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Dear Colleague:

I write to inform you of the results of an earlier survey of judicial scholars regarding the organization of a judicial section within the American Political Science Association. Over 200 association members responded, which constitutes a return rate of approximately 30 percent. If you were one of those who returned the questionnaire, please accept my thanks for your time and advice.

Included in this packet are three items important to the organization of the judicial section: (1) a report on the results of the survey; (2) a copy of the proposed by-laws based partially on the results of the survey of potential members; and (3) a form for you to indicate your commitment to join the section, to suggest nominees for officers of the section, and to suggest items that need to be considered by the executive committee during its first meeting. While much of this material is self explanatory, a few comments may be worthwhile to highlight some features of the proposed section or explain the rationale for decisions regarding the by-laws.

Name of the Section. The survey responses regarding the name of the organization were almost evenly split between "Public Law and Judicial Process Section" and the "Law, Courts, and Judicial Behavior Section." Not unsurprisingly, several respondents indicated that they have very strong feelings (some positive and others negative) about the inclusion of public law and/or judicial behavior. Following the expressed wishes of most respondents to neither emphasize nor deemphasize specific subfields (see Questions 5 and 6), a compromise section name is proposed -- Law, Courts, and Judicial Process Section.

Organization of the Section and Selection of Officers. The survey indicated that a chairperson, secretary-treasurer, and a 5 to 7 person executive committee would be acceptable. Over two-thirds of the respondents indicated that they wished that officers be elected by a mail ballot. Nearly equal numbers supported self nominations, third-party nominations, and a nominating committee for section office candidates. The mail ballot and alternate nominating procedures have been incorporated in the suggested by-laws.

Services and Dues. The service most in demand by the respondents was a newsletter, with slightly less support for such services as organizing panels at professional meetings. Rather than specify specific services in the by-laws, this decision is left to the executive committee once the section is organized. Certainly, these desires will likely weigh heavily in the Committee's early decisions. Also, dues for section membership are mentioned in the by-laws, but are not set. Here, too, the executive committee is expected to set appropriate dues to cover services provided to section members.

Implementation of the By-Laws. Because there are no precise procedures for establishment of sections within the APSA, The implementation of the By-Laws and initial organization of this section is a bit problematic. As it stands now, the section

cannot be officially approved until the next meeting of the APSA Executive Council at the September, 1983, Annual Meeting. However, it is to our advantage to have much of the section's organization in place before the Annual Meeting so that the section's executive committee can meet to organize section plans.

In anticipation of section approval by the APSA, the following actions are being taken prior to the 1983 APSA Annual Meeting.

1. Individuals interested in becoming members of the association should indicate their interest in the Section by returning the enclosed form before August 1, 1983. For the time being all who return this form prior to that date will be considered members of the Section, although dues will not have been collected.

2. If members of the section wish to nominate themselves or others for section office, they may so indicate on the same form. The same rules described in the by-laws will be used for construction of a ballot for this initial section of officers.

3. If 100 signatures are received prior to August 10th, Karen O'Connor, acting as Convenor of the Law, Courts, and Judicial Behavior Subfield Group will organize a nominating committee to develop a list of candidates for section office.

4. If 100 signatures are received prior to August 10th, then selection of officers will proceed at the 1983 Annual Meeting of the Association followed by an organizational meeting of the section and the executive committee. Thereafter, the by-laws will be in effect and subsequent elections will be held by mail ballot.

5. If 100 signatures are not received by August 10th, then nomination and selection of officers will follow the procedure described in the By-Laws as organized by the convenor of the existing subfield group.

The reason for this early election of officers is to organize the section for the 1984 meetings, assuming that affiliated panels may be attempted and a newsletter circulated prior to the meeting. Electing officers at the 1983 meeting should allow time for an executive meeting of the officers present and some initial efforts at setting up a long term organization.

Again, let me thank you for your attention and comments during this early phase of organizing a judicial section. Certainly, the attached By-Laws and services are not set in stone and quite probably will be changed to reflect the desires and needs of the section's membership. With your continued interest and participation the section should achieve its intended purpose of promoting teaching and research in the judicial area and facilitating communication among judicial scholars.

Sincerely,



Charles A. Johnson
Associate Professor

Results of APSA Judicial Section Survey

1. Name of Section:

- 34 LAW AND POLICY SECTION
- 68 PUBLIC LAW AND JUDICIAL PROCESS SESSION
- 76 LAW, COURTS, AND JUDICIAL BEHAVIOR SECTION
- 28 OTHER

2. Orientation of Section:

- 161 NO SUBFIELD EMPHASIZED
- 45 YES, A PARTICULAR SUBFIELD EMPHASIZED
-
- 169 NO SUBFIELD DEEMPHASIZED
- 26 YES, A PARTICULAR SUBFIELD DEEMPHASIZED

3. Organization of Section

- 191 CHAIRPERSON, SECRETARY-TREASURER, AND 5 TO 7 PERSON EXECUTIVE COMMITTEE ACCEPTABLE
- 4 DIFFERENT ORGANIZATION SUGGESTED
-
- 55 SELECTION OF OFFICERS AT ANNUAL APSA MEETING
- 141 SELECTION OF OFFICERS BY MAIL BALLOT
-
- 123* SELF NOMINATIONS FOR SECTION OFFICERS
- 141* NOMINATIONS BY NOMINATING COMMITTEE FOR SECTION OFFICERS
- 124* NOMINATIONS BY THIRD PARTIES FOR SECTION OFFICERS

4. Services

- 152* NEWSLETTER
- 100* SPONSORSHIP OF PANELS AT NATIONAL MEETING
- 115* TAKING OVER JUDICIAL PANELS AT NATIONAL MEETING
- 54* SPONSORSHIP OF INDEPENDENT CONFERENCES
- 93* SUBSTANTIVE PUBLICATIONS
- 20* OTHER SUGGESTED SERVICES

5. Dues:

- 33 \$3.00
- 83 \$5.00
- 29 \$7.00
- 49 \$10.00
- 7 OTHER

* Multiple responses allowed, thus totals exceed sample size

BY-LAWS

LAW, COURTS, AND JUDICIAL PROCESS SECTION of the AMERICAN POLITICAL SCIENCE ASSOCIATION

I. Name and Purpose of Section

The name of this section is the Law, Courts, and Judicial Process Section of the American Political Science Association. The purpose of the section is to promote interest in teaching and research in the areas of law and the judicial process. The section also seeks to encourage communication between persons interested in law and the judicial process within the Association and with related disciplines.

II. Governance of the Section

A. The Section will be governed by a Chairperson, a Secretary-Treasurer, and a five member Executive Committee.

B. The duties of these officers are as follows:

Chairperson: Chair an Annual Section Meeting at the Annual Meeting of the APSA; organize section meetings or panels as requested by the executive council, by regional associations, or related disciplines; chair or select a chair for a nominating committee for section officers; and take other actions requested by the Executive Committee or that are in the interest of the Section.

Secretary-Treasurer: Maintain a record of actions of the Executive Committee and the annual meeting; maintain the financial records of the Section; and communicate relevant information to the Section membership.

Executive Committee: Fill all vacancies in any office including its own membership until the next election; audit the annual report of the Secretary-Treasurer; propose amendments to these by-laws or receive petitions for changes in the by-laws; make decisions and recommendations for any other business of the Section; and interpret these by-laws.

C. The election of officers should be conducted in March or April, with the elected officers taking office at the Annual Section Meeting at the Annual Meeting of the APSA. The election of officers should proceed as follows:

1. Prior to the election in March or April, the Section Chairperson should organize a nominating committee consisting of at least five members of the Section representing the diverse interests of the Section.

2. At least two months prior to the elections, the nominating committee should solicit the members of the Section for nominations and self nominations for section offices. All individuals receiving nominations from 10 percent of the Section's membership should automatically be placed on the ballot. The nominating committee should construct the final ballot based on the nominations, self-nominations, and nominations from 10 percent of the Section.

3. The election should be by mail ballot to all members of the Section in March or April.

4. Officers are to be elected by a majority vote of all members participating in the election. In cases where no individual receives a majority of the votes, a run-off election between the candidates receiving the two greatest number of votes should be held at a date no later than June 1st.

5. The membership of the section should be informed of the election outcomes prior to the Annual Section Meeting.

6. Questions or conflicts regarding any election should be settled by the Executive Committee.

D. The terms of office for Section officers are as follows:

Chairperson: One year, beginning on the date of the Annual Section Meeting.

Secretary-Treasurer: Three years, beginning on the date of the Annual Section Meeting.

Executive Committee: Two Years, beginning on the date of the Annual Section Meeting.

III. Membership in the Section.

A. All regular, student, family, retired, and life members of the American Political Science Association are eligible for membership in this section.

B. Associate membership in the Section is available to all non-political scientists who share in interest in law and the judicial process. Associate members may receive all benefits and services of regular members except that they may not participate in the election of officers or serve as officers.

C. Membership in the Section is established by payment of annual Section dues to the APSA or, for associate members, to the Secretary-Treasurer.

D. The dues for members and associate members will be set by the Executive Committee at the level necessary to cover expenses for elections and other services provided by the Section.

IV. Amendments to the By-Laws

Amendments to these by-laws may be proposed by the Executive Committee, by a majority vote of the participants at the Annual Section Meeting, or by a petition containing the names of 25 percent of the members of the Section submitted 30 days prior to the Annual Section Meeting. Amendments should be voted upon by mail ballot accompanying the ballot for the election of officers. Amendments to the by-laws become effective immediately after approval by two-thirds of the members returning their mail ballots.

V. Implementation of these By-Laws

This Section will be official upon receipt of 100 signatures of interested members of the APSA and approval of the APSA Executive Council.

After receipt of at least 100 signatures from interested members, the convenor of the Law, Courts, and Judicial Behavior Subfield Group should organize a representative committee for the organization and conducting of elections for officers at the next Annual

APSA Meeting or by April 1st which ever comes first. The officials should assume their official duties when elections are completed.

At the first Annual Section Meeting, Executive Committee members should draw lots to determine which two members will serve one year terms and the remaining three, two year terms.