

FEDERAL JUDICIAL ASSISTANTS ASSOCIATION CONSTITUTION AND BYLAWS

ARTICLE I NAME

The name of this organization shall be the Federal Judicial Assistants Association. (In March 1999, the Judicial Conference of the U.S. authorized judges to determine the official title of their primary judicial secretary/judicial assistant as they deem appropriate.) **For consistency, the Bylaws refer to this position as judicial assistant. In the absence of a person in chambers hired under that title, any individual who performs the essential job duties of a judicial assistant such as, paralegal, courtroom deputy, and law clerk shall be encompassed by the term “judicial assistant” for the purposes of these Bylaws.**

ARTICLE II PURPOSE

The purpose of the Association is to promote the general welfare of its members, encourage the highest ethical standards of conduct, and promote continuing education and professional development.

ARTICLE III MEMBERSHIP

Section 1

INDIVIDUAL MEMBERSHIP: Judicial assistants holding current appointments by Justices of the United States Supreme Court, Article III Judges, or United States Magistrate Judges, **including those persons hired by the Clerk of Court to perform judicial assistant duties in chambers**, shall have the privilege of voting and holding elective or appointed office.

Section 2

SUSTAINING MEMBERSHIP: Sustaining membership may be attained after retirement or upon resignation from employment, **in good standing**, as a judicial assistant. ~~to a Justice of the United States Supreme Court, Article III Judge, or United States Magistrate Judge.~~ Such members shall be entitled to all privileges of membership except those of holding elective or appointed office. Sustaining members may, upon application, transfer to Individual Membership and assume all rights and privileges when circumstances dictate.

Section 3

ASSOCIATE MEMBERSHIP: ~~Judicial assistants to members of the judiciary other than United States Supreme Court Justices, Article III Judges, or United States Magistrate Judges may attain associate membership.~~ Such members shall be entitled to all privileges of membership except those of voting or holding elective or appointed office. This generally constitutes judicial assistants to U.S. Bankruptcy Judges, federal Administrative Law Judges, and Judges of the U.S. Court of Federal Claims, U.S. Court of Appeals for Veterans Claims, U.S. Court of Appeals for the Armed Forces,

and U.S. Tax Court are eligible. Associate Members may, upon application, transfer their membership to Individual (Active) Member status and assume all rights and privileges of the same when circumstances dictate.

Section 4

HONORARY MEMBERSHIP: Honorary Membership is conferred by the Board of Directors and ratified by a majority vote of the Membership [present at the Annual Meeting] on those individuals who have distinguished themselves as having rendered outstanding assistance or special service to the Association. An Honorary Member shall have none of the obligations of membership, but shall be entitled to all of the privileges except those of voting and holding elective office. This category shall generally, but not exclusively, include Judges, Court Administrators, Attorneys, Administrative Office and Federal Judicial Center Staff, or other ~~Laymen~~ **Laypersons**, etc.

Section 5

LIFETIME MEMBERSHIP: Retired judicial assistants may elect Lifetime Membership by paying one-time membership dues in the amount of \$100.00. Lifetime members will be required to update their contact information annually.

ARTICLE IV DUES

Section 1

The amount of the dues shall be reviewed annually by the Board of Directors and notice of any proposed increase shall be given to the members at the time ballots for election of officers are distributed and shall be accepted or rejected by a majority of the membership through votes cast. In the event of a dues increase, dues of retirees shall remain at \$25.00. An optional lifetime membership, in the amount of \$100.00, is available to all retirees.

Section 2

Membership dues for the designated calendar year shall be due and payable at the beginning of said calendar year.

Section 3

As approved by the Executive Board, first year membership dues may be waived for new first time members provided that **the** new member joins the Association in the same year in which they are hired.

Section 4

Only paid members of record having voting rights shall be eligible to vote on any matter. Dues must be paid by May 1 of the current year in order to vote in the current year's election.

Section 5

Assessments may be imposed on the members by the Board of Directors if additional funds are required for implementing programs of benefit to the members.

ARTICLE V
OFFICERS AND DUTIES

Section 1

The elected officers of the Association shall be the President, President-Elect, Vice President, Secretary, Treasurer, and the Circuit Representatives. During the term of office, an officer shall be actively employed as a judicial assistant. Insofar as possible, the President shall be elected alternately each year from the judicial assistants to Article III judges and the judicial assistants to U.S. Magistrate Judges. In addition, insofar as possible, the seven members of the Executive Committee (including the Parliamentarian) shall consist of no more than four members who are judicial assistants, to Article III judges or no more than four members who are judicial assistants to U.S. Magistrate Judges. The appointed officer of this Association shall be the Parliamentarian and such other officers as are deemed necessary by the Executive Committee. Appointment shall be made by the President subject to the approval of the Executive Committee.

Section 2

The officers shall perform the duties defined as follows:

President: The President shall preside at all meetings of the Association, the Executive Committee, and the Board of Directors, and in lieu of meetings shall conduct pertinent business by mail, electronic mail, or telephone; shall appoint committees; shall be an ex officio member of all committees except Nominations and Elections; shall sign all instruments requiring execution on behalf of the Association, and shall sign all resolutions approved at the Annual Meeting; may sign checks for authorized disbursements in the absence or inability of the Treasurer; and shall perform such other duties as ordinarily pertain to this office.

President-Elect: The President-Elect shall assume the duties of the President in such officer's absence and shall perform those tasks specifically assigned by the Executive Committee and/or Board of Directors.

Vice President: The Vice President shall assist the President when called upon; shall chair the Membership Committee; shall serve as the Historian of the Association; and shall perform such other duties as ordinarily pertain to this office.

Secretary: The Secretary shall keep all minutes of the Association, the Executive Committee, and the Board of Directors, and in lieu of meetings shall conduct pertinent business by mail, electronic mail, or telephone and shall record all votes taken. The Secretary shall make notification of meetings and shall perform such other duties as ordinarily pertain to this office. The Secretary shall notify members of their election to office and, at the request of the President, shall notify members of their appointment to committees or other assignments.

Treasurer: The Treasurer shall be the custodian of the funds of the Association; shall sign checks for authorized disbursements; shall furnish a bond in an amount directed by the Executive Committee when the aggregate balance of all funds held by the Association exceeds \$10,000, the premium for which shall be paid by the Association; shall keep an

itemized account of all monies received and disbursed and shall make a report thereof to the Executive Committee or Board of Directors upon request; shall make a complete annual report to the Association at the end of the annual term of office; shall serve as Chairman of the Budget and Finance Committee, and *ex officio* member of the Audit Committee; and shall perform such duties as assigned by the Executive Committee and/or Board of Directors. The Treasurer shall supervise the maintenance of a roster of members, including court addresses and voting rights; and shall provide notice of dues changes for inclusion on the ballot. The Treasurer in cooperation with the full Executive Committee shall prepare a budget no later than January 1 and shall submit the budget to the Executive Committee. The Treasurer shall receive membership dues from the Circuit Representative(s) and inform the appropriate Circuit Representative of the receipt of any dues. For purposes of continuity, the Treasurer may be elected for up to four consecutive terms.

Circuit Representatives: Each circuit shall have a Representative to represent the members thereof:

Supreme Court, DC Circuit

Federal Circuit

First Circuit

ME, MA, NH, RI, Puerto Rico

Second Circuit

CT, NY, VT, Court of International Trade

Third Circuit

DE, NJ, PA, Virgin Islands

Fourth Circuit

MD, NC, SC, VA, WV

Fifth Circuit

LA, MS, TX

Sixth Circuit

KY, MI, OH, TN

Seventh Circuit

IL, IN, WI

Eighth Circuit

AR, IA, MN, MO, NE, ND, SD

Ninth Circuit

AK, AZ, CA, HI, ID, MT, NV, OR, WA, Guam, Northern Mariana Islands

Tenth Circuit
CO, KS, NM, OK, UT, WY

Eleventh Circuit
AL, FL, GA

The Circuit Representative shall enlist and recruit membership of the Association; shall maintain an accurate list of circuit members; shall seek out and recommend to the Board of Directors various benefits and programs intended to attract and retain members; and shall act as liaison between officers and members.

Parliamentarian: The parliamentarian will be a non-voting member of the Executive Committee and the Board of Directors who will be in charge of the Bylaws of the Association and may make grammatical, editorial, or correlation changes in these Bylaws or amendments, which in no way alter the intent of the respective Bylaw without vote, subject to the approval of the Executive Committee. See Article XV Amendment to Bylaws. The parliamentarian shall, when possible, participate in the meetings of the Executive Committee and the Board of Directors and see that all motions and votes follow parliamentary standards.

Section 3

The officers shall conduct business with the membership through the Circuit Representatives and shall provide letters, notices, and other mailings for distribution. A minimum period of fifteen (15) days and a maximum period of thirty (30) days from the date of a mailing shall be provided for members to vote.

Section 4

TERMS OF OFFICE

Officers shall be elected as provided by these Bylaws. They shall take office on November 1 and shall serve for a term of one year, or until their successors are elected or appointed. An officer shall not be permitted to serve in the same office for more than two consecutive terms (except the Treasurer and Circuit Representatives) and no member shall hold more than one office at a time. During the term of office, an officer shall hold a current appointment as a judicial assistant to a Justice of the United States Supreme Court, Article III Judge, or United States Magistrate Judge.

Section 5

SUCCESSION

In the event of a vacancy in the office of President, the President-elect shall succeed to that office for the unexpired term. In the event of a vacancy in the office of President-elect, the office shall remain vacant until the following election. The President, with the approval of the Executive Committee, shall appoint a qualified member to fill a vacancy in an elective office.

ARTICLE VI
EXECUTIVE COMMITTEE

The Executive Committee shall be comprised of the President, President-Elect, Immediate Past President, Vice President, Secretary, and Treasurer. The Parliamentarian shall be a non-voting member of the Executive Committee.

The Executive Committee shall transact any business submitted to it by the President; shall transact any business presented to it when an emergency arises; shall approve appointments to committees and to officer vacancies appointed by the President; and shall approve expenditures over one hundred dollars (\$100), except that the Annual Conference Committee need not seek approval for expenditures under \$500. The Executive Committee shall give approval prior to the commitment of any funds by the Annual Conference Committee over \$500.

ARTICLE VII
BOARD OF DIRECTORS

Section 1

The governing body of the Association shall be the Board of Directors comprised of the President, President-Elect, Vice President, Immediate Past President, Secretary, Treasurer, and Circuit Representatives. The Parliamentarian shall be a non-voting member of the Board of Directors. A majority of the Board of Directors will constitute a quorum.

Section 2

The Board of Directors shall transact any business submitted to it by the President; shall review annual dues and propose any new rates for adoption or rejection in accordance with Article IV, Sec. 1, at least sixty (60) days before elections; shall determine any assessments; shall approve expenditures over one thousand dollars (\$1000); and shall approve proposed amendments to the Bylaws.

Section 3

Each Board member and committee chair shall maintain complete records and shall turn the entire file over to a successor at the Annual Conference, if possible, or as soon as possible after appointment of the successor. If a successor is not appointed within six (6) months of the beginning of the fiscal year, then such Board member or chairperson shall turn the entire file over to the Secretary.

ARTICLE VIII COMMITTEES

Section 1

The President shall appoint the following standing committees, with the approval of the Executive Committee, and shall designate the chair:

(a) Audit Committee, to consist of at least three (3) members to be appointed no later than January 1 of each year, and the Treasurer as *ex officio* member. It shall be the duty of this committee to perform audits as provided by Article XIII and Article VIII, Section 1 (l).

(b) Budget and Finance Committee, to consist of at least three (3) members to be appointed no later than January 1 of each year. It shall be the duty of this committee to assist the Ways & Means Committee with the administration of all fund-raising projects. The Treasurer shall be the Chair of this Committee, and, due to the nature of the duties, members may serve on both the Budget and Finance and Ways and Means Committees during the same fiscal year.

(c) Bylaws Committee, to consist of at least three (3) members to be appointed no later than January 1 of each year. It shall be the duty of this committee to review the Bylaws and, in accordance with Article XV, to submit any proposed amendments to the Board for approval and to the membership for voting. The ballot for voting shall be prepared by this committee and furnished to the Nominations and Elections Committee for inclusion with the mailing of the ballot for election of officers.

(d) Legislative Committee, to consist of at least three (3) members to be appointed no later than January 1 of each year. It shall be the duty of this committee to promote the general welfare and status of the judicial assistant under the law; to keep abreast of all legislation, directives and other information of interest to the Association; and so far as is practicable to keep the membership advised. It shall also be the duty of this committee to be of assistance to any Board member for contacting the members, when time is of the essence, to gather or disseminate vital information.

(e) Long-Range Planning Committee, to consist of at least three (3) members (one of whom shall be the Immediate Past President) to be appointed no later than January 1 of each year who shall serve with the President and President-Elect. It shall be the duty of this committee to prepare a program of actions to be taken by the Association for the advancement of judicial assistants and for the good of the Association. The Immediate Past President shall be the Chair of this committee for a period of one year.

(f) Membership Committee, to consist of the Vice President and the Circuit Representatives, of which the Vice President shall be the Chair. It shall be the duty of this committee to encourage and enlist eligible judicial assistants to become members.

(g) Nominations and Elections Committee, to consist of at least three (3) members to be appointed no later than January 1 of each year. It shall be the duty of this committee to seek nominations and to prepare and distribute ballots as provided in Article IX.

(h) Ways and Means Committee, to consist of at least three (3) members to be appointed no later than January 1 of each year. It shall be the duty of this committee to implement methods and resources for raising necessary revenues to help defray expenses of the Association. All proposals or recommendations shall be approved by the Budget and Finance Committee and the Board before implementation.

(i) Public Relations/Newsletter Committee, to consist of at least three (3) members to be appointed no later than January 1 of each year. It shall be the duty of this committee, with the approval of the President, to edit, approve and handle all material for publication sponsored by this Association in accordance with the Bylaws. An official informational document shall be issued to disseminate news of the Annual Conferences, officer and committee actions, legislation, elections, members, etc., three (3) or four (4) times (at the direction of the Board of Directors) during each fiscal year at appropriate intervals. The official name of the newsletter may be changed by majority vote of the Board of Directors.

(j) Professional Development and Continuing Education Committee, to consist of at least three (3) members to be appointed no later than January 1 of each year. It shall be the duty of this committee to promote professional development and continuing education throughout the Association by dissemination of information. This committee shall be responsible for working with the Annual Conference Committee in structuring the professional development and continuing education program at the Annual Conference.

(k) History and Archives Committee, to consist of at least three (3) members to be appointed no later than January 1 of each year. It shall be the duty of this committee to keep a record of the activities of this Association and to compile a history book.

(l) Section (l) Annual Conference Committee, to consist of the President-Elect acting as the Chair with at least five (5) members who will be willing to serve on this committee for a period of at least two years, with not more than two members rotating off the committee each year. Insofar as possible, this committee shall have at least one member from the host city. In addition to those members, the Chair of the Professional Development and Continuing Education Committee along with the Chair of the Audit Committee shall serve on the Annual Conference Committee. The Professional Development and Continuing Education Committee shall be responsible for structuring the professional development and continuing education program of the conference. The Audit Committee shall be responsible for handling and overseeing all financial matters pertaining to the annual conference, including but not limited to the collection of registration fees, etc. The Chair(s) of the Annual Conference Committee shall make a complete report to the Treasurer as to income and expenses of the Annual Conference within sixty (60) days of the completion of the Conference. The Annual Conference

Committee shall submit a budget of estimated expenses and receipts to the Executive Committee and the Audit Committee for approval prior to the signing of any hotel contract. The Annual Conference Committee shall further submit to the Executive Committee and the Audit Committee requests for approval for any expenditures over \$500 prior to committing funds of the Association.

Section 2

Such other committees as are deemed necessary by the President and the Executive Committee to carry on the work of the Association shall be appointed by the President, with the approval of the Executive Committee, and the President shall designate the chair of each. The President shall be an ex officio member of all committees, except the Nominations and Elections Committee. Committees shall report, as requested, to the President and the Executive Committee.

ARTICLE IX NOMINATIONS AND ELECTIONS

Section 1

The annual election of officers shall be by written, mailed ballot and a majority vote of the ballots cast shall elect. Eligibility to be elected to office shall be the same as eligibility to vote therefor, as provided in Article III. A member's appointment to the Nominations and Elections Committee shall not preclude the member's name from being placed on the ballot as a nominee for an elective office, provided that such member meets all other qualifications for such elective office as set forth in these Bylaws.

Section 2

Nominations shall be made by the Nominations and Elections Committee, and there shall be no more than three (3) nominations for any one office. Members shall submit nominations to the Nominations and Elections Committee before May 1 of each year. The Nominations and Elections Committee shall secure the acceptance of the nominee and shall prepare a ballot which it shall distribute before June 15 to each member eligible to vote. Each member shall vote for one candidate for each office and shall return the ballot to the appointed Teller(s) no later than July 15. A member shall vote for only one Circuit Representative from the circuit or grouping in which the member is employed. There shall be no voting by proxy.

Section 3

The President shall appoint the Teller(s) from the membership to count ballots. The Teller(s) shall count the ballots and shall certify the results to the Secretary no later than July 25. The Secretary shall notify the newly elected officers of their election and shall notify the Board of Directors of the results no later than August 5.

Section 4

The counted ballots shall be retained by the Teller(s) for six (6) months, after which time they may be destroyed.

Section 5

The officers shall be elected for a term of one (1) year to commence November 1. The officers shall take the oath of office at the Annual Conference, provided a conference is held in that year.

ARTICLE X
FUNDS

Funds shall, soon after receipt by the Treasurer, be deposited in an account in the name of the Association at a national bank or credit union convenient to the Treasurer, and no funds shall be disbursed except by check of the Treasurer and/or President. Requests for reimbursement of necessary expenses by officers and committees shall be made to the Treasurer at least ten (10) days prior to the end of the fiscal year so that the Treasurer's records will be ready for audit on the last day of the fiscal year.

ARTICLE XI
FISCAL YEAR

The fiscal year of the Association shall commence on July 1 and terminate on June 30 of each year.

ARTICLE XII
QUORUM

A quorum shall consist of a majority of the members present at a properly called meeting, and/or of the members voting by mail within the time limit specified for voting by mail.

ARTICLE XIII
AUDIT

Section 1

The President, with the approval of the Executive Committee, shall appoint an Audit Committee from the membership to audit the financial records of the Treasurer every two years or as needed. The Audit Committee shall report its findings to the Executive Committee.

Section 2

If, because of the geographical location of the Treasurer, audit by a committee of members is not feasible, then the President may appoint a professional auditor.

ARTICLE XIV
MEETINGS

Meetings may be called by the President and the Board of Directors. In lieu of meetings, business of the Association shall be conducted by mail, electronic mail, or telephone. All votes of the membership shall be by mail.

Regional or circuit meetings may be held at any time, as arranged by the Circuit Representative. When such a meeting is held, notice thereof shall be given in advance to the President and minutes thereof shall be forwarded to the Secretary, with a copy to the President.

The Annual Conference of this Association shall be held yearly, insofar as is practical.

Fifteen (15) days' notice shall be given for regional meetings and thirty (30) days' notice for Annual Conferences.

ARTICLE XV
AMENDMENT TO BYLAWS

The Bylaws may be amended by a vote of a majority of the votes cast, provided such amendment has been first submitted to the Board of Directors for its consideration and recommendation and notice of the proposed amendment given to the membership at the time ballots are distributed. Any member may propose an amendment by submitting the same to the Bylaws Committee on or before April 1 of each year.

Grammatical, editorial, or correlation changes in these Bylaws or amendments, which in no way alter the intent of the respective Bylaw, may be affected by the Parliamentarian without vote, subject to approval of the Executive Committee.

ARTICLE XVI
PARLIAMENTARY AUTHORITY

The Latest Edition of Roberts Rules of Order Newly Revised shall govern the Association in all instances where such Rules are applicable and where they are not inconsistent with the Bylaws of this Association.