for submitting programs for Continuing Legal Education credit, and shall be responsible for submitting program reports to the American Inns of Court Foundation.

Social Committee—The Social Committee shall be responsible for scheduling, arranging and collecting monies for approved social functions of the Inn within the parameters as set forth by the Executive Committee, and shall organize an annual pro bono activity to benefit the community.

#### **Section 4. The Executive Committee.**

The Executive Committee is composed of the Officers, the Circuit Representatives, and the Chairs of each committee formed by the Executive Committee and such other members as may be appointed by the President. The duties of the Executive Committee, and its members, are set forth in the Organizational Charter, and as set forth herein.

### **Article III. Membership.**

#### **Section 1. Active Members.**

There are four classifications of members in an American Inn of Court, as defined in the bylaws of the American Inns of Court Foundation, and as set forth below:

- Masters—consisting of lawyers with at least 10 years of experience, judges and law professors;
- Barristers—consisting of lawyers with at least five years of experience but less than ten;





- Associates—consisting of lawyers with less than five years of experience; and,
- Pupils—consisting of law students.

Accordingly, membership in this American Inn of Court shall consist of Masters, Barristers, Associates, and Pupils. Pupils may not vote on any matter but shall freely participate in all other activities of the Inn.

**Section 2. Inactive Members.**

The Executive Committee may confer Emeritus and Honorary memberships as set forth in the Organizational Charter.

**Article IV.  
Meetings, Attendance, and Participation.**

**Section 1. Meetings.**

Meetings shall be held at least six times per year at such times as the Executive Committee may determine, with at least one meeting being held at the Stetson Law, Gulfport campus, at least one meeting being held in the Tampa area, and at least one meeting being held in the Sarasota/Bradenton area. The Inn shall endeavor to have at least one social event per year wherein members may invite guests.

**Section 2. Attendance.**

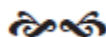
Each active member will be allowed three absences from the monthly meetings in a year. The Membership Committee shall monitor attendance at meetings and shall submit the names of those who have three absences to the Executive Committee. The non-participating member will be contacted by the Membership Chair in order to determine if he/she wishes to remain in this American Inn of Court, and in the event another absence occurs, this member will be dropped from the rolls and all dues will be forfeited.

**Section 3. Pupillage Teams.**

All active members will be assigned to a Pupillage Team, by Circuit, by each respective Circuit Representative or by such other method as the Executive Committee may decide from time to time. To the extent possible and practical, each Pupillage Team shall be chaired by a Master. The Masters and Pupillage Teams shall be reassigned every year. Members of the Executive Committee shall have the right to opt-out of participation in a Pupillage Team.

**Section 4. Mentoring.**

Mentoring is a time honored tradition and a cornerstone of the American Inns of Court. Accordingly, all active members shall be strongly encouraged to participate in the Thomas E. Penick, Jr. American Inn of Court's Mentoring Program by accepting an assignment of Mentor or Mentee. Ultimate oversight of the Mentoring Program and all policy decisions regarding same shall rest with the Executive Committee. In the interests





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of encouraging and facilitating the formation of useful and professional Inn relationships, any member who has been assigned a Mentor role may also request that they be assigned a Mentor.

## **Article V Voting and Elections**

### **Section 1. General Matters.**

With the exception of Emeritus and Honorary Masters and student members, each active member shall be entitled to one vote on all matters submitted to the Inn. A majority of active members shall constitute a quorum for the transaction of business. Every act done or decision made by a majority of the active members in attendance at a meeting, or via an electronic mail communication, shall be regarded as the act of all the active members and therefore of the Inn. Active members may make valid voting decisions by mail, facsimile, electronic mail, or such other means as may be deemed necessary or practical by the Executive Committee or the President. A simple majority of those responding by mail, facsimile, or electronic mail shall be sufficient to pass the matter put to a vote.

### **Section 2. Executive Committee.**

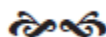
Each member of the Executive Committee shall be entitled to one vote on all matters submitted to the Executive Committee. In the event of a tie, the President shall have the deciding vote. A majority of the members of the Executive Committee shall constitute a quorum for the transaction of business. Every act done or decision made by a majority of the members in attendance at the meeting called for that purpose shall be regarded as the act of the entire Executive Committee.

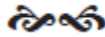
### **Section 3. Elections.**

The nomination of the President-elect, Secretary, Treasurer, and Circuit Representatives will occur in every year before or during the last meeting of the entire Inn. With the exception of student members, the active members of the Inn will then vote in person or via email for those Officers no later than the last day of May with a simple majority of the votes submitted in person or by mail, facsimile, or electronic mail being sufficient for the effective election of Officers.

### **Section 4. Vacancies.**

When a position as an Officer, Circuit Representative, or committee Chair becomes vacant, the President may appoint a replacement unless a majority of the Executive Committee determines that the procedures for election and selection of officers and chairs should be followed. Whether filled by appointment or vote, the duration of the newly filled position shall not be counted against the new Officer or Chair in regard to any maximum term of service.





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## **Article VI Fiscal Matters**

### **Section 1. Fiscal Year.**

The fiscal year of The Thomas E. Penick, Jr. American Inn of Court shall be the same as the fiscal year of the American Inns of Court Foundation, which is from July 1 to June 30 of each year.

### **Section 2. Dues.**

Dues shall be in an amount consistent with the Organizational Charter and shall be levied by the Treasurer during such month as the Executive Committee determines from time to time as may be practical or prudent to carry on the business of the Inn. However, dues for those Associates who are in their first year of practice shall be in an amount equal to the amount paid by Pupils. Failure to pay assessments and dues prior to the time set by the Executive Committee upon reasonable notice may be considered by the Executive Committee as grounds to terminate membership of the person in default.

### **Section 3. Expenses.**

This American Inn of Court shall pay all reasonable expenses incurred by members of the Executive Committee for such things as attendance at state, regional or national events of the American Inns of Court Foundation and payment to an administrator.

## **Article VII Adoption and Amendments**

### **Section 1. Amendments.**

Amendments to these Bylaws may be made by a majority of the active members of this American Inn of Court and must be submitted to and approved, in writing, by the Board of Trustees of the American Inns of Court Foundation. Active members may make valid voting decisions by mail, facsimile, electronic mail, or such other means as may be deemed necessary or practical by the Executive Committee or the President. For any vote not taken in person, a simple majority of those responding by mail, facsimile, or electronic mail shall be sufficient to approve the Bylaw amendment.

### **Section 2. Adoption.**

Upon approval by a majority of the active members as described herein, amendments to the Bylaws shall be automatically adopted upon written approval by the Board of Trustees of the American Inns of Court Foundation.

