

# **THE NORTH CAROLINA PRETRIAL SERVICES ASSOCIATION BYLAWS**

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## **ARTICLE I: NAME**

Section 1: The name of this entity shall be The North Carolina Pretrial Services Association.

## **ARTICLE II: PURPOSE**

Section 1: The purpose of the organization is to join together those persons in North Carolina who are working in the area of pretrial services, i.e. release, diversion, work release, house arrest, electronic monitoring, etc. and those persons who have an interest in this area in order to achieve the following:

1. Promote the exchange of information and ideas among pretrial professionals and others;
2. Insure the professional competence of Associations members through education, research, conferences, etc.
3. Increase the level of awareness of the practices and goals of pretrial services within the criminal justice system as well as with the public whom they serve;
4. Support and promote the legislative presumption of non-monetary pretrial release under the least restrictive conditions possible.

## **ARTICLE III: MEMBERSHIP**

Section 1: The members of the Association shall be those individuals, programs organizations or agencies who have formally applied for membership and paid the

membership dues for the current year and who have subscribed to the purposes and mission of the Association. Members shall belong to one of the following categories:

1. Organizational-Available to an association of persons which provides a public service. Full participating transferable membership for one member of the organization, on State Pretrial Directory if 5 or less members, 2 State Pretrial Directories for 6-10 members, 3 State Pretrial Directories for 11-15 members, 5 State Pretrial Directories for 15 or more members, a membership card for the designated member, voting and office holding rights for the designated member, membership certificate for the designated member and all related Association mailings and information.
2. Individual-Person(s) representing only themselves. Full participating membership for the subscribing individual, including voting and office holding rights, membership card, minutes of each meeting, 1 State Pretrial Directory, a membership certificate and all related Association mailings and information.
3. Affiliate-A person, business or college group/club subscribing to the purpose and goals of the North Carolina Pretrial Services Association, will receive 1 State Pretrial Directory, minutes of all meetings, a membership card, and membership certificate. Will be invited to attend all State meetings but will not have voting nor office holding rights.
4. Honorary-Person(s) or organization(s) who are deemed by the Executive Committee to be worthy of special consideration due to outstanding public service in support of the Association's purpose. Will receive 1 State Pretrial Directory, minutes of all meetings, a membership card and membership certificate. Will be invited to attend all State meetings but will not have voting nor office holding rights.

Section 2: Membership dues will be recommended by the Executive Committee and by majority vote at the annual business meeting.

Section 3: The fiscal year for which dues will be paid will be July 1 through June 30.

Section 4: Member benefits will include a membership certificate and membership card.

Section 5: Voting privileges will only be extended to individuals employed by government agencies or private, not-for-profit organizations.

## ARTICLE V: OFFICERS

Section 1: Officers of the Association shall consist of a President, A Vice-President, and Secretary, a Treasurer and the immediate Past President.

Section 2: Officers shall serve for a one-year term, and be eligible to run for two additional terms.

Section 3: Selection of officers shall be made by the membership of the Association at the annual business meeting, by majority vote.

Section 4: Officer vacancies due to termination, resignation or other reasons shall be filled by appointment of the President upon approval by the Executive Committee, with the exception of a vacancy in the office of the President. A vacancy in the office of the President shall be filled by the Vice-President, who shall fill the unexpired portion of the current term. All other officers appointed to fill vacancies shall serve in their offices only the remainder of the term of the terminated or resigned officer, but shall then be eligible to run for a full term in said office.

Section 5: No more than two officers from the same Pretrial Program shall serve at any one time. This excludes past-Presidents and Committee Members.

Section 6: Duties of the officers shall be as follows:

1. The President shall prepare the agenda and preside at all general membership meetings and all meetings of the Executive Committee. (S)he may sign and execute, in the name of the Association, all contracts, deeds or other instruments except in cases in which the signing and execution thereof have been expressly delegated to some other officer or agent of the Association by the Executive Committee. (S)he shall appoint chairpersons of all committees, and shall serve as an ex-officio member of all committees except the Nominating Committee. (S)he shall perform all duties as may be assigned to him/her by the Executive Committee.
2. The Vice-President shall perform such duties as the President and/or the Executive Committee may designate. In the absence of the President, (s)he shall perform the duties of the President.
3. The Secretary shall be responsible for maintaining the minutes of all meetings. (S)he shall see that all notices are duly given in accordance with the provisions of the Bylaws or as required by law. (S)he shall be the custodian of the records of the Association during his/her term of office. (S)he shall witness all documents on behalf of the Association. (S)he shall perform all duties incident to the office of secretary of an

association, and other such duties as may be assigned by the President or the Executive Committee.

4. The Treasurer shall have charge of and be responsible for all funds, securities, receipts and disbursements of the Association, and shall deposit, or cause to be deposited, in the name of the Association, all monies or other valuable effects in such banks or trust companies, or other depositories as shall be selected by the Executive Committee. (S)he shall render an account of the financial condition of the Association at each general membership meeting and each meeting of the Executive Committee. (S)he shall perform all duties incident to the office of treasurer of an association, and other such duties as may be assigned by the President of Executive Committee. Any disbursement of Association funds must be co-signed by the President, or his/her designee, and by the Treasurer.

5. The Past President shall assist in the planning and preparation for each annual conference and business meeting. (S)he shall perform such other duties as my be assigned by the President or the Executive Committee.

## ARTICLE V: EXECUTIVE COMMITTEE

Section 1: The Executive Committee shall consist of the President, the Vice-President, the Secretary, and Treasurer and one to two At-Large members elected by the Association members. The Past Presidents of the Association will be non-voting members, except that the immediate Past President may vote to break a tie vote of the Executive Committee. The At-Large members will serve a two year term. Any At-Large member who misses three quarterly meetings shall be subject to re-election at the next annual business meeting.

Section 2: The business and affairs of the Association shall be managed by the Executive Committee. The Executive Committee may exercise all of the powers of the Association between meetings of the membership and shall keep full and fair accounts of its transactions. The Executive Committee shall be responsible for developing the policies of the Association for consideration and possible ratification by the membership at the annual business meeting.

Section 3: Four members of the Executive Committee constitute a forum.

Section 4: The Executive Committee shall meet at least once per quarter during the program year; said year beginning on each July 1<sup>st</sup>. Special meetings of the Executive Committee may be called by the President, or by at least four members of the Executive Committee, upon submission to the President of a written request for a special meeting. If a special meeting is

called by at least four members of the Executive Committee, the President must schedule said meeting within three weeks.

## ARTICLE VI: MEETINGS

Section 1: At least one general membership meeting will be held during each program year, said year beginning on each July 1<sup>st</sup> and ending on June 30<sup>th</sup>, for transacting certain business of the Association.

Section 2: All members who have paid their dues shall be eligible to vote at general membership meetings according to Article 3, Section 5 of these bylaws.

Section 3: A majority of those members in good standing present at any general membership meeting shall constitute a quorum.

Section 4: Special meetings of the general membership may be called upon a submission of a written request to the President of the Association; said request to be signed by no less than 26% of the general membership. Upon receipt of such a written request, the President must schedule a general membership meeting within 45 days.

## ARTICLE VII: ELECTIONS

Section 1: The President, Vice-President, Secretary, Treasurer and At-Large Members shall be elected at each annual business meeting of the year the term expires, by a majority vote of those members present and in good standing.

Section 2: A slate of proposed officers and At-Large members will be presented by a Nominating Committee at the annual business meeting. The Nominating Committee will be composed of two or three members in good standing and will be appointed by the Executive Committee at the second quarterly meeting.

Section 3: Nominations from the floor for officers will be accepted from members in good standing of nominees who are present at the meeting or who have provided verification of acceptance of candidacy.

Section 4: Proxy voting for elections shall not be allowed.

Section 5: New officers shall take office on July 1<sup>st</sup> of each year.

## ARTICLE VIII: COMMITTEES

Section 1: The following shall be permanent committees of the Association:

1. Conference Committee
2. Membership Committee
3. Legislative Committee

The President shall recruit volunteers for the chairperson of all permanent committees. Committee chairpersons may then recruit volunteer members of the Association to their committees. Officers of the Association may serve as chairperson/committee members of the Association to their committees.

Section 2: The Executive Committee may create special committees upon recognition of the need for such committees. The President shall recruit chairpersons of special committees. Committee chairpersons may then recruit volunteer members of the Association to their committees.

Section 3: Committee chairmanships expire with the expiration of the President's term.

## ARTICLE IX: BYLAWS

Section 1: These bylaws may be amended by the general membership at any general or special meeting, providing the members have received written notice of the proposed changes at least thirty days in advance of the meeting.

Section 2: Amendments to the bylaws shall take effect when they have been approved by no fewer than two-thirds of the members present at any general or special membership meeting.

## ARTICLE X: PARLIMENTARY AUTHORITY

Section 1: This Association shall utilize Robert's Rules of Order as its parliamentary authority at all regular and special meetings of the Executive Committee and the General Membership.

\*These bylaws were initially adopted by the general membership of the North Carolina Pretrial Services Association at its meeting in Raleigh, N.C. on November 4, 1998. Membership categories were amended June 14, 1999.