



MISSOURI ASSOCIATION FOR COURT ADMINISTRATION, INC.

BY-LAWS

FOUNDED

May 14, 1986

Ramada Inn, Columbia, Missouri

BY:

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*JAY WOOD, STATE COURT
ADMINISTRATORS OFFICE*

DONNA JOHNSON, OVERLAND, MISSOURI

DRAFTED

March 1, 1986

EFFECTIVE

May 15, 1986

AMENDMENTS

*May 21, 1987, May 26, 1988, May 24, 1989
May 23, 1990, May 23, 1991, May 24, 1993
May 25, 1994, May 24, 1995, May 23, 1996
May 21, 1997, May 20, 1998, May 26, 1999
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ARTICLE I: NAME

This organization shall be known as the:

MISSOURI ASSOCIATION FOR COURT ADMINISTRATION, INC. (A not-for-profit Missouri Corporation)

ARTICLE II: PURPOSE

The purpose of this Association shall be to define, educate and achieve the art and science of Court Administration through:

- A. Promoting and developing the Association as an agency for the professional benefit of Court Administrators and/or other officials or persons with the same or similar powers and duties.
- B. Promoting a better understanding by the Court Administrator of his/her official duties, obligations and responsibilities.
- C. Establishing and improving methods and procedures in record keeping in the field of Court Administration.
- D. Promoting mutual cooperation and assistance between members and non-member Court Administrators.
- E. Urging Association members to be active participants in the Association and performing services, which may best meet the interest and needs of the Association and the public we serve as court personnel.
- F. Said corporation is organized exclusively for charitable, religious, educational and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501 (c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

ARTICLE III: MEMBERSHIP

The membership of this association shall be open to any person who is actively engaged in a field related to court administration.

There shall be four (4) classes of membership:

A. Active:

Any person serving as clerk of the court, court administrator, or other recognized title or assistants to the administrative title, may become an active member upon the payment of dues. Active members may vote, hold office and serve on committees.

B. Associate:

Associate membership may be granted to any person engaged in an allied field and related to the work of the Court and its administration, upon the payment of dues. A clerk serving his/her court or another court in a judicial or prosecutor role would be in this membership classification. Associate members shall not hold office and shall not vote, but they may serve on a committee, in an advisory capacity, upon the approval of the majority of the Executive Board.

C. Honorary:

Any person in a field related to the judicial system whom the organization wishes to recognize for outstanding achievements may become a member in this class. A person may be nominated for this class of membership by an Active member of the association. The names of proposed honorary members shall be presented to the Executive Board for screening. Upon approval by the Executive Board, the slate of nominated individuals shall be presented to the membership at the annual meeting for voting purposes. Honorary members may not vote, shall not hold office and shall not pay dues. They may serve on committees, in an advisory capacity, upon the approval of the majority of the Executive Board.

D. Retired:

Upon retirement from the judicial system, any active member in good standing is eligible for this class of membership upon the payment of annual dues. Retired members may serve on a committee and may vote, but they shall not hold office.

No member may be elected to office unless the current year's dues are paid on or before March 15. No member may cast a vote at the Annual Meeting unless the current year's dues are paid on or before March 15.

In case of resignation or separation from the Court, or any other changes in position, membership in the Association may be retained upon approval of the Executive Board and payment of appropriate dues.

ARTICLE IV: OFFICERS

Officers:

The Officers of this Association shall consist of:

A. President

It shall be the duty of the President to preside at annual or social meetings of the Association and of meetings of the Executive Board; to appoint committees as set forth in Article VII; and to carry out the purpose of the Association. The President shall be ex-officio, a member of all committees, except the nominating committee. The President shall propose goals for the Association for his/her term of office and render an annual written report each year and at the conclusion of his/her term of office, to be included in the minutes. The President shall be excluded from voting

in contested races, including his/her own region. In the event of a tie, the President shall cast the deciding vote.

B. President-Elect

It shall be the duty of the President-Elect to assist the President in the discharge of his/her duties and, in the President's absence, to assume the full responsibilities of that office. The President-Elect shall be designated Parliamentarian and shall govern all meetings of the Association consistent with these By-Laws.

In the event that the President-Elect cannot complete their term or take the office of the President after their term (example, no longer employed by a court), the following action will occur. The current President will remain in office as President and will immediately order the Nominations Committee Chairperson to prepare a Declaration of Candidacy to go out in the next MACA Reporter or by immediate mail to all members. The President will then designate a filing date and will authorize a mail-in ballot to be mailed to all members as soon as practical, or the ballot may be presented at the next Annual Meeting if it is within 60 days of the filing date.

C. Secretary

It shall be the duty of the Secretary to keep the minutes of all meetings of the Association and of the Executive Board and shall preserve and retain all papers, letters and transactions of the Association. He/she shall deliver his/her successor all Association records in his/her possession immediately after the installation of a new Secretary. He/she shall also assume all secretarial duties as assigned by the Executive Board. The Secretary shall send minutes, or a synopsis of minutes, of the last Board Meeting held before the Annual Meeting to all members of the Association prior to the Annual Meeting. This may be included in the MACA Reporter. These minutes may be disseminated at the Annual Meeting.

D. Treasurer

It shall be the duty of the Treasurer to receive, collect and have custody of all funds of the Association. He/she shall deposit funds in a bank convenient as designated by the Executive Board and such funds are to remain on deposit under the name of the Association unless directed by the Executive Board to place specified amounts in appropriate interest-bearing accounts under the Association's name, and all interest earned shall be entered and recorded as income for the Association. The Treasurer shall provide a financial and appropriation statement to the membership at the close of the calendar year. These statements will include the amounts budgeted in each category, and the expenditures and balances in each. The itemized ledger for the Association will be available for review by the membership at the Annual Conference or upon a written request by a member.

He/she shall submit his/her records for financial review as required by the President or by whomsoever the President has designated for the financial review. The outgoing Treasurer shall, at the close of the Annual Meeting, deliver

to the newly elected Treasurer all money, vouchers, books and papers of the Association in his/her custody.

All checks shall have the signature of the Treasurer. No check shall be written for more than \$150.00 without approval of the majority of the Executive Board.

The Treasurer may, with the consent of the President of the Association, appoint a member from the Board of Directors and/or general membership to assist in his/her duties as deemed necessary. These duties may include the membership drive, bookkeeping duties and other assorted clerical work but will not include signing or issuing checks or any other type of payment associated with the welfare of the Association.

E. Immediate Past-President

It shall be the duty of the Immediate Past-President to assist the President during the transition period and to serve as an advisor throughout the term of the President. The Immediate Past-President shall also chair the Nominations Committee. The Immediate Past-President shall be a voting position. In the event that the Past President cannot assume the duties of the Immediate Past President, the most current past president, still a member of MACA shall assume the duties of this position. If there are no Immediate Past Presidents remaining in the membership, this position will remain unfilled for two years and a waiver shall be given to the by-law requirement that the "Executive Board shall consist of seven (7) Officers, including the Immediate Past President." The duties of the Immediate Past President will then be assumed by the President.

F. Membership Director

The Membership Director shall be an elected position. The Director must be a regular member of the Association. The term of office shall be two (2) years, commencing at the close of the Annual Meeting at which they are elected and ending after two years at the close of the Annual Meeting.

The Membership Director will serve as Chair for the Membership Committee / Membership Drive Committee. It shall be the responsibility of the Membership Director to send membership statements to current members, final notices and membership certificates when applicable. The Membership Director will, with the assistance of the Membership Committee, conduct the annual membership drive in November. All documents, labels, rosters, membership phone directories etc., will be maintained by the Director.

G. Professional Development Director

The Professional Development Director will serve as Chair for the Certifying University/ Professional Development Committee. The Director shall appoint an assistant co-chair for the Annual Education Conference held in the spring and an assistant co-chair for the Professional Development Education training held in the fall. It shall be the responsibility of the Professional Development Director to oversee the establishment of the agenda for the Annual Conference and the Professional Development seminar within budgetary guidelines. The Director will

serve as the Association liaison when working with OSCA, NACM, SJI and other court related associations when developing educational opportunities

All officers shall be elected at the Annual Meeting of members. They must be an active member of the Association. Their terms of office shall be two years, commencing at the close of the Annual Meeting at which, they are elected and ending after two years at the close of the Annual Meeting.

Should a vacancy occur in any office except that of the President and the President-Elect, the Executive Board, by majority vote, shall appoint an active member to complete the un-expired term. Should a vacancy occur in the office of President, President-Elect shall succeed to the Presidency, complete the un-expired term and be eligible for election to his/her own term as President.

ARTICLE V: EXECUTIVE BOARD

A. Management:

1. The Executive Board supervises the affairs of the Association and shall take measures for its growth and to carry out its purposes. The Executive Board shall transact all business of the Association between Annual Meetings and shall report thereon at the Annual Meeting of members. The Executive Board consists of all Officers and Directors who have been elected to their prospective positions by the membership of the Association.
2. Unless otherwise directed by the membership, items in which the Board has full authority to act on behalf of the Association include:
 - a. Program plans and budgets
 - b. Position statements
 - c. Resolutions
 - d. Applications for grants and contracts

The Executive Board shall be regulated by the adoption of a Policy and Procedures Manual. The purpose of this manual shall be to form the operating guidelines of the Executive Board. Any necessary changes to the Policy and Procedures Manual shall be done by a majority vote of the Executive Board.

The Executive Board has the authority to accept and recognize charter associations formed on behalf of MACA and presented by resolution.

At regular meetings of the Board of Directors, a quorum will consist of a simple majority.

B. Number:

The Executive Board shall consist of seven (7) Officers, including Immediate Past-President, and *at least* six (6) Region Directors. The Executive Board will be constituted as follows:

1. The seven (7) Officers as defined in Article IV of these By-Laws.
2. At least six (6) Region Directors and no more than ten (10) Region Directors (as defined as one from each Region, which are established by the Executive Board). In order to be eligible to run for the office of Director, the member must work in a Court located in the region for which he/she is seeking the position as Director. If no one from a region runs for the position of Director, then that region will not be voted on in the annual election. The President will then seek a willing member within the region to fill the position for appointment to the position. If there is no willing member from the region, the President will appoint a Director from the membership. The Directors will run for office by Region numbers. Odd number Region Directors will run for office in odd number years, even number Region Directors will run for office in even number years.

C. Terms:

After the first term of office after adoption of this section, Region Directors shall serve two (2) year terms.

1. One half of the Region Directors shall be elected at each Annual Meeting. Odd numbered Region Directors will run for office in odd numbered years, even numbered Region Directors will run for office in even numbered years. Region Directors shall take office immediately after the conclusion of the Annual Meeting at which they are elected.
2. No member of the Executive Board may serve consecutive terms of office in the same position unless he/she has been appointed to fulfill the un-expired term of a vacated position. The exception shall be in the position of Region Director. Region Directors may serve consecutive terms of office should they wish to run for a second term.

ARTICLE VI: MEETINGS

The Annual Meeting of this Association shall be held as designated by the Executive Board. The membership shall be notified in writing at least thirty (30) days prior to the Annual Meeting. Other meetings shall be held at the pleasure of the membership. At the Annual Meeting of members, a quorum shall consist of 25% of the members who are eligible to vote who are present at the time of the business meeting.

The Executive Board shall meet at any other time and place as may be called by the President to include a mid-year Board Meeting, the date and place to be set by the President.

All officers, directors and committee chairs shall make a report to the Executive Board, in writing or orally, of all activities performed either individually or collectively in the name of MACA. These reports shall be made both at the regularly scheduled board meetings and at the Annual Conference.

A. Rules:

The rules contained in Robert's Rules of Order Revised shall govern all meetings of the Association except as otherwise provided in the By-Laws.

B. Order of Business:

The Order of Business Meeting shall be:

1. Roll Call
2. Program Presentation
3. Determination of Quorum
4. Approval of Minutes from last Board Meeting
5. Financial Report
6. Unfinished Business
7. Committee Reports
8. New Business
9. Adjournment

In the Approval of Minutes, the minutes of the last Business Meeting shall be presented to the members for approval at the Annual Meeting. Providing that copies of the minutes to be approved were mailed to the membership at least ten (10), days prior to the Annual Meeting, the minutes may be presented to the membership without reading; however, if they are not provided to the members, the minutes shall be read in full prior to the vote to accept.

Except when otherwise provided for in the By-Laws, all voting of the Association, except for election of Officers and Directors, shall be via voice. Voting for Officers and Directors shall be by ballot voting. Voting for Directors shall be done within each Region. No one may vote for a Director in a Region other than their own. A majority of votes cast shall be necessary for a decision. In the case of an uncontested ballot, an affirmation of said ballot may be made by a simple show of hands from the membership eligible to cast a vote.

C. Special Meetings:

1. President/Board of Directors

A special meeting may be called by the President with the approval of the Board of Directors. Notification of said meeting shall be mailed to all members not less than 30 days in advance.

2. Membership

A special meeting may be called by the membership upon a petition signed by 25% of the members eligible to vote. This petition must be presented to the Board of Directors not less than 45 days prior to said meeting. Notification of said meeting shall be mailed to all members not less than 30 days in advance of meeting.

ARTICLE VII: COMMITTEES

Within thirty (30) days after the election, the President shall create from the membership the following standing committees as required to carry on the work of the Association, and who shall serve until the next Annual Meeting when their successor will be appointed. The Executive Board is empowered to create, combine or dissolve the following committees, or to change their composition or responsibilities as the need may arise.

A majority of the members of a committee constitute a quorum. All committees shall report to the Executive Board in writing or orally at all regularly scheduled meetings and shall prepare a written annual report to be presented to the membership at the Annual Meeting.

A. **Annual Conference**

It shall be the responsibility of this committee to organize the Annual Conference in conjunction with other committees. The chair- person of the Annual Conference committee will act as liaison for the Association with the conference site personnel.

B. **Automation**

It shall be the responsibility of this committee to update the membership of any and all developments in the automation field as related to courts in the State of Missouri.

C. **Awards & Scholarships**

It shall be the responsibility of this committee, with the Executive Board's approval, for award presentations at the Annual Meeting.

D. **By-Laws / Policy & Procedures**

The duty of this committee shall be to review the By-Laws and Policy & Procedures of this Association as to their practicality and application. It shall make a report of its findings to the Executive Board.

E. **Certifying Universities**

The Certifying Universities, under the direction of the Professional Development Director, shall be responsible for the planning and the development of the

educational programs at the meetings of the Association as approved by the Executive Board. This committee shall be responsible for planning and the development of forms and programs for use in the courts of limited jurisdiction and keeping the Executive Board advised of any recommendations.

1. Education Subcommittee A: Certification Committee

This committee shall consist of the President, President-Elect and one member of each Certifying University. It is their duty to review the applications for certification and to forward their recommendations to the Director of the applicable Certifying University. The Director will then make a final decision for approval of certification.

2. Education Subcommittee B: Continuing Certification Committee

This committee shall consist of the President, the Professional Development Director, and one member of the Certifying University for the Certified Court Administrator program. It is their duty to review the material submitted by the Certified Court Administrator (CCA) to ensure that they have met the minimum requirements for maintaining their Certification.

3. Education Subcommittee C: Advanced Certification Committee

This committee shall consist of the President, the Professional Development Director, and one member of the Certifying University for the Advanced Certified Court Administrator program. It is their duty to review the applications and material submitted by the Certified Court Administrator to ensure that they have met the minimum requirements of the Judicial Administration Program Noncredit Certificate Program.

F. **Finance Committee**

It shall be the responsibility of the Finance Committee to oversee and review the financial obligations of the Association. The Treasurer shall be a member of the finance committee, but not the chairperson. The Finance Committee shall be actively involved in the development of the budget. The Finance Committee shall make the arrangements, with the appointment from the President, for the annual financial review, which is to be done by a party outside the Association. Once the financial review is complete, the financial committee will make a written report of the results of the financial review for presentation to the Association. This committee shall be responsible for preparing an annual budget and presenting this budget, with approval of the Executive Board, to the membership of the Association on an annual basis.

G. **Historian**

The Historian shall be responsible for maintaining any memorabilia collected by the Association, to include but not limited to: pictures, scrapbooks, and all publications and materials pertaining to the Association.

H. **Legislative**

The Legislative Committee shall be, responsible for keeping the Executive Board and membership advised of pending legislation, relative to the operation of courts of limited jurisdiction. This committee shall work with other education and legislative committees to introduce new legislation which the Association or Executive Board may direct.

I. **Membership**

The Membership Committee, under the direction of the Membership Director, shall be responsible for the recruiting of members, the circulation of information about our Association to other organizations and individuals, formulating of plans for inclusion or merging with other memberships and organizations subject to approval of the Executive Board. This committee shall be responsible for carrying out decisions of the Executive Board relative to any recruitment or eligibility of any member in the Association.

The Membership Committee shall conduct an annual membership drive and shall be responsible for the annual billing of all current members. The Membership Committee will be responsible for compiling a current membership list for distribution to the members.

J. **Nominations**

As defined by Article IV of these By-Laws, the Immediate Past- President shall be the designated chairperson. The nominating committee shall consist of an Active Member from each region. The Executive Board shall appoint the members. They shall prepare the ballots for Officers and Region Directors to include all the declarations of candidacy that were submitted in the order that they were received. These ballots will then be presented to the membership at the Annual Meeting. After the closing date on the declarations, ballots will be final and no other nominations shall be accepted.

K. **Publicity and Publications**

It shall be the responsibility of this committee to prepare any reports or publications of distribution to members or news media, subject to the approval of the Executive Board. This committee shall be responsible for the Association's "Newsletter" and the distribution to the membership, at least three (3) times per year.

L. **Social**

It shall be the responsibility of this committee to organize any social functions or activities concerning the Annual Conference.

1. **Hospitality Committee**: This committee is under the direction and guidance of the Social Committee Chair. The hospitality committee is responsible for social functions that will allow new members, or those attending conference for the first time, the opportunity to network with

other members of MACA.

2. Civic Awareness Committee: This committee is under the direction and guidance of the Social Committee Chair. The Civic Awareness Committee is responsible for selecting a charity to sponsor each year at the annual conference.

M. Vendors

It shall be the responsibility of this committee to organize the vendor display at the Annual Conference by procuring vendors and establishing a vendor fee with the approval of the board.

ARTICLE VIII: FINANCES

A. Fiscal Year:

The Association's fiscal year shall be from January 1 through December 31.

B. Dues:

The dues of this Association shall be as follows:

1. Active membership: The annual dues shall be set by the Executive Board before each Annual Meeting.
2. Associate and Retired Membership: The annual dues shall be set by the Executive Board before each Annual Meeting
3. Honorary Membership: No dues are required.

C. Payment:

Dues shall be paid on a calendar year basis, which shall be on January 1st. Membership dues shall be set by the Executive Board. In order to be eligible to vote at the Annual Business Meeting, dues must be paid by March 15th of that year. Payment shall be made by each member directly to the Treasurer of this Association, who shall keep the membership committee apprised of all paid members. There shall be no refunds. In cases where the dues are paid by the clerk's city, the dues shall stay with the City and not the clerk, as long as the City notifies the Board within 30 days of the new hire date.

D. Financial Gain:

No member shall be permitted to gain financially from the Association. Members may only be reimbursed for actual, documented expenses on behalf of the Association. No part of the net earnings of this corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and

distributions in furtherance of the purposes set forth in these By-Laws. Upon the dissolution of the corporation, assets shall be distributed to the State of Missouri for a public purpose.

ARTICLE IX: AMENDMENTS

- A. The By-Laws may be amended only by a majority vote of the members entitled to vote who are present at the Annual Meeting.
- B. Written notice setting forth the proposed amendment(s) shall be mailed to each member at least thirty (30) days and not more than ninety (90) days in advance of an Annual Meeting.
- C. Members may submit proposed changes to the President, Secretary, or By-Laws Chairperson at least ninety (90) days prior to the Annual Meeting.
- D. Any amendments shall be in full force and effect immediately upon its adoption at the Annual Meeting, unless otherwise provided.
- E. The By-Laws of the Association and related materials should be reviewed by the By-Laws committee at least annually to assure that they are applicable and in keeping with the goals and objectives of the Association.
- F. 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 annual meetings, the President may call for a discussion and vote by the Executive Board. Upon a majority vote, the Executive Board may enact said amendment in the By-Laws. The President will then inform the membership of the action taken and why it was taken in the next newsletter that will be sent to all members. This amendment will then be voted on by the membership at the next annual meeting. If said amendment should fail at the meeting, it would immediately be rescinded from the By-Laws.

ARTICLE X: EFFECTIVE DATE

The By-Laws herein before set forth shall become effective immediately upon approval of a majority of the members present and voting on the question at the close of the annual conference.