

BY-LAWS FOR THE FLSB Bankruptcy Lawyers Advisory Committee

ARTICLE I GENERAL

Section 1. The name of this committee is the FLSB Bankruptcy Lawyers Advisory Committee ("LAC").

Section 2. The purposes of the LAC are:

- (a) To receive requests from the United States Bankruptcy Court for the Southern District of Florida (the "Court") to consider issues relating to, arising from, and/or affecting the practice of law before the Court.
- (b) To recommend to the Court changes in bankruptcy practice and/or procedure throughout the district.
- (c) To act as a liaison between the Court and bankruptcy law practitioners throughout the district.
- (d) To develop, implement, and maintain various bankruptcy-related programs in the district, as requested by the Court.
- (e) To consider or initiate any matter related to bankruptcy that it deems appropriate.

ARTICLE II COMPOSITION

Section 1. The LAC shall consist of members of the Bar of the Court selected by the Chief Judge after consultation with the other Bankruptcy Judges. The Chief Judge shall determine the total number of members of the LAC from time to time based on the needs of the Court and the Bar.

Section 2. In addition to the general members, the LAC shall include one (1) representative from each of the following entities or groups:

- (a) A member of the staff of the Office of the United States Trustee;
- (b) A chapter 7 trustee;
- (c) A chapter 13 trustee; and
- (d) A member of the board of the Bankruptcy Bar Association of the Southern District of Florida.
- (e) A representative from the United States Attorney's Office.

Section 3. Each member of the LAC shall serve a term of three (3) years.

Section 4. The initial appointments shall be staggered, one-third (1/3) to expire at the end of each of the first three years.

Section 5. The LAC shall select its own Chair.

Section 6. The Chair shall serve for a period of one (1) year beginning from the date of the first meeting of the LAC after the selection of the Chair and ending on the first meeting following selection of his or her successor. No person shall be elected to the position of Chair for more than two (2) successive years unless approved by the Chief Judge.

Section 7. Each member of the LAC shall be entitled to one (1) vote on any issue that may arise which requires a vote by the LAC, at any regular or special meeting.

Section 8. The LAC shall also include as ex officio, non-voting members any Bankruptcy Judge who wishes to take part in meetings and considerations of the LAC and the Clerk of the Bankruptcy Court or a designee of the Clerk.

Section 9. Resignation from the LAC will be accepted upon written notice to the Chair.

Section 10. The Chief Judge shall have the power to fill any vacancies that may arise, including the Chair and other officers, which may result from death, resignation, or inability to serve. Any member so appointed shall hold office for the unexpired term of the office in whose place he or she is appointed.

ARTICLE III MEETINGS OF MEMBERS

Section 1. Meetings of members shall be held within the Southern District of Florida as may from time to time be fixed by the LAC. Members may attend meetings by teleconference unless the notice of meeting specifically states that the meeting is to be in person only.

Section 2. Two-thirds (2/3) of the voting members of the LAC will represent a quorum.

Section 3. Written notice of the time and place of every meeting of members shall be given to each member by the Chair not less than fourteen (14) days before the date of the meeting, either personally or by electronic mail. Each notice of meeting shall provide a teleconference number unless the meeting has been specifically noticed to be in person only. When a meeting is adjourned to another time or place, it shall not be necessary to give notice of the adjourned meeting if the time and place to which the meeting is adjourned is announced at the meeting at which the adjournment is taken and at the adjourned meeting only business shall be transacted as might have been transacted at the original meeting. If, after the adjournment, a new date for the adjourned meeting is fixed, the Chair shall give notice of the adjourned meeting to each member not less than fourteen (14) days before the date of the meeting, either personally or by electronic mail.

Section 4. The LAC shall determine a regular meeting schedule with the anticipation that no less than four (4) meetings will be held each year. Special meetings may be called as deemed necessary by the Chair and/or the Bankruptcy Court, with the purpose, time, and place of the meeting provided in person or by electronic mail to each member at least seven (7) days before the meeting.

Section 5. The LAC shall convene at least one meeting per year to which all Bankruptcy Judges shall be invited for the purpose of engaging in a free and open discussion of issues relevant to practice before the Bankruptcy Court.

ARTICLE IV DUTIES

Section 1. Chair. The Chair shall provide required notices of meetings of the LAC, preside at such meetings, and perform such other duties as ordinarily pertain to the office. The Chair shall be the primary liaison between the LAC and the Bankruptcy Court and shall meet with the Chief Judge and, where appropriate, other Bankruptcy Judges, on a regular basis to advise of the business of the LAC.

Section 2. Vice-Chair. The Vice-Chair shall assist the Chair in the performance of any of his or her duties, and perform such other duties as the Chair, the LAC, or the Chief Judge deem necessary. In the event of the absence of the Chair, the Vice-Chair shall provide notice of and preside at meetings. In the event of the unavailability or disability of the Chair, the Vice-Chair shall become the interim Chair.

Section 3. Secretary. The Secretary shall record and keep minutes of meetings of the LAC, keep membership records of the LAC, and perform such other duties as usually pertain to the office.

Section 4. Subcommittees. The Chair may, subject to the approval of the LAC, appoint such

temporary subcommittees as may from time to time be required. Subcommittees may include members of the LAC, members of the Bar of the Court, and such other persons as the LAC may deem appropriate. Any such subcommittee shall include as its Chair a current member of the LAC who shall be responsible for oversight of the subject subcommittee.

ARTICLE V METHOD OF VOTING

The business of the LAC shall be transacted by voice vote except where vote by ballot is requested by a majority of those entitled to vote at any meeting. All voting determinations shall be made by a simple majority.

ARTICLE VI ATTENDANCE AT MEETINGS

Section 1. Each member of the LAC must attend at least 75% of the regular meetings of the LAC each year.

Section 2. If any member of the LAC is not present at two (2) regularly scheduled meetings in any twelve (12) month period, or a total of five (5) regularly scheduled meetings during said member's term, the Chief Judge may request the resignation of such member.

Section 3. If any member is unable to attend a meeting of the LAC, the Member may send a designee but such designee will not count toward establishing a quorum and shall not be entitled to vote. The member will be considered absent from the meeting.

ARTICLE VII AMENDMENTS

These By-laws may be amended only by the affirmative vote of two-thirds (2/3) of the members of the LAC, provided that written notice of such proposed amendment shall have been provided to each member at least fourteen (14) days before the meeting at which the amendment is considered, and provided further that any proposed amendment must be approved by the Bankruptcy Court.