

PREAMBLE

We, the Clerks of the District Courts of Virginia, in order to perform more effectively our duties, do ordain and establish this constitution and by-laws for an Association of Clerks for the District Courts of Virginia.

ARTICLE I - NAME

The name of this association shall be the Association of Clerks of the District Courts of Virginia.

ARTICLE II - PURPOSE

The objects of the Association of Clerks of the District Courts of Virginia shall be:

- A. To foster a closer relationship among the District Courts of Virginia.
- B. To promote uniformity of procedure, to improve techniques and methods, and to perform more efficiently the duties of the District Courts of Virginia.
- C. To provide educational and training opportunities for Clerks of the District Courts of Virginia.

ARTICLE III - MEMBERSHIP

The membership of this Association shall be divided into five classes: regular membership, retired membership, honorary retired membership, honorary membership, and sustaining membership.

- A. Regular Membership: All personnel of the District Courts of Virginia shall be eligible for membership upon paying dues as provided for herein. Regular members in good standing shall be entitled to vote, hold office, and serve on committees.
- B. Retired Membership: A regular member in good standing, upon retirement, may retain membership as a retired member upon payment of dues and shall be entitled to vote and serve on committees, but cannot hold office.
- C. Honorary Retired Membership: A retired district court employee, having made a significant contribution to this Association, may be elected to honorary retired membership in the Association by a majority vote of the membership in attendance at an annual meeting, without payment of dues. An honorary retired member may not hold another class of membership in this Association and may not hold office. An honorary retired member shall be entitled to vote on issues and serve on committees, appointed by the President.
- D. Honorary Membership: A person who has made a significant contribution to the betterment of court administration or this Association may be elected to honorary membership in the Association by a majority vote of the membership in attendance at an annual meeting without payment of dues. An honorary member may not hold another class of membership in this

Association and does not have the right to vote or hold office. However, they may serve on a committee, appointed by the President.

E. Sustaining Membership: A person, persons, firm, or corporation interested in furthering the purpose of this association is eligible to become a sustaining member, upon payment of dues, without voting privileges and cannot hold office or serve on committees.

ARTICLE IV - OFFICERS

Section 1. The *elected* officers of this Association shall consist of the President, President-Elect, Vice President, Secretary-Treasurer, and ten *Regional Representatives*.

Section 2. The affairs of the Association shall be directed by *the* Executive Council consisting of 15 members and shall be composed of the *elected* officers, the immediate Past President, and one representative from the following Ten Regions made from a combination of the Judicial Districts of the Commonwealth

Association of Region No. 1, Composed of Judicial Districts 2, 2A, 3, and 4.
Association of Region No. 2, Composed of Judicial Districts 4, 8, and 9.
Association of Region No. 3, Composed of Judicial Districts 1, 5, 6, and 14.
Association of Region No. 4, Composed of Judicial Districts 13, 15, and 31.
Association of Region No. 5, Composed of Judicial Districts 10, 11, and 12.
Association of Region No. 6, Composed of Judicial Districts 16 and 26.
Association of Region No. 7, Composed of Judicial Districts 17, 18, 19, and 20.
Association of Region No. 8, Composed of Judicial Districts 23, 24, and 25.
Association of Region No. 9, Composed of Judicial Districts 21, 22, and 27.
Association of Region No. 10, Composed of Judicial Districts 28, 29, and 30.

A quorum is the majority of the Executive Council as outlined above. A quorum must be present to conduct the affairs of the Executive Council of the Association. All members of the Executive Council shall be allowed one vote.

Absent a quorum at any called meeting of the Executive Council, the President may ask for an electronic vote, to conduct the affairs of the Association. The results of an electronic vote shall be binding upon the Association as if the vote had been in person. The President shall inform the Executive Council of the results of any electronic vote by the close of the next business day after the called for vote. No person shall be allowed more than one vote. Any member of the Association may attend the meetings of the Executive Council and may be heard on any matter before the council.

Section 3. *The* Officers and the ten *Regional Representatives* shall be elected from members of the Association in good standing at the annual meeting. *The term of office, for the elected office of President, President Elect and Vice-President, shall run from July 1st to June 30th for no more than two successive terms of one year, from the year which they are elected or until their successors are elected.*

The term of office for the elected Secretary-Treasurer shall run from July 1st to June 30th. The Secretary-Treasurer shall be eligible to hold the same office for more than one consecutive term from the year, which they are first elected or until their successor is elected.

Section 4. *The term of office for the Regional Representatives shall be two years. A Regional Representative shall be eligible to hold the same office for more than one consecutive term of two years.*

Section 5. In case of a vacancy in the office of President, the President-Elect shall become President. A vacancy in the offices of either the Vice-President, Secretary-Treasurer, *or Regional Representative* shall be filled by appointment by the President on a tentative basis until approved by the Executive Council at their next *called meeting or by electronic vote*. In case of a vacancy in the office of the President-Elect, the vacancy shall remain until filled by the members of the Association in its *next* regular business session. The Vice-President shall assume the duties of the President-Elect until a new President-Elect is elected.

Section 6. In the event of a vacancy in the Office of the President and President-Elect, the Vice-President will assume the duties of the President until the end of the unexpired term, at which time a President and President-Elect will be elected by the general membership at the annual business session.

Section 7. Removal of Officers. The Executive Council shall have the power to remove any officer or representative for any good cause shown, provided that such removal shall be by two-thirds majority vote of the Council with the member in question not being allowed to exercise his vote. If any officer or representative should leave the employment of the District Court System, that office shall be declared vacant.

ARTICLE V - DUTIES OF OFFICERS

Section 1. The duties of the President shall be as follows:

- A. To preside over the sessions of the Association and Executive Council.
- B. To perform such duties as may be assigned to this office, either by the Association duly convened or by decision of the Executive Council.
- C. To appoint all committees unless otherwise provided.
- D. To perform any other duties that may devolve upon the office in keeping with the purpose of the Association.

Section 2. The duties of the President-Elect shall be as follows:

- A. To assume the duties of the President in the absence of the President.
- B. To assume the duties of the President and continue as President for the term for which he/she was elected in the event of a vacancy occurring in the office of the President.
- C. To serve as Membership Chairman of the Association.
- D. To assist the President and perform such additional duties as the President or the Executive Council may designate.

Section 3. The duties of the Vice-President shall be as follows:

- A. To serve as Program Chairman of the Association.
- B. To assist the President and perform such additional duties as the President or the Executive Council may designate.
- C. To assume the duties of the President in the absence of the President and the President-Elect.

Section 4. The duties of the Secretary-Treasurer shall be as follows:

- A. To keep the minutes of the meetings of the Association and of the Executive Council.
- B. To maintain a roll of membership.
- C. To be custodian of the records of the Association
- D. To submit to the Association the minutes of the Association business and recommendations of the Executive Council.
- E. To perform such other duties as may be added to the office by the Executive Council or by the Association duly convened.
- F. To have the power to choose an assistant, when needed, to aid in the discharge of the duties of the Secretary-Treasurer.
- G. To have charge of all funds of the Association.
- H. To draw and sign checks from the funds in his custody only upon the order of the President or Executive Council.
- I. To make an annual report to the Association at its Annual Meeting.

ARTICLE VI - AMENDMENTS

Section 1. This constitution may be amended by a two-thirds vote of the members present and any annual meeting.

Section 2. Any proposed amendment shall be presented to the Association membership in writing at least 30 days prior to the annual meeting at which the proposed amendment will be considered. This will allow the membership time to consider the amendment and comment thereon at the annual meeting wherein the amendment is brought to the floor for a vote.

Section 3. Any proposed amendment shall be submitted in writing to the Secretary-Treasurer and read by the Secretary-Treasurer at the opening *business* session of the meeting at which such proposed amendment is to be considered.

BY-LAWS

ARTICLE I - ADMISSION TO MEMBERSHIP

All personnel of the District Courts of Virginia may become a member of this Association upon the payment of the annual dues.

ARTICLE II - ELECTIONS

All elections shall be by majority vote of the members present at the annual meeting, the elections being called in the following order: President, President-Elect, Vice-President, Secretary-Treasurer, and the Ten Associational Regional Representatives.

ARTICLE III - MEETINGS

Section 1. Unless otherwise ordered by the Association or by the Executive Council, the annual meeting shall be held in the spring.

Section 2. This meeting shall be for the purpose of electing officers, receiving the reports of Officers and Committees and for any other business that may arise.

Section 3. The meetings shall be held at a time and place to be fixed by the Executive Council.

Section 4. Executive Council meetings may be held at the call of the President or by a majority vote of the Executive Council. All members of the Executive Council and any chairperson of a standing committee who are present at an Executive Council meeting shall be allowed to vote. No person shall be allowed more than one vote. Any member of the Association may attend the meetings of the Executive Council and may be heard on any matter before the council.

ARTICLE IV - COMMITTEES

Section 1. The standing committees of the Association shall be Executive, Legislative, Nominating, Membership, Program Educational, Publications, Resolutions, Ways & Means, Budget & Finance, Special Issues, Technology, and Clerks Association Technical Support.

Section 2. The President of the Association shall appoint the Nominating Committee. It shall include the immediate Past President of the Association who shall serve as an ex officio member of that Committee. This Committee will consist of a member from a General District Court, Juvenile & Domestic Relations District Court, and a Combined Court. This Committee shall nominate annually a President-Elect, Vice-President, Secretary-Treasurer, and representatives of the Executive Council from each of the Association Regions whose terms will expire at the end of that existing current year. Should the office of President-Elect become vacant during the year, this Committee shall also nominate a President to serve for the ensuing year.

ARTICLE V - PARLIAMENTARY AUTHORITY

Robert's Rules of Order, Revised, shall govern the proceedings of this Association in all cases, except when such rules are in conflict or inconsistent with the By-Laws hereof.

ARTICLE VI - AMENDMENTS

Section 1. These by-laws may be amended by a majority vote of the members present at any annual meeting.

Section 2. Any proposed amendment shall be submitted in writing to the Secretary-Treasurer and read by the Secretary-Treasurer at the opening session of the meeting at which such proposed amendment is to be considered.

ARTICLE VII - ORDER OF CONVENTION

Section 1. These rules may be suspended at any time upon a two-thirds vote so declaring.

Section 2. The order of convention business shall be as follows:

1. Call to order.
2. Reading of minutes.
3. Reports of officers.
4. Reports of standing committees.
5. Resolutions and communications.
6. Unfinished business.
7. New business.
8. Reports of special committees.
9. Elections.
10. Miscellaneous.
11. Adjournment.

ARTICLE VIII - MEMBERSHIP DUES

Section 1. A majority vote of the members present at the annual meeting shall fix the annual membership dues.

Section 2. Annual dues shall be due and payable the first day of July of each year. Any member whose annual dues are not paid by September 1st following the due date of July 1st shall be dropped from the membership roll of the Association. (This amendment does not take effect until July 2003.)

(Additional new language is in *italics*. Copy as amended for Articles IV, V, VI, at April 2010 Annual Meeting, Richmond, VA.)