

VIRGINIA MAGISTRATES ASSOCIATION, INC.
BYLAWS

ARTICLE I
NAME

Section 1

The name of the organization shall be The Virginia Magistrates Association, Incorporated, herein after referred to as either the VMA or the Association.

ARTICLE II
PURPOSE

Section 1

The VMA shall:

- A. Aid, assist and represent its members concerning issues pertaining to the Virginia Magistrate System.
- B. Act as liaison to the Executive Secretary of the Supreme Court of Virginia concerning matters which affect the Virginia Magistrate System.
- C. Represent its membership and the Magistrate System whenever permitted before the Virginia General Assembly, The Committee on District Courts, and any other body and/or entity deemed necessary.

ARTICLE III
MEMBERSHIP

Section 1

The VMA shall be composed of magistrates and chief magistrates from various judicial districts within the Commonwealth of Virginia. All current, former, and retired magistrates and chief magistrates shall be eligible to join.

Section 2

Membership shall be classified in the following categories:

- A. Active members – current and/or former magistrates, retired magistrates, and chief magistrates who have paid their dues.
- B. Honorary members – persons not holding the office of magistrate, but who have shown a desire to assist, or who have assisted, the VMA in achieving its purpose. Any active member may nominate candidates for honorary membership. Such nominations shall be submitted in writing to the Executive Committee. Upon approval by majority

vote of the Executive Committee, the nominee shall be named as an Honorary Member. Honorary Members may neither vote nor hold office.

Section 3

Annual membership dues shall be due and payable July 1st of every year and dues not paid by October 1st shall be declared delinquent. Honorary members shall not be required to pay dues. Annual dues may be increased if deemed necessary to maintain the association by a majority vote of the Board of Directors and must occur 45 days prior to notices being sent out for the following year's dues.

Section 4

Only those members whose dues have been paid shall enjoy the rights of membership, including participation, voting, attending meetings, holding office, and any other privilege of membership as defined by the Executive Committee.

ARTICLE IV

ELECTED OFFICERS AND REPRESENTATIVES

Section 1

A. Officers

The elected officers of the VMA shall be:

- a. President
- b. First Vice-President
- c. Second Vice-President
- d. Secretary
- e. Treasurer

B. Regional Board

The elected Regional Board should be composed of eight members, one member and/or alternate from each of the eight regions in the state, elected by and representing the judicial districts within that region.

C. Officers, regional board members, and the immediate past president shall comprise the Executive Committee of the Association.

D. The term of office shall be two years. The Executive Committee shall be elected in odd years by the membership at an annual meeting or by mail ballot. Regional Board members shall be elected in even years by mail ballot. Only the members of each region may vote and/or nominate a member from that region for a position.

E. For these purposes the term "mail" may be by U.S. Mail or any form of electronic mail.

Section 2

Any member elected by the membership to serve a two year term as President, First Vice-President, or Second Vice-President shall be eligible to serve two terms in that particular office. However any member serving an interim term in the office of President, First Vice-President or Second Vice-President shall be eligible to succeed himself/herself for two full two-year terms.

Section 3

All officers shall be elected by a majority vote of the membership. The Chairperson of the Nominating/Election Committee shall count these ballots. The count shall then be certified to the Secretary of the VMA.

Section 4

The Executive Committee shall conduct the affairs of the VMA.

Section 5

No person shall hold office if he/she is not a member. no member shall hold more than one office at a time, with the exception that an elected officer may also be an elected regional board member, however, they are only entitled to one vote on any matter.

Section 6

Interim vacancies for any office or board member [except that of President] may be filled by appointment of the Executive Committee. In the event that the President cannot serve a full term, the First Vice-President shall serve until the expiration of the original term. The Second Vice-President shall then serve as the First Vice-President. The Executive Committee shall fill the office of Second Vice-President by majority vote.

Section 7

Regular meetings of the Executive Committee shall be held quarterly. The date, time and location of these meetings shall be determined by the President and approved by majority vote of the Executive Committee. If approved, regularly scheduled quarterly meetings may be held via teleconference. However, no more than three regularly scheduled quarterly meetings may be held via teleconference in a twelve month period.

Section 8

- A. The President may poll a vote by conference call at any meeting when it is determined by a majority vote of those present that the vote of absent Executive Committee members is necessary. The president may call for a mail vote of the absent Committee members and the question may be held over until the next Executive Committee meeting at which time the mail vote or the voice vote may be counted together and a majority vote shall carry the question.
- B. For these purposes the term "mail" may be by U.S. Mail or any form of electronic mail.

Section 9

Conference Calls or Special meetings by conference call may be called by the Executive Committee President and the Executive Committee. The purpose of such meeting will be stated during the conference call and no business except that announced in the call will be discussed. At least 7 days notice must be given for the conference call or the notice must be waived by a majority of the executive committee. Conference calls or special meeting may not be held in place of quarterly mandated regular meetings. All rules proscribed in these bylaws governing quarterly Executive Committee meetings shall be in effect for any scheduled conference call or special meeting. A quorum at any Executive Committee shall be a majority of the filled positions of the executive committee.

ARTICLE V DUTIES OF OFFICERS

Section 1

President

- A. Preside over all meetings of the VMA membership and the Executive Committee
- B. Abide by and insure that the bylaws, rules, and regulations adopted by the Executive Committee and the membership are enforced.
- C. Appoint all committee chairpersons, not otherwise designated
- D. Appoint a Parliamentarian to serve during the same term as the President.
- E. Decide all Questions of Order [subject to appeal]
- F. Sign all acts, orders and proceedings of the VMA
- G. Represent the interest of the VMA at all times
- H. Serve as an ex-officio, non-voting member of all committees, except the Nominating/Elections Committee.
- I. Serve as Chairperson of the Executive Committee
- J. Serve on the Advisory Board of the Newsletter.

Section 2

First Vice-President

- A. In the absence of the President, assume all presidential duties.
- B. Serve as Chairperson of the Fundraising/Code Book Index Committee/
- C. Function as liaison between Regional Board members and the regions they represent.
- D. Serve as a member of the Executive Committee

Section 3

Second Vice-President

- A. In the Absence of both the President and First Vice-President, assume all presidential duties.
- B. Serve as Chairperson of the Public Relations/Newsletter Committee
- C. Serve as a member of the Executive Committee

Section 4

Secretary

- A. Accurately record proceedings of meetings
- B. File an annual list of Officers and Directors with the State Corporation Commission.
- C. Maintain all documents necessary to carry on the normal correspondence of the VMA
- D. Send out invoices for annual dues to all magistrates
- E. Issue membership cards to all paid members
- F. Maintain an accurate roster of membership
- G. Serve as Chairperson of the Membership Committee.
- H. Serve as a member of the Executive Committee.

Section 5

Treasurer

- A. Accurately keep and maintain the receipts, disbursements, and accounting of all cash, liabilities, and assets of the VMA.
- B. Keep and maintain general charge of VMA financial records and accounts.
- C. Deposit and withdraw any and all monies of the VMA as directed or approved by the Executive Committee.
- D. Receive budget request and disburse funds as directed by the Executive Committee.
- E. Report the general financial condition of the VMA as directed by the Executive Committee.
- F. File with any and all appropriate agencies all necessary reports and/or correspondence relating to the accounts and incorporation of the VMA.

- G. Serve as Chairperson of the Budget and Planning Committee.
- H. Serve as a member of the Executive Committee.

Section 6

Regional Board

- A. Members serving on the Regional Board shall be considered members of the Executive Committee and shall be empowered with the same authority, powers, rights and responsibilities as the Officers to manage the affairs of the Association.
- B. The Regional board shall consist of eight (8) members, one from each designated region of the state, and shall be elected by the members from that region.
- C. The election of Regional Board members shall be conducted by mail ballot. Only the jurisdictions within each region shall vote for the Regional Board member to represent that region. The elections for Regional Board members shall be held in a year other than the year in which Officers are elected.
- D. The Chairperson of the Nominating/Elections Committee shall assemble a subcommittee consisting of a minimum of three (3) members who shall accept nominations from the members of each region and place in nomination all candidates that desire to run for the office of Regional Representative from each particular region.
- E. The subcommittee shall submit and certify in writing the names of candidates to the Nominating/elections Committee. Once the candidates have been certified to the Nominating/Elections Committee, no other nominations may be submitted for consideration. The Nominating/Elections Committee shall prepare the ballots and mail them to each member of the region.
- F. The nominee receiving a majority of votes shall be elected as a representative to the Regional Board.
- G. In the event of a tie, the Chairperson of the Nominating/Elections Committee shall simply draw lots to decide the election. The drawing may be held in the presence of the candidates, if the candidates so choose.

Section 7

Past-President

- A. Act as advisor and liaison to the Executive Committee
- B. Serve as a voting member of the Executive Committee

- C. Serve as Chairperson of the Nomination/Elections Committee
- D. Serve on the Advisory Board of the Newsletter
- E. Preside over elections and serve as Marshal of the Elections. As marshal, the Past-President shall maintain order and may deputize any members necessary to assist in maintaining order during the election process.

ARTICLE VI STANDING COMMITTEES

Section 1

Standing Committees: List of standing committees and chair persons.

Executive Committee: Kara Akins, Chair

Constitution and Bylaws: Vacant, Chair

Budget and Planning: Kyle Schumacher, Chair

Nominating/Elections: Wilson, Talavera, Chair

Fundraising/Code Book: Kara Akins, Chair

Public Relations/Newsletter: Kara Akins, Chair

Scholarship: Tamyra Whitehead, Chair

Legislative: Vacant, Chair

Membership: Alyssa Emery, Chair

Section 2

Responsibilities

A. The executive Committee shall consist of the Officers and Regional Board members. This committee shall conduct the affairs of the VMA, and shall prepare budgets, draft goals and objectives for the year.

B. The Constitution & Bylaws Committee shall review, prepare amendments and by-laws revisions for approval by the Executive Committee and membership.

C. The Budgeting and Planning Committee shall review budget requests and financial needs of the Association and other committees, and submit a report of budget needs and request to the Executive Committee.

D. The Nominating/Elections Committee shall review and prepare a list of nominees for each elected position in accordance with the bylaws and shall also conduct the elections along those same guidelines.

E. The Fundraising/Code Book Index Committee shall name an editor, who shall prepare and oversee the printing of the code book, and a sales manager, who shall be in

charge of accounting, sales, and distribution of that publication. One member may occupy both positions. The Committee's appointment of these positions shall be approved by majority vote of the Executive Committee. The Committee Chairperson, Editor, and Sales manager shall form a committee to update the Code index on a yearly basis, and shall make all preparations for the printing of the Index. The Sales manager shall receive and promptly transmit any and all monies to the Treasurer for deposit. The Fundraising Committee may also form a merchandise subcommittee to assist in ordering, sales and inventory of VMA merchandise.

F. The Public Relations/Newsletter Committee shall promote the Association by communicating with the membership and keeping them informed of VMA activities. It shall also choose an editor for the newsletter and that selection shall be approved by majority vote of the Executive Committee. This committee may also be in charge of media relations, if so approved by the President.

G. The Scholarship Committee shall be charged with preparing and reviewing scholarship applications, setting up deadlines, and making recommendations to the Executive Committee in the selection of scholarship recipients. This committee may also direct and judge any essay contest, etc. deemed necessary for selecting scholarship candidates.

H. The Legislative Committee is charged with presenting statewide legislative concerns of the VMA before the Committee on District Courts, the Virginia General Assembly, etc., including tracking legislation, contacting legislators and/or committee members, and making recommendations to the Executive Committee.

I. The Membership Committee shall recruit new members, retain current members and encourage former members to re-join, if eligible. This committee shall also develop innovative approaches for the recruitment process, and update any and all materials necessary for that purpose. The membership committee may also work closely and in conjunction with any other officers, board members, and/or committee in this endeavor.

Section 3

All actions of any other committee shall be subject to approval of the Executive Committee.

Section 4

No standing committee, with the exception of the Nominating/Elections Committee, may adopt or consider any localized issue proposed by any member unless it can be

shown that the issue shall have statewide impact on the Association. No action may be taken without prior approval, authorization, or direction of the Executive Committee.

ARTICLE VII MEETINGS

Section 1

The Association shall hold at least one annual meeting of the membership at a time and place to be established by the Executive Committee. This annual meeting may be in conjunction with the statewide Magistrate Training Conference(s) sponsored by the Office of the Executive Secretary of the Supreme Court of Virginia.

Section 2

Elections for officers shall be held every other year. The election may take place at the annual meeting for that year, unless polling by mail ballot has been selected by a majority vote of the Executive Committee.

Section 3

A special meeting of the membership may be called by the President, or any five (5) members of the Executive Committee, or by written and signed petition of twenty-five (25) members. Such petition shall be submitted in its original form with all actual signatures to the Secretary of the Association who shall verify the petition, and notify the membership. Members shall be notified by mail ten days prior to the special meeting.

Section 4

The order of business shall be as follows:

- A. Call to Order
- B. Invocation
- C. Reading of Minutes
- D. Report of Officers/Regional Board
- E. Report of Committees
- F. Resolutions and Communications
- G. Unfinished Business
- H. New Business
- I. Adjournment

Section 5

The agenda of the meeting shall be set in advance by the President. anyone wishing to propose a topic for discussion at the next meeting shall submit the topic to the Sec-

retary, or the President, at least 30 days in advance of the first session of the regularly scheduled next meeting date.

ARTICLE VIII NOMINATING/ELECTIONS

Section 1

Each year, the President shall appoint a Nominating/Elections Committee. This committee shall be chaired by the immediate past president and comprised of one (1) Regional Board member and three (3) members of the Association who neither hold nor currently seek office for any of the open positions. The Chairperson shall recommend at least three names for appointment by the Executive Committee. The President shall appoint the Regional Board member to serve on this committee. All appointments shall be approved by majority vote of the Executive Committee.

Section 2

The Nominating/Elections Committee shall place in nomination a slate of names as follows:

- A. In years in which Officers are elected, the committee shall present all candidates names for each office.
- B. In years in which Regional Board Members are elected, the committee shall present all candidates names for each region.
- C. The committee shall contact each nominee to confirm that he or she is willing to serve, if elected. The committee shall also ensure that each candidate has been provided with an approved biographical information form which will be included with the ballots for the convenience of the membership.

Section 3

- A. The Chairperson shall present the slate of nominees to the Executive Committee at the next quarterly meeting of each calendar year. Elections shall take place either by mail ballot, a secured electronic [internet] ballot or at the next mass meeting of the membership.
- B. If a mail ballot is selected, the ballot shall be prepared and sent to members by April 15th of each election year and the counting of ballots shall take place no later than May 15th-
- C.

- 1. If a secured electronic internet ballot is selected the Chairperson of the Nominating/Elections Committee shall be responsible for ensuring all members receive information on how to access and use any on-line links to the pro-

gram. There shall be no provision for write in nominations on voting to electronic ballots. The Chairperson and the committee members shall have access to the results to verify all totals are correct.

2. The election shall take place no later than September 1st of each election year and last no longer than 30 days.

D. Elected Officers or Regional Board Members shall be certified by the Chairperson of the Nominating/Elections Committee to the Secretary and shall be presented at the next quarterly meeting of the Executive Committee.

Section 4

Officers and/or Regional Board Members elected at a membership meeting shall be sworn in following the announcement of election results. They shall take office at that time.

Officers and/or Regional Board Members elected by a mail ballot shall be sworn in at the next regular meeting or special meeting of the Board of Directors. Any newly elected officer who fails to take their oath within the next two (2) meetings will be determined to have resigned from the position and the Board will appoint an interim officer to fulfill that term.

Section 5

In the event that elections are held in conjunction with the statewide Magistrate Training Conference(s) sponsored by the Office of the Executive Secretary of the Supreme Court of Virginia no nominations from the floor may be made to the slate of nominees presented by the Nominating/Elections Committee.

Section 6

Regional Board members may be elected by mail ballot, polling the members of each particular region.

Section 7

vacancies on the Executive Committee for an un-expired term of office, not already specified within these bylaws, may be filled by a majority vote of the Executive Committee.

Section 8

All Executive Committee members are expected to attend meetings. Following three absences during any term of office, by an Officer or Regional Board member, the Executive Committee reserves the right to replace that member.

Section 9

All officers and Regional Board members shall comprise the Board of Directors of the Association

Section 10

During elections or meetings, any demonstrations shall be limited to the main meeting room where the election or meeting is conducted. These demonstrations shall be under the control of the chairperson of the Nominating/Elections Committee, who shall serve as Marshal of Elections and preside over the election process. All candidates for office shall be responsible for the removal of any and all individual paraphernalia immediately following the election.

ARTICLE IX
FINANCES

Section 1

Dues and income shall be used to perform the objectives of the Association

Section 2

Upon dissolution of the Association, and all debts having been paid, any remainder shall be distributed to the Treasurer of the Commonwealth of Virginia

Section 3

An audit of VMA finances shall take place at least once in the two year term of the VMA President.

ARTICLE X
AMENDMENTS

Section 1

The bylaws must be amended by a two-thirds majority vote of the membership. This vote shall either be taken by mail ballot or at the next full convention of the membership.

Section 2

Any proposed amendment shall be submitted in writing to the Chairperson of the Constitution & Bylaws Committee and to the Secretary of the Association. The Constitution & Bylaws Committee shall review the proposed amendment and make recommenda-

tions to the Executive Committee as to the merit of the amendment. If the majority of the Executive Committee agree to the proposed changes then Secretary shall notify the membership of the proposed amendment and a vote of the membership shall be taken.

ARTICLE XI PARLIAMENTARY AUTHORITY

Section 1

The rules contained in The New Roberts Rules of Order [New American Library] shall govern the VMA in all cases to which they are applicable and in which these rules are not inconsistent with the bylaws of the Association.

Section 2

The President shall appoint a Parliamentarian to serve during the same term as the President. The Parliamentarian shall serve in advisory capacity regarding these bylaws and The New Roberts Rules of Order [New American Library]. The Parliamentarian may either be an officer, regional board member, or member-at-large. In the event the Parliamentarian is unable to attend any given meeting, The President may appoint another member to serve as parliamentarian for that particular meeting. The Parliamentarian shall have no additional rights or privileges to vote or make policy changes other than those already conferred upon him or her.

APPENDIX
REGIONS

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|-----------------|------------------------------|
| <u>Region 1</u> | Districts 27, 28, 29, 30 |
| <u>Region 2</u> | Districts 21, 22, 23, 24, 25 |
| <u>Region 3</u> | Districts 6, 10, 11, 12 |
| <u>Region 4</u> | Districts 16, 20, 26 |
| <u>Region 5</u> | Districts 17, 18, 19, 31 |
| <u>Region 6</u> | Districts 9, 13, 14, 15 |
| <u>Region 7</u> | Districts 2, 32 [2A], 3, 4 |
| <u>Region 8</u> | Districts 1, 5, 7, 8 |