

NEW HAMPSHIRE ESTATE PLANNING COUNCIL BYLAWS  
(as amended September 15, 1982, May 1985, May 7, 2003, May  
13, 2009 and May 14, 2014)

I. NAME

The name of this association shall be New Hampshire Estate Planning Council (sometimes referred to in these Bylaws as the "Council").

II. PURPOSE

The purpose of the Council shall be to promote the education of all interested professions in the field of estate planning; to work toward a mutual understanding of the issues and problems involved in estate planning and those which can be addressed and solved best by members of each of the participating professions; and to promote friendship and cooperation among members of the various professions resulting in better service to clients and the community.

III. MEMBERSHIP

Membership in the Council shall be divided into two categories, namely, Regular Membership and Associate Membership, as follows:

A. Regular Membership shall be open to members of each of the following professional groups:

1. Members of the New Hampshire Bar Association.
2. Financial Services Professionals who are registered with the State of New Hampshire under the Investment Advisors Act of 1940 (Series 65 or 66) and/or registered with the State of New Hampshire under the Securities Exchange Act of 1934 (Series 6 or 7) and/or licensed with the Insurance Department of the State of New Hampshire as an Insurance Producer. (Amended May 7, 2003)
3. Members of the New Hampshire Society of Certified Public Accountants.
4. Officers of banks or trust companies having trust powers located in the State of New Hampshire.

B. Associate Membership shall be open to any person who is not a member of the professional groups listed in Paragraph A above, but whose profession is in an area directly or indirectly related to estate planning. Examples of such persons would be (1) College and University development officers, (2)

professional estate planners and (3) business consultants. Associate Members are entitled to all the rights and privileges and are subject to all the rules and regulations of the Council, except that they cannot hold office or committee assignments, nor shall they have the right to vote.

In addition, Associate Membership shall comprise no more than 15% of the total Membership of the Council.

The terms "Member" or "Membership" as they may be used in these Bylaws shall include both Regular Members and Associate Members unless otherwise specifically indicated. (Amended September 1982.)

#### IV. NEW MEMBERS

In order to become a Member (either Regular or Associate), a person must have worked in the estate planning field for a period of at least twelve months immediately preceding the month of the date of his or her application for Membership. Whether a person has been engaged in the estate planning field and whether the minimum time period has been met are to be determined by a two-thirds vote of the Executive Committee present at a regular or special Executive Committee meeting. Said determinations are binding on all persons and cannot be appealed.

The terms of the above paragraph shall apply only to Membership applications submitted after January 1, 1983.

New Members shall be elected by a majority of the Executive Committee.

#### V. EXECUTIVE COMMITTEE

All powers necessary for the governance of the Council shall be vested in an Executive Committee, which shall be composed of the officers and five additional members. The membership of the Executive Committee shall include representation from each of the professional groups set forth in Paragraph A of Article III. In addition, the Council shall endeavor to maintain as nearly equal representation of those professional groups as possible on the Executive Committee.

Effective as of the 1986 annual meeting, the Executive Committee shall be composed of (1) the officers of the Council, (2) the most recent past-president of the Council, and (3) four additional members, no more than

one of whom shall be from each of the professional groups set forth in Paragraph A of Article III. The four additional members shall serve for a term of two years. The Council shall elect two members at the 1985 annual meeting and two members at each succeeding annual meeting. Executive Committee members in office prior to the 1985 annual meeting shall serve the terms to which they were elected.

Any five members of the Executive Committee shall constitute a quorum for the transaction of business.

The Executive Committee shall have the power to fill, for the unexpired term, any vacancy which may occur in the Executive Committee or in the officers.

Meetings of the Executive Committee shall be called by the President at his or her discretion, or when requested to do so by any two members of the Executive Committee or by any ten members of the Council. (Amended May 1985.)

#### VI. OFFICERS

The officers of the Council shall consist of a President, a Vice-President, a Secretary and a Treasurer. The same person may hold the offices of both Secretary and Treasurer and this provision shall modify and supersede any contrary or conflicting provision(s) of these Bylaws. The Executive Committee shall authorize payment to the Secretary and Treasurer or Secretary-Treasurer of such fee for the performance of their or his or her duties as it in its discretion deems reasonable. All officers shall be elected by a plurality of the members of the Council present at the first meeting and each succeeding annual meeting, and shall hold office for one year or until their successors shall be selected. The Vice-President shall succeed to the office of President at the expiration of the term of the President, but in no event shall the Vice-President be a member of the same professional group as the President.

The President, in addition to the other duties set out in these Bylaws, shall preside at all meetings of the Council, except that in his or her absence the Vice-President shall exercise those powers normally exercised by the President.

The Treasurer shall have custody of funds and property of the Council and he or she shall deposit all funds of the Council in a bank or trust company located in the State

of New Hampshire. All withdrawals of such funds shall be on checks or orders signed by the Treasurer or the President. The Treasurer shall prepare and submit a statement of the financial condition of the Council at the annual meeting and at such time and in such manner as the Executive Committee may require.

#### VII. MEETINGS

An annual meeting shall be held in the month of May on such day and at such place as may be selected by the Executive Committee, for the purpose of electing officers and members of the Executive Committee and for transacting such other business as may be called before the Council. The Secretary shall notify each Member of the Council of the time and place of all meetings at least ten days before the date of said meeting.

Regular meetings shall be held bi-monthly commencing in September and ending with the annual meeting in May.

Twenty-five percent of the outstanding Membership shall constitute a quorum at any meeting.

#### VIII. COMMITTEES

The President, and in his or her absence, the Vice-President, shall have power to appoint a Membership Committee, Nominating Committee, Program Committee and such other committees as he or she may consider advisable to further the interests of the Council and its Members, and to delegate to such committee such power and authority as he or she may deem desirable.

#### IX. NOMINATIONS AND ELECTIONS

The President shall appoint a committee, consisting of one member from each of the professional groups set forth in Paragraph A of Article III, to submit a list of nominees for officers of the Council and for members of the Executive Committee, to be acted upon at the annual meeting. Such committee shall file the names of their nominees with the Secretary at least ten days before the date of the meeting. In addition, nominations for any office or membership on the Executive Committee may be made at the annual meeting. Members shall be entitled to vote for any candidate named by either method, and the candidate receiving a plurality of votes from the Members present shall be elected.

#### X. AMENDMENT

These Bylaws may be amended by a two-thirds vote of the Members present at any annual meeting, or at any special

meeting called for that purpose, provided Members are notified as in the case of an annual meeting.

#### XI. DUES

The dues for Membership in the Council shall be assessed on an annual basis and collected by the Treasurer on the first day of September each year. The amount of dues payable by each Member for each year shall be established by two-thirds vote of the Executive Committee not later than the June planning meeting of the Executive Committee preceding the September in which dues are to be assessed and collected.

Dues unpaid at the end of the calendar year in which they are assessed shall result in automatic termination of Membership. (Amended May 1985.)

#### XII. ADVERTISING, SOLICITATION OF BUSINESS, AND MARKETING IN GENERAL

No Member of the Council shall use his or her Membership in the Council in any form of solicitation of business through mass mailings and paid advertisements. However, provided it does not conflict with the immediately preceding sentence, a Member of the Council is permitted to include his or her Membership:

- A. on such Member's resume or biography;
- B. on the website of any Member or any business entity primarily engaged in any of the professions listed under ARTICLE III hereof in which such Member is also an employee, owner, member or otherwise affiliated;
- C. in any materials that are directly presented to a Member's or such business entity's clients or prospective clients on an individual basis;
- D. in any materials associated with forums, panels, seminars or other presentations in which a Member is a participant; and
- E. in any similar use not inconsistent with this Article XII. (Amended May 14, 2014.)