

**BY-LAWS FOR THE
EDNY CONSUMER LAWYERS' ADVISORY COMMITTEE**

**ARTICLE I
GENERAL**

Section 1. The name of this committee is the EDNY Consumer Lawyers' Advisory Committee ("CLAC").

Section 2. The purpose and mission of the CLAC is to provide a forum for communication and feedback and resources between the Board of Judges and the bar regarding the consumer bankruptcy practice and procedure with the goal of better serving the needs of individuals, entities and parties in interest seeking reorganization or liquidation in Chapter 7 and 13 cases in the District.

**ARTICLE II
COMPOSITION**

Section 1. The CLAC shall have a Brooklyn Division and a Central Islip Division, each initially consisting of thirteen (13) members of the Bar (each a "General Member"). The number of CLAC General Members may be increased or decreased by the Chief Judge and Judge Trust after consultation with the Co-Chairpersons.

Section 2. The Chief Judge and Judge Trust shall select the General Members after consultation with the Co-Chairpersons.

Section 3. General Members of the CLAC shall be expected to attend meetings of the CLAC and actively participate in the business of the CLAC.

Section 4. The term of the General Member shall be two (2) years, which may be renewed for an additional period of up to one (1) year in the discretion of the Chief Judge and Judge Trust after consultation with the Co-chairpersons.

Section 5. Co-Chairpersons shall be appointed by the Chief Judge and Judge Trust from among the General members and they shall serve until their respective successors are appointed. No person shall serve as Co-Chairperson for more than their initial term as General Member unless such continued role is approved by the Chief Judge and Judge Trust.

Section 6. In addition to the General Members, the CLAC may include liaison members designated by the EDNY United States Trustee's Office, EDNY Office of the United States Attorney, the NYS Office of the Attorney General, and other governmental offices or agencies as determined by the Chief Judge and Judge Trust after consultation with the Co-Chairpersons.

Section 7. The CLAC shall also include *ex officio* members, including:

- (a) All Bankruptcy Judges in the EDNY,
- (b) One or more representatives of the EDNY Bankruptcy Court Clerk's Office,
- (c) Standing Chapter 13 Trustees in the EDNY, and
- (d) Other appropriate persons as determined by the Chief Judge and Judge Trust after consultation with the Co-Chairpersons.

The General Members, liaison members and *ex officio* members are collectively referred to herein as "Members".

Section 8. Resignation from the CLAC will be accepted upon written notice to the Co-Chairpersons.

Section 9. The Chief Judge and Judge Trust shall have the power to fill any vacancies that may arise, including Co-Chairperson, which may be caused by death, resignation, or inability to serve. Any General Member so appointed shall hold office for the unexpired term of the office in whose place they are appointed. A vacated General Member position shall remain unfilled until the Chief Judge and Judge Trust select a replacement General Member.

ARTICLE III **MEETINGS OF MEMBERS**

Section 1. Meetings. Meetings of Members shall be held within the State of New York, as may from time to time be fixed by the CLAC.

Section 2. Schedule. The CLAC shall determine the regular meeting schedule with the anticipation that no less than three (3) meetings be held each year. Special meetings may be called as deemed necessary by the Co-Chairpersons and/or the Chief Judge and Judge Trust.

Section 3. Notice to Members. Notice of the time and place of each regular or special meeting of the CLAC shall be given to each Member reasonably in advance of such meeting. The CLAC shall endeavor, whenever feasible, to determine at each meeting when and where the next meeting shall be held. If feasible, each notice of a meeting shall be in writing (including by email), and if not feasible, notice may be given orally, by telephone or otherwise. An agenda (“Agenda”) shall whenever possible be prepared by the Co-Chairpersons and distributed in advance of each meeting. Members may suggest items to be included in the CLAC’s proposed Agenda and should inform the Co-Chairpersons of such suggested Agenda items as soon as practicable.

Section 4. Quorum. A majority of the General Members will represent a quorum at each meeting.

ARTICLE IV **DUTIES**

Section 1. Co-Chairpersons. It shall be the duty of the Co-Chairpersons to preside at meetings of the CLAC, send out notices of meetings and Agendas, and to perform such other duties as ordinarily pertain to this office.

Section 2. Duties. It shall be the duty of the Co-Chairpersons to perform of any duties as they deem necessary, the CLAC, or the Chief Judge or Judge Trust deems necessary. In the event of the absence of one of the Co-Chairpersons, the other Co-Chairperson shall conduct meetings. It shall be the duty of the Co-Chairpersons to record attendance at the meeting and record the minutes of such meeting (the “Minutes”). The Co-chairpersons shall present a draft of the Minutes of the meeting to the Chief Judge for review. After such review, the minutes shall be circulated to all Members by the Co-Chairpersons and shall be considered for adoption by the CLAC at the next scheduled meeting. The Minutes shall be limited to a statement of the action taken at a prior meeting and concise statements of the subject matters discussed by the CLAC, but without significant details of the discussions, which discussions shall remain confidential and not disclosed except as determined by the Chief Judge and Judge Trust and the Co-Chairpersons. The Minutes shall list the Members present and the results of any vote(s) of the CLAC.

Section 3. Subcommittees. The Co-Chairpersons may, subject to the approval of the CLAC, appoint such subcommittees as may from time to time be required. The Co-Chairpersons of any such subcommittee shall be responsible to see that the subcommittee performs the duties assigned to it.

ARTICLE V **METHOD OF VOTING**

The CLAC shall strive to achieve consensus whenever possible. However, in the event that a vote is necessary at any regular or special meeting, all General Members shall be voting members and shall be entitled to one (1) vote on each issue that requires a vote. A vote 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 with a quorum being present by a simple majority. Ex officio members and liaison members shall not be entitled to vote.

ARTICLE VI **AMENDMENTS**

These By-laws may be amended at any regular meeting of the Members, a quorum being present, by a majority of all General Members present, provided that written notice of such proposed amendment shall have been provided to each Member as soon as practicable before the meeting.