

ELLIS COUNTY CRIMINAL DEFENSE LAWYERS ASSOCIATION BY-LAWS

ARTICLE I – NAME AND STATUS

The name of this organization shall be the Ellis County Criminal Defense Lawyers Association (ECCDLA, also referred to herein as the Association). It shall be a non-profit corporation organized under the laws of the State of Texas.

ARTICLE II – PURPOSES

The purpose of the Association shall be: To protect and insure by rule of law those individual rights guaranteed by the Texas and Federal Constitutions in criminal cases; to resist efforts to curtail these rights; to encourage cooperation between lawyers engaged in the furtherance of these objectives through educational programs and other assistance; and through this cooperation, education, and assistance to promote justice and the common good.

ARTICLE III – MEMBERSHIP

Sec 1. Regular Membership. An Attorney who is actively engaged in the defense of criminal cases in Ellis County, is eligible for membership in the Association. Upon ceasing active engagement in criminal defense, the membership is revoked except for those who retire from the practice of law.

Sec 2. Charter Membership. The charter members of the Association shall consist of members who, prior to April 28, 2000, signified their intention to join the Association as charter members and whose membership applications were subsequently approved by the Board of Directors.

Sec 3. Sustaining or Voluntary Sustaining Membership. A regular or charter member is eligible for such membership by the payment of dues established for such membership.

Sec. 4. Honorary Membership. A person who has made an outstanding contribution to the welfare of the goals of this association and has aided the achievement of the goals of this Association may be elected an honorary member of the Association. An affirmative vote of a majority of the Board of Directors is required to elect any honorary members. Honorary membership shall extend for an indefinite period.

Sec. 5. Student Membership. A person who is enrolled in a school of law in this state and resides in Ellis County is eligible for student membership in the Association.

Sec. 6. Affiliate Membership. A person active in a field which contributes regularly to the defense of criminal cases and the goals of the Association is eligible for affiliate membership in the Association. Examples include full-time professors of law or criminal justice, non-sitting judges, legal assistants and other support staff persons working for regular members, investigators, technical experts, law librarians, out-of-state lawyers and

other persons approved by the Board of Directors.

Sec. 7. Application for Membership.

- (a) Each application for membership must be endorsed by one member of the Association.
- (b) All applications shall be subject to approval by the president or executive director acting for the Board of Directors.
- (c) At the discretion of the Board of Directors, an attorney who does not meet the requisites of Article III, Section 1 may be admitted as a regular member if he or she is otherwise qualified. Any such decision of the Board of Directors shall be final and not appealable to the general membership.

Sec. 8. Voting. All members except honorary, affiliate and student members are entitled to vote as provided in Article V, Section 6.

Sec. 9. Revocation of Membership. Membership may be revoked for cause by calling a vote for such revocation by a three-quarters vote of the total members of the Board of Directors after notice and hearing.

Sec. 10. Membership Areas. The following are the membership areas of this Association:

ARTICLE IV – FINANCES

Sec. 1. Annual Dues. All dues shall be payable annually. Any member whose annual dues are more than three months in arrears shall cease to be a member of the Association in good standing.

Sec. 2. Dues Schedule. Until modified by the Board of Directors, the dues for all members are \$50.00 per year.

Sec. 3. Budget. The Board of Directors shall approve a budget annually to be voted on at the annual meeting to be held at the beginning of each fiscal year.

Sec. 4. Fiscal Year. The fiscal year shall be January through December of each year.

ARTICLE V – MEETINGS

Sec. 1. General Meetings. General meetings of the Association shall be held at a time and place fixed by the Board of Directors.

Sec. 2. Board Meetings. The Board of Directors shall hold regular meetings, at such time and place as designated by the President and approved by the Board of Directors.

Sec. 3. Special Board Meeting. The Board of Directors shall hold such special meetings as may be called by the President or upon written request by at least three members of the Board of Directors.

Sec. 4. Special Membership Meetings. Special meetings of the members of the Association may be held as the Board of Directors deems necessary.

Sec. 5. Notice of Meetings.

- a) Written notice of the general and board meetings shall be given to each member at least five (5) days in advance of the meeting.
- (b) Written notice of each monthly and any special meeting shall be given to each member at least five (5) days in advance of the meeting, including a proposed agenda for any special meeting. The agenda for a special meeting may be enlarged by approval of two-thirds of those present and voting at the special meeting.
- (c) Written notice here and elsewhere in these by laws is accomplished by email, fax, or posting on list serve or other social media.

Sec. 6. Voting.

- (a) A quorum of the general membership or the Board of Directors in good standing must be present to transact business. A quorum for a general membership meeting shall constitute 25% of members in good standing. A quorum for a Board of Directors meeting shall constitute four of the six members of the board.
- (b) The transaction of business at all meetings shall be by majority vote of the members in good standing present and voting.

ARTICLE VI – BOARD OF DIRECTORS

Sec. 1. Powers, Membership, and Terms.

- (a) The business and affairs of the Association shall be managed by a Board of Directors. The Board of Directors shall consist of the elected officers of the Association, the Immediate Past President of the Association and two other members of the Association. Directors shall be elected for a terms of two years. Term limits do not apply.
- (b) The Board of Directors shall have the responsibility for establishing rules to ensure the orderly election of the Board of Directors.

Sec. 3. Organization. The President of the Association shall serve as chair of meetings of the Board of Directors. In absence of the president, the President-Elect, or in his or her absence the Vice President, shall serve as chair.

Sec. 4. Procedures. The Board of Directors may act by telephone, by e-mail, or any method approved by the Board of Directors.

Sec. 5. Vacancies. A vacancy occurring in the Board of Directors caused by the death, resignation, or removal of the person elected thereto may be filled by appointment of any eligible member by the President, subject to confirmation by the Board of Directors.

Sec. 6. Removal and Absences. An elected officer, or director may be removed for cause by a vote calling for such removal by a majority of all the Board of Directors present at such meeting, after notice and an opportunity to be heard. Removal may result from failure to attend 3 consecutive meetings of the Board of Directors without good cause.

ARTICLE VII – OFFICERS

Sec. 1. Officers. The officers of the Association shall consist of a President, a Vice-President, a Treasurer/Secretary.

Sec. 2 Qualifications.

(a) All Officers shall be voting members in good standing with the State Bar of Texas and the ECCDLA.

Sec. 3. Duties of the President. The President is the chief executive officer of the Association, and shall supervise and coordinate the activities of the Association and preside at its meetings. The President shall appoint chairs to each committee.

Sec. 4. Duties of Vice-President. The Vice-President shall assist the President and shall also perform such other duties as may be prescribed by the Board of Directors. In the absence of the President and President-Elect, the Vice-President shall act as chief executive officer of the Association.

Sec. 5. Duties of Treasurer/Secretary. The Treasurer/Secretary shall oversee the financial affairs of the Association and the preparation of an annual budget to be approved by the Board of Directors.

The Treasurer/Secretary of the Association shall attend and assure that minutes of all meetings of the Association are kept and shall also perform such other duties as may be prescribed by the Board of Directors.

ARTICLE VIII – ELECTIONS

Sec. 1. Elections. At the beginning of each new fiscal year the Association shall elect all directors and officers, all elected officers and directors shall take office upon adjournment of the meeting.

Sec. 2. Nominations.

a) A voting member may nominate a qualified member for an officer.

Sec. 3. Notice of Nominees. The membership shall be given notice in writing of the nominees 30 days prior to the beginning of the new fiscal year. Such notice may be given by Email and shall also advise the membership that any qualified member in good standing may seek election for the Board of Directors and any officer position. Any disputed questions regarding an election shall be resolved by those members in good standing who are present and voting at the annual meeting.

Sec. 4. Voting Procedure. Votes will be counted by Email prior to the Annual Meeting and in person at the Annual Meeting.

ARTICLE IX – POLICIES OF THE CORPORATION

Sec. 1. Pronouncement or Declaration of Policy. No member of the Association shall officially make any pronouncement or declaration on a question of policy until it has been authorized by the Board of Directors except as provided in Section 2.

ARTICLE X – COMMITTEES

The President or the Board of Directors may approve and appoint any special or study committee as deemed necessary.

ARTICLE XI – PROCEDURE FOR VOTING

Sec. 1. Quorum. All business transacted by the Board of Directors shall be by majority vote of the quorum present. A quorum for the transaction of business is four members present, voting and in good standing. **SEE ART. VII, SEC. 1**

Sec. 2. Who Can Vote. The following persons may vote on any matter brought before the board: Any member of the Board of Directors, Officers, and Immediate Past President.

ARTICLE XII – AMENDMENT

These by laws may be amended by majority vote of the board members present and voting at the monthly board meeting.