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Los Angeles City Attorneys Association

June 24, 2011

Dear LACAA Member:

We appeal to you as lawyers to read this with an open mind:

Many of you have asked why the LACAA say the SEIU ballot is illicit.

Here are the facts. If you refute them, refute them with facts, not hyperbole.

Our Association is governed by our By-laws. (You can read them yourself on the Association's website: www.lacaa.org) They have been on the books for years, and have guided previous LACAA Boards. Section 2.1 of the LACAA's affiliation agreement with SEIU recognizes the autonomy of the Association and the By-laws, stating "they shall continue in full effect"

· **[Why the "member" meeting of July 20 was in violation of the LACAA's By-laws:](#)**

The time, place and notice of the meeting did not comply: Article 7, Section 1 of the By-laws authorizes 25 members to demand a membership meeting. Article 7, Section 2 and 3 authorizes only the BOARD as an entity to set the time and place for the meeting, which must be scheduled within 14 days of the demand, and to provide notice to the entire membership of about the meeting. There is no exception to allow an individual member, individual Board member or any other group of members to set such a meeting. This By-law protects the rights of all members by providing them with adequate notice to allow them to participate in a membership meeting.

So the meeting on July 20 was not a "membership meeting" pursuant to the By-laws. The members did not present a request to the Board to set the meeting. The Board did not set the meeting or have an opportunity to notify members about the meeting.

· **[Why the "special election" at the meeting violated the LACAA's](#)**

By-laws:

Aside from the defective time, place and notice, there is no provision in the By-laws permitting a special election to be called by a membership meeting in order to vote on a contract proposal.

Article 7, Section 5 limits special elections called at membership meetings to those "as provided in these Bylaws." The special elections specified in the by-laws are limited to elections of Board members, recall of Board members and issues relating to the By-laws itself. Nothing else.

Only the Board is given authority to set special elections for subjects beyond those set forth in the By-laws. Article 5, Section 9 states: "Special elections may be called by the Board or as these Bylaws may provide."

· **There was insufficient notice to hold the "special election" on June 20:**

Article 9 of the By-laws requires a 14-day notice to members of any special election (Article 9) There is no exception.

The "special election" at the "membership meeting" on June 20 was held on or about the same day as the notice the meeting was posted.

There may be additional reasons as well to establish why this process was invalid and the resulting pending SEIU election is illegitimate.

There are those who would disregard the rules to achieve a result. We have 450+ attorneys in our office and not all of them have the time or the inclination to write in blogs and e-mails. Nor do they all work in City Hall East, for that matter. They deserve to have the rest of us follow our own rules which have guided this Association for years.

Sincerely,

Los Angeles City Attorneys Association



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