

MARIN COUNTY LAW LIBRARY BYLAWS

Article 1 - Name

The organization shall be called "The Marin County Law Library," existing by virtue of the provisions of Chapter 5 of the Business and Professions Code, Sections 6300-6365, of the Laws of the State of California.

Article 2 – Offices

Section 1. The offices of the Library shall be at 20 North San Pedro Road, Suite 2007, San Rafael, California 94903, or at any other place designated by the Board of Trustees.

Article 3 - Board of Trustees

Section 1. The Marin County Law Library shall be administered by a Board of Trustees.

Section 2. The members of the Board shall be appointed according to the California Business and Professions Code, Sections 6301, 6302 & 6305. The full membership of the Board shall be at least six and no more than seven members.

Section 3. In accordance with California Business and Professions Code, Section 6305, the Board may remove any Trustee, except an ex-officio Trustee, absent from at least three consecutive meetings of the Board. The Board may fill all vacancies that occur from any cause.

Section 4 In accordance with Business and Professions Code Section 6305, the Board of Trustees may appoint a person to serve in the capacity of a trustee when there is an unfilled position on the Board. When the appointing authority acts to make an appointment in the regular manner, the term of a trustee appointed under this bylaw shall come to an end.

Section 5. Vacancies, or impending vacancies, on the Board shall be noticed to the proper appointing authority in a timely manner by the Secretary for the Board.

Article 4 - Officers

Section 1. The officers shall be a President and a Vice-President nominated and elected from among the appointed trustees at the annual July meeting of the Board.

Section 2. Officers shall be elected to serve for such a term as may be established at the time of election, or until such time as a successor is elected.

Section 3. The President of the Board of Trustees shall call to order and preside at all meetings of the Board. The President also authorizes calls for any special meetings, appoints all committee members, and executes all documents authorized by the Board.

Section 4. The Vice-President shall perform the duties of the President in the event of the absence or disability of the President.

Section 5. In the absence of both the President and Vice-President, any Trustee may preside over any Board meeting where a quorum is present.

Section 6. The Director of the Law Library shall serve as Secretary for the Board in an ex-officio capacity and is not a member of the Board.

Section 7. The Secretary shall record and keep a true and accurate record of all meetings of the Board.

Section 8. The Secretary shall issue notice of all regular and special meetings, and shall perform such other duties as are generally associated with that office.

Article 5 - Committees

Section 1. The President may appoint committees of one or more members, each for such specific purposes as the Board may require from time to time. A committee shall be considered to be discharged upon the completion of the purpose for which it was appointed and after a final report is made to the Board.

Section 2. All committees shall make a progress report to the Board at each of its meetings.

Section 3. No committee will have other than advisory powers unless, by suitable action of the Board, it is granted specific power to act.

Article 6 - Meetings

Section 1. Regular meetings of the Board shall be scheduled for the third Tuesday of each month at 5:15 p.m. in the Law Library conference room. The meeting time may be rescheduled to another date and time by act of the Law Library Director, in consultation with the Trustees, due to the unavailability of a quorum, conflict with holidays, to accommodate vacation planning, or for other causes.

Section 2. In accordance with Business and Professions Code Section 6304, a quorum for the transaction of business at any meeting of the Board shall consist of a majority of the members of the Board of Trustees.

Section 3. In accordance with Business and Professions Code Section 6304, the President of the Board may call a special meeting at any time for the transaction of necessary business.

Section 4. Notice of an agenda containing the time and place of all meetings of the Board of Trustees shall be posted in a public location, at least 72 hours before the date of the proposed meeting in compliance with the provisions of the Ralph M. Brown Act (Open Meetings Law, California Government Code, Section 54954.2).

Section 5. In accordance with Government Code Section 54954.2 (b), the Board may act on or discuss items not specified on the advance notice agenda in keeping with either of the following:

a. Upon determination by majority vote that an emergency situation exists, as defined by Government Code Section 54956.5 as it pertains to work stoppages or other activity that severely impairs public health or safety, or

b. By unanimous vote of those members present that there is a need to take immediate action on a matter that came to the attention of the Law Library subsequent to the public posting of the meeting agenda.

Section 6. The agenda for regular meetings of the Marin County Law Library Board of Trustees shall be compiled by the Law Library Director in consultation with the Trustees.

Section 7. Meetings shall be conducted in conformity with the Ralph M. Brown Act (Open Meeting Law), Government Code Sections 54950-54962.

Section 8. An Annual Report shall be presented in writing, by the Law Library Director, at the meeting in the month of either August or September of each fiscal year, for review and approval by the Board of Trustees. In accordance with Business and Professions Code Section 6349, said Annual Report shall be transmitted to the Board of Supervisors for the County of Marin on or before the subsequent October 15 of the calendar year. A copy of the Annual Report shall additionally be filed with the Auditor of the County and with the Clerk of the Superior Court.

Article 7 - General

Section 1. An affirmative vote of the majority of all members of the Board present at the time shall be necessary to approve any action under consideration by the Board. The President may vote upon and may move or second any proposal before the Board.

Section 2. The bylaws may be amended by the majority vote of all members of the Board provided that written notice of the proposed amendment(s) shall have been mailed or emailed to all members at least ten days prior to the meeting at which such action is proposed to be taken.

Section 3. The Board should endeavor to keep aware of law library standards, technologies, trends, regulations, and legislation.

Article 8 - Law Library Director and Staff

Section 1. The Board shall appoint a Law Library Director who shall be the executive and administrative officer of the library on behalf of the Board.

Section 2. The Law Library Director serves at the discretion of the Board with compensation approved by the Board.

Section 3. The Law Library Director shall appoint and specify the duties of other employees and shall be responsible for the proper direction and supervision of the staff and delegation of duties to it. The Law Library Director and the staff shall be responsible for the care and maintenance of the library property, for an adequate selection of books responsive to the needs of professional and public community being served, for the efficiency of library service to the public, for the continued technological progress of the library and for its financial operation within the limitations of the budget.

Article 9 - Financial Rules

Section 1. The fiscal year shall be July 1 to June 30.

Section 2. A tentative annual budget for a succeeding fiscal year may be approved by the Board in January of a current fiscal year. A final annual budget suitable for submission to the Marin County Auditor's Office shall be approved by the Board no later than September of a current fiscal year. The Board may modify the annual budget at any time during the fiscal year.

Section 3. The Law Library Director and staff shall endeavor to stay within the budget established by the Board. The Law Library Director shall report all instances when expenses go beyond the amount budgeted to the Board during the regularly scheduled financial report.

Section 4. Payroll and all disbursements by warrants made to the County Auditor are to be drawn from the "Law Library Trust Fund" that is held by the treasurer of the County in compliance with California Business and Professions Code, Section 6320 and shall be approved by the Law Library Director.

Section 5. At each regularly scheduled Board meeting, a warrant list itemizing bills designated for payment shall be presented to the Trustees for their approval. In the event that no regularly scheduled meeting is held, for lack of a quorum or other cause, the Director is authorized to pay the ordinary, routine expenses of the Law Library, subject to ratification of such payments at the next regularly scheduled Board Meeting.

Section 6. All official papers, documents, contracts, warrant requests, and other written instruments necessary to carry on the administration of the affairs of the Board shall be signed by the President of the Board of Trustees or in his or her absence, the Vice President.

Article 10 – Directors and Officers Liability Coverage

Section 1. The Director and Officers of the Law Library shall be covered by liability insurance of not less than \$1,000,000 per occurrence.

Section 2. It shall be within the power of the Board of Trustees to set aside a monetary fund sufficient to pay the full amount of any insurance deductible or retention pertinent to any claim that may arise against the Law Library, and its Trustees and Director, from their service or employment in their official capacities.

Approved: February 27, 2018

Ayes: Sam Ware, Jonathan Frieman, Denise Bashline, Tracy Barrett, Donald Drummond, Emily Vance, Kristine Fowler Cirby

Noes: 0

Abstentions: 0