

# **CONSTITUTION AND BYLAWS**

## **MISSISSIPPI COURT ADMINISTRATORS ASSOCIATION**

Adopted October 25, 2007

### **ARTICLE I - NAME**

The name of this Association shall be the Mississippi Court Administrators Association (MSCAA).

### **ARTICLE II - PURPOSE**

The purpose of the Association shall be to promote professionalism of court personnel in Mississippi; to increase awareness of and knowledge about court operations; and to foster cooperation, understanding and exchange of information between court personnel, judges, the legal community, and others involved with or interested in improving the operation of Mississippi Courts.

### **ARTICLE III - MEMBERSHIP**

The membership of this Association consists of any individual who is actively engaged in a field related to court administration or the administration of justice.

The voting membership of this Association consist of any Regular or Associate Member, who has satisfied the qualifications for membership in accordance with the provisions of these By-Laws.

#### **Section 1 - Classes of Membership**

There shall be four classes of membership in this Association: Regular, Associate, Retired and Honorary.

- A. **REGULAR:** Regular membership is open to any person employed as a Court

Administrator, Deputy Court Administrator or Assistance Court Administrator, by any court located in the State of Mississippi. Membership is conferred upon submission of an application, payment of annual dues and by two-thirds vote of the voting membership. Members of this class are allowed to vote, serve on committees and be elected as a Board Member of the Association.

B. **ASSOCIATE:** Associate membership is open to any person employed in an occupation or engaged in a field of study related to Courts. Membership is conferred upon submission of an application, payment of annual dues and by two-thirds vote of the voting membership. Members of this class are allowed to vote and serve on committees, but may not be elected as a Board Member of the Association.

C. **RETIRED:** Retired membership is open to any person who has retired from a position in a Court in the State of Mississippi. Membership is conferred upon submission of an application, payment of annual dues and by two-thirds vote of the voting membership. Members of this class are allowed to serve on committees, but may not vote or be elected as a Board Member of the Association.

D. **HONORARY:** Honorary membership may be conferred upon any deserving person by the Board of Directors or the membership, upon application, to recognize outstanding contributions toward improving the court system. Honorary members shall not be required to pay dues. Members of this class are not allowed to vote, nor serve on committees, nor be elected as a Board Member of the Association.

Section 2 - Membership year

The membership year shall be April 1 through March 31.

#### Section 3 - Reinstatement Fee

Reinstatement of active membership may be obtained by the payment to the Treasurer of all delinquent dues and other associated fees. Such payment shall place that member's name in the applicable class of active membership in the Association.

#### Section 4 - Suspension of Membership

A member shall be suspended upon two-thirds vote of the Board of Directors after a finding by a majority vote of the Membership Committee that the member has failed to subscribe to the Code of Professional Standards of the Association.

#### Section 5 - Rescission of Membership

A member shall be removed from the active rolls upon two-thirds vote of the active membership after having been suspended pursuant to Section 4, *supra*.

#### Section 6 - Code of Professional Standards

The MSCAA recognizes the importance of ethical conduct by its members in the administration of justice. MSCAA members hold positions of public trust and are committed to the highest standards of conduct. MSCAA members observe these standards of conduct to preserve the integrity and independence of the judiciary. The MSCAA Code embodies our dedication to upholding and increasing the public's confidence in the judicial branch of government, and also reflects our commitment to promoting integrity within our Association and profession. MSCAA members subscribe to the Mississippi Code of Judicial Conduct.

### **ARTICLE IV - BOARD OF DIRECTORS**

The Board of Directors shall consist of six (6) Officers and five (5) Regional Directors. All Board

Members, as a condition of holding their positions, must maintain regular membership in the Association. The Board of Directors will meet at the Spring and Fall conferences of the Association at the time designated by the President. Responsibility and authority for general management of the Association is vested in the Board of Directors.

#### Section 1 - Officers

The officers of the Association shall consist of a President, First Vice President, Second Vice President, Secretary, Treasurer, and Immediate Past President who shall be elected or appointed in the manner and form prescribed by the Bylaws. The Officers of the Association shall constitute the Executive Committee. The Executive Committee will meet with the Board of Directors at the Spring and Fall Meetings of the Association, and at any other time as designated by the President of the Association.

##### A. President

The President shall preside at all meetings of this Association. It is the President's responsibility to provide leadership and to exercise general supervision over Association affairs in accordance with the Constitution and By-Laws, and to maintain liaison and coordination with all other judicial entities and service departments.

The President shall be an ex officio member of all committees. The President shall have the power to call special meetings whenever necessary or advisable to promote or maintain the purpose of this Association.

The President shall form such committees that may be needed to promote or maintain the purpose of this Association. The President shall make any committee assignments that are necessary due to vacancy during said President's tenure and shall appoint a Parliamentarian.

The President shall review the Constitution and Bylaws and make recommendations for

amendments when needed.

The President shall serve as the MSCAA appointee to the Judiciary Advisory Committee and/or any Advisory Board(s), Steering Committees, and any other Boards associated with and in conjunction with the administration of justice. In the event that the President is unable to serve in such a capacity, the President will appoint a Regular Member, in good standing, of the Association to serve in such a capacity.

The President shall be the designated attendee of the MSCAA at the Annual and Mid-Year Conferences of the National Association of Court Managers.

The President shall make a final report upon leaving office, unto the Association, of all duties and responsibilities conducted during their tenure.

**B. First Vice President**

The First Vice President shall perform all duties in the absence of the President and shall work with the President at all times, and shall perform such other duties as are usually incident to the Office of First Vice President, and as the Association or President may from time to time require. In case of a vacancy of the office of President, the First Vice President shall become President for the remainder of the unexpired Term.

The First Vice President shall chair the Continuing Education Committee.

**C. Second Vice President**

The Second Vice President shall perform all duties in the absence of the First Vice President and shall work with the First Vice President and President at all times, and shall perform such other duties as are usually incident to the office of Second Vice President, and as the Association or President may from time to time require.

The Second Vice President shall chair the Membership Committee.

D. Secretary

The Secretary shall keep the Minutes of all meetings of this Association; shall have and keep all books, records, documents, files and other papers belonging to the Association; and shall perform such other duties as are usually incident to the office of Secretary and as the Association or President may from time to time require.

The Secretary shall maintain a current listing of all members of the Association and their classification.

E. Treasurer

The Treasurer shall collect all moneys due the Association and deposit such funds in a proper depository in the name and to the credit of the MSCAA; shall keep an accurate record of all moneys received and disbursed; shall receive and audit all bills due by the Association and, if found correct, shall make payment therefore; shall keep a record of all duly authenticated bills certified by the Treasurer, showing the amount of same and to whom payable, and for what the account was due; shall submit a financial statement of all such accounts whenever called upon by the President of the Association for the same; shall submit a written report at each business meeting of the Association, showing the amounts disbursed, the balance, if any, to the credit of the Association; shall be reimbursed by the Association for the necessary expenses of the office; shall perform such other duties as are usually incident to the office of Treasurer, and as the Association or President may from time to time require.

The Treasurer shall submit annual statements for the current Associational Year to the membership during the month of January of the current year.

F. Immediate Past President

The Immediate Past President shall participate as a full member of the Board of Directors and

shall be responsible for providing advice and counsel to the President and other Board of Director members based on knowledge and experience acquired from previous service in the Association.

The Immediate Past President shall chair the Nominating Committee.

## Section 2 - Regional Directors

The Regional Directors of the Association shall consist of five (5) Regular members of the Association each drawn from one of the five Mississippi Court of Appeal Districts, who shall be elected for one-year terms and/or serve in the manner and form prescribed by the By-Laws.

The Regional Directors are to be the liaisons between the Executive Committee and the membership of those Directors' Regions. Their responsibilities are to remain in contact with the members of their Regions, to inform those members of the events of the Association and to otherwise convey any directives from the Board of Directors.

The Regional Directors shall meet with the Executive Committee at the Spring and Fall Meetings of this Association.

## Section 3 - Elections

All members of the Board of Directors with the exception of the Immediate Past President, shall be elected by a two-thirds majority vote of the voting membership, in good standing, of the Association who are present and voting at the Spring Business Meeting. The President, First Vice President, Second Vice President, Immediate Past President and all Five (5) Regional Directors shall hold their respective elected/appointed office for a term of one (1) year. The Treasurer and Secretary shall hold their respective elected office for a term of two (2) years. All Board of Director members will take office upon the conclusion of the Spring Business Meeting in which elected/appointed.

#### Section 4 - Eligibility for Office

Eligibility for office is limited to Regular Members in good standing. A member is in good standing if dues are paid, renewed or reinstated for the current fiscal year in which the elections are held in accordance with these By-Laws.

#### Section 5 - Vacancies

If a vacancy occurs in any Board of Director position except President, the Board of Directors shall appoint a qualified member of the Regular Membership to complete the unexpired term.

In the event of a vacancy in the position of President, the current First Vice President will fulfill the remainder of said President's Term of Office. Said appointment shall be approved by the Regular Membership at the next regular meeting, in the manner prescribed under Section 3 - Elections, *supra*.

### **ARTICLE V - COMMITTEES**

In addition to the Board of Directors, there shall be Committees of the Association to conduct the business of said Association. Committees shall meet upon the call of the Chairperson, upon request of a majority of the Committee members, at the direction of the President, and as otherwise provided in these By-Laws.

#### Section 1 - Standing Committees

The Standing Committees of the Association are Continuing Education, Nominating, Membership and Awards.

##### A. Continuing Education Committee

It shall be the duty of this committee to work with the Mississippi Judicial College Representative(s) to provide the best programs, speakers and material for the training sessions.

It shall be the duty of this committee to review the Continuing Court Education Hours of each member to ensure compliance with and implementation of the Rules and Regulations adopted by the Mississippi Supreme Court by Order dated January 24, 1989.

The First Vice President shall chair the Continuing Education Committee. The Committee shall consist of all current Officers of the Association and at least two (2) individuals selected from the eligible membership of the Association who shall be nominated by the Nominating Committee and presented unto the voting membership at the Spring Business Meeting.

#### B. Membership Committee

It shall be the duty of this committee to develop and implement programs and activities to attract new members to the Association and influence existing members to retain membership. The committee will conduct membership drives, develop informational material on the benefits of membership, develop informational material on the organization and functions of the Association and provide related material for publication and for viewing on the Association Website. This committee shall be responsible for conducting the New Member Breakfast to be held annually at the Fall Conference.

The Second Vice President shall chair the Membership Committee and the five (5) Regional Directors shall serve as the additional members of this Committee.

#### C. Nominating Committee

It shall be the duty of this committee to select a recommended slate of eligible members, in good standing, to serve the Association as Board and Committee members. The Immediate Past President shall chair this Committee and at least four (4) individuals selected from the eligible membership of the Association who shall be nominated and presented by the Nominating Committee unto the voting membership at the Spring Business Meeting.

It is the responsibility of this Committee to present those nominations at the Spring Business Meeting of the Association. This includes the responsibility for soliciting the interest of qualified members, reviewing the membership status and eligibility of nominees and developing ballots for election. Any eligible member, in good standing, may be nominated from the floor at the Spring Business Meeting of the Association.

Election and/or appointment to serve on the Nominating Committee shall not disqualify an otherwise eligible member from becoming a candidate; however, such member shall immediately resign from the Nominating Committee.

#### D. Awards Committee

It shall be the duty of this committee to receive the applications, in writing, of all applicants for the following awards: Justice Achievement, the Robert D. Church Memorial Scholarship, and Award of Excellence. This Committee will consist of a Chairman and at least four (4) individuals selected from the eligible membership of the Association who shall be nominated and presented by the Nominating Committee unto the voting membership at the Spring Business Meeting.

All submitted nominations for each Award shall be sponsored by a Regular Member of the Association. A Regular Member may sponsor more than one nominee. All nominees must be permanent resident citizens of the State of Mississippi.

The Committee shall notify the voting membership of the Association as to the availability of nomination forms and procedures for obtaining said forms. The Committee shall notify the voting membership of the deadlines for submission of said nominations and procedures for submission. The nomination forms for all Awards shall be made available through the Committee Chairman or via the Association Website.

The committee shall thoroughly review all candidates for each award, and develop a point system for determining the recipient of each award in accordance with the Committee's policies and procedures and in accordance with the By-Laws herein. The Committee shall meet and make its recommendations for recipients of each Award to the Executive Committee by March 1st of each year. The winning recipients will be announced and award presentations made, at the Spring Conference during the business luncheon of the Association.

The committee shall set other policies as needed to complete their duties and goals.

**a. The Justice Achievement Award**

The purpose of the Justice Achievement Award is to bestow on a well-deserving Mississippian, who is a permanent resident of the State of Mississippi and who by their resolve, persistence, or endeavor, have selflessly contributed to the administration of justice within the State of Mississippi.

It is the goal of the Mississippi Court Administrators Association to recognize an individual who has contributed to the Court Administration concept in Mississippi; to the Court system as a whole; and who through their dedication and diligence institute or magnify a community project which results in a substantial benefit not only to the Court system but to the community and State as well.

The nominee must be a permanent resident of the State of Mississippi, nominated by a Regular Member of the MSCAA Association and must meet the standards for nomination as set by the Award Committee.

This award shall be given to only one recipient, or omitted, and is presented at the Spring Business Luncheon by the First Vice President of the Association or their designee.

This Award need not be awarded annually, but only upon the recommendation of the Awards

Committee and decision of the Executive Committee

**b. The Robert D. Church Memorial Scholarship**

The purpose of the Robert D. 'Bob' Church Memorial Scholarship is to award unto a deserving individual a scholarship in memory of Robert D. 'Bob' Church for his assistance in establishing the Mississippi Court Administrators Association and for his long standing devotion through the Mississippi Judicial College.

The nominee must be a permanent resident of the State of Mississippi. The Scholarship shall be awarded to a student attending an Institution of Higher Learning in the State of Mississippi, pursuing a career in a field of study related to the advancement of justice who must be nominated by a Regular Member of the Association and in accordance with the standards set by the Award Committee.

This award shall be given to only one recipient, or omitted, and is presented at the Spring Business Luncheon by the Second Vice President of the Association or their designee.

This Award need not be awarded annually, but only upon the recommendation of the Awards Committee and decision of the Executive Committee.

**c. Award of Excellence**

The purpose of the Award of Excellence is to recognize a Regular Member of the Association who has and/or continues to significantly contribute to the profession of court management; to the Justice system as a whole; and who, through their commitment and dedication, have substantially benefitted not only the Court System but their communities and the public we serve.

The nominee must be a permanent resident of the State of Mississippi and a Regular Member

of the MSCAA at the time of nomination, must be nominated by a Regular Member of the Association, and must meet the standards for nomination as set by the Awards Committee.

This award shall be given to only one recipient, or omitted, and is presented at the Spring Business Luncheon by the President of the Association or their designee.

This Award need not be awarded annually, but only upon the recommendation of the Awards Committee and decision of the Executive Committee.

#### Section 2 - Special Committees

The President may, with approval of the Board of Directors, establish such special committees as may be appropriate to carry out the purposes of the Association. Special Committees automatically terminate at the conclusion of each Spring Meeting unless re-established by the President.

### **ARTICLE VI - MEETINGS**

There shall be two conference meetings of this Association per year, one in the Spring and one in the Fall, subject to changes mandated by the Mississippi Judicial College.

#### Section 1 - Date and Location

The date and location shall be determined by the Mississippi Judicial College.

#### Section 2 - Attendance

All Regular, Associate, Retired, or Honorary Members, in good standing, may attend the business meeting of this Association or any other activity sponsored by this Association. Only Regular and Associate Members, in good standing, shall vote on any manner of business brought before this Association.

#### Section 3 - Quorum and Voting

A simple majority of the voting membership, in good standing, and present, shall constitute a

quorum at any meeting. Except as otherwise provided in these By-Laws and subject to quorum requirements, transaction of business shall be by simple voice vote.

#### Section 4 - Rules of Procedure

Roberts Rules of Order, Revised, shall govern the conduct of all business meetings except as otherwise provided in the Constitution and By-Laws. The President may appoint a Parliamentarian to provide counsel or rulings on questions of parliamentary procedure or application of these By-Laws.

#### Section 5 - Order of Business

The order of business at all meetings shall be set by the Executive Committee.

### **ARTICLE VII - FINANCIAL MATTERS**

The Financial obligations of the Association shall be vested in the Board of Directors and membership as stated within these By-Laws.

#### Section 1 - Fiscal Year

The fiscal year of the Association shall be April 1 through March 31.

#### Section 2 - Dues

The Board of Directors shall set the annual dues for all classes of membership in the Association. Any change in the annual dues shall be communicated to the full membership of the Association at a Business Meeting, or in writing to the membership, before the change shall take effect. Dues are non-refundable and non-transferrable, except by a majority vote of the Board of Directors upon presentation of written application therefore and good cause.

#### Section 3 - Payment of Dues

Annual dues are payable on or before March 31. Any member who has not paid current annual dues by the close of the first day of the Spring Conference shall be dropped from the active

membership of the Association.

### **ARTICLE VIII - RESOLUTIONS and AMENDMENTS**

Resolutions regarding Association policies, activities or operations not otherwise provided for in these By-Laws may be submitted by any voting member, in good standing, or the Board of Directors, as a whole. Standing or Special Committees may make recommendations to the Board of Directors for resolutions or amendments to the By-Laws. Resolutions must be submitted in writing to the Board of Directors through its President no later than sixty (60) days prior to the Fall Business Meeting, for study and recommendation.

Nothing in this Article prevents any voting member, in good standing, from presenting an item of business from the floor at the business meeting. Any item brought on the floor at the business meeting will be considered in accordance with the provisions of these By-Laws.

Resolutions or amendments of these By-Laws requires approval of a majority of those voting members, in good standing, and present at the business session of the Spring Business Meeting. By-Laws amendments shall be in full force and effect immediately upon its adoption at the Spring Business Meeting, unless otherwise provided.

In case of an emergency where the welfare of the Association could be affected, and where a By-Law amendment needs to take place between conferences meetings, the President may call for a discussion and vote by the Executive Committee. Upon majority vote, the Executive Committee may enact said amendment in the By-Laws. The President will then inform the membership of the action taken and why it was taken, via written correspondence, to the Regular membership of the Association. This amendment will then be voted on by the voting membership at the next conference meeting. If said amendment should fail at the meeting, it

would immediately be rescinded from the By-Laws.

#### **ARTICLE IX - DISSOLUTION**

Upon dissolution of the Association, the Executive Committee shall, after paying or making provision for payment of all of the liability of the Association, dispose of all assets of the Association in such manner and to such judicial organization or organizations operated exclusively for charitable or educational purposes as the Executive Committee shall determine. All state funds shall lapse to the state.