

## **INTERNATIONAL ASSOCIATION FOR COURT ADMINISTRATION BYLAWS**

### **I. MISSION**

- A. To promote professional court administration and management in emerging democracies and other countries pursuing the rule of law;
- B. To sponsor international conferences, forums, and education and training programs on court administration and management;
- C. To serve as a resource for judges, court administrators and managers, and other government officials in search of ways in which to evaluate and improve court and justice systems.

### **II. OFFICERS**

- A. The officers of the Association shall consist of a president, a president-elect, the immediate past president, eight vice-presidents, a secretary general, a treasurer, a journal editor, a historian and such other officers as may from time to time be authorized and elected by vote of the board of directors. The initial election or designation of officers will provide for staggered terms of two to three years for the incumbents for purposes of achieving continuity and stability. Subsequently, officers shall be elected by the board of directors for a term of three years commencing at the biennial meeting of the board and shall serve until the new successors take office. The officers shall also be members of the board of directors. Seven of the vice-presidents shall represent the individual members of the seven geographic regions. An eighth vice-president shall represent court administration and management associations throughout the world.
- B. The president shall preside at all meetings, appoint the chair and members of all committees, except the executive committee, and be responsible for the conduct of the business and affairs of the Association.
- C. The president-elect, in the event the president-elect is unavailable, or a vice-president designated by the board of directors shall perform the duties of the president in the president's absence.
- D. The secretary general shall prepare and keep a minute book which shall include a record of the Articles of Incorporation and Bylaws and all amendments thereto and minutes of all meetings of the Association and of the board of directors. The minutes should be generated within three weeks of all meetings.
- E. The treasurer shall maintain all funds and accounts of the Association according to generally accepted accounting practices and procedures.

- F. Any vacancy in any authorized office may be filled by a majority vote of the executive committee, for the unexpired portion of the three-year term.

## II. BOARD OF DIRECTORS

- A. The board of directors shall consist of not more than 64 members. The board of directors shall be elected by the individual members of each geographic region. There shall be a minimum of five, but not more than eight board members from each region after the original designation. There shall also be not more than eight board members representing court administration and management associations. In addition, past presidents shall be ex officio members of the board of directors.
- B. Any member, director or officer of the Association shall be eligible to remain a regular member or to serve as a director and officer of the association coextensive with his or her employment in or by the Association.
- C. Following the initial election or designation of officers and directors for staggered terms of two to three years, members of the board of directors shall serve terms of three years. A director or officer may serve successive terms. No director may serve for more than three consecutive terms. The members of the Association within each region shall meet in each even numbered year to elect the allotted regional representatives to the board of directors of the Association and to discuss and recommend such programs as the members find to be reasonable and necessary to advance the objectives of the Association. Should members be unable to attend the meetings, a mail ballot may be utilized. The three-year term of each director shall commence on January 1 of the year following the director's election.
- D. Vacancies on the board of directors may be filled, until the next meeting of members from the geographic region in which the vacancy arose, by the majority vote of the members of the executive committee. A director elected or designated to fill a partial-term vacancy remains eligible for election to two full consecutive terms.
- E. The board of directors, upon the recommendation of the executive committee and contingent upon available funds, is authorized to employ or engage one or more persons to carry out the purposes of the Association.

## III. COMMITTEES

- A. The executive committee shall comprise the officers of the Association and the chair of the advisory council. In addition, the board of directors of the Association may from time to time provide, by resolution, for the election of not more than three additional directors to serve on the executive committee by virtue of their special expertise and for a term not to exceed three years. The president shall have the authority to appoint not more than two additional members of the Association to serve on the executive committee for a term not to exceed three years.
- B. The president shall chair the executive committee which shall have power to manage,

administer, and control the affairs of the Association between meetings of the board of directors. The executive committee is authorized to act for the Association as herein provided. At least annually, it shall report all actions taken to all members of the Association.

- C. The president is authorized to appoint a nominating committee from time to time. The nominating committee shall propose the names of one or more persons for election to each office to be filled. The regional boards of directors shall serve as the nominating committees of the vice-presidents.
- D. The executive committee shall appoint an advisory council which shall consist of distinguished professionals in the field of court administration, such as, judges, academics and ministers of justice. The advisory council shall advise the officers, executive committee and the board on policy matters. The chair of the advisory council shall serve for a three-year terms and shall be the immediate-past president of the Association.
- E. The president and the executive committee shall have joint discretionary authority to establish standing and/or ad hoc committees of the Association and to specify their terms and membership.
- F. A majority of the members of any committee shall constitute a quorum for the transaction of business, unless a greater number is required by vote of the board. The act of a majority of the members present and voting at a meeting at which a quorum is present shall be the act of the committee, unless the vote of a greater number is required by the board for approval.

#### IV. MEMBERSHIP CATEGORIES AND ELIGIBILITY

- A. The Association shall include two categories of memberships: individual and organizational.
  - 1. **INDIVIDUAL:** Individual memberships will be extended to those persons who meet the membership requirements. There will be three types of individual memberships: Regular, Associate, and Student.
    - a. **REGULAR:** Regular individual membership criteria will include (i) government employment as a senior-level official of a ministry of justice or court system in any sovereign country, (ii) an individual retired from a position that qualifies for regular individual membership in the Association.
    - b. **ASSOCIATE:** Associate individual membership criteria will include other senior professionals in a field related to court administration, i.e., prosecutors; administrative law judges, professors of law, public administration, public policy, etc., or public administrators.
    - c. **STUDENT:** Student individual membership will be extended to any college or university-level student (i) engaged in full-time study and pursuing a

career as an official in a justice ministry or a judicial or court system.

2. **ORGANIZATIONAL:** Organizational membership will be extended to those organizations that meet the membership requirements. The Association will include two types of organizational memberships; Regular and Associate.
  - a. **REGULAR:** Regular organizational membership will be available to regional or country-wide judicial and court-related associations of justice ministry and court system officials whose purposes and objectives are allied with or related to those of the Association.
  - b. **ASSOCIATE:** Associate organizational memberships will be available to government, quasi-governmental, and non-governmental organizations that provide or solicit grants to sponsor rule-of-law and judicial or court-system improvement and modernization projects in countries throughout the world.

## V. MEETINGS

- A. The global reach of this Association and the distances that separate its members, regional directors, and officers from each other mandates a policy of minimizing the face-to-face meetings of its board, committees and of the membership to the extent reasonable and possible to minimize travel costs. As a matter of policy to conserve Association funds, these bylaws contemplate the extensive use of electronic communication such as e-mail and the electronic transmission of documents in electronic format. Other means of conducting formal meetings include telephone and video conference calls.
- B. It is the intention of the Association to conduct the majority of its business by meetings of its executive committee and its board of directors. Whenever possible, in-person meetings of the executive committee, the board, and the membership shall be held in conjunction with international conferences or conventions of judicial and court officials, such as the NCSC International Court Technology Conferences or IACA meetings.. Special meetings of the executive committee, board, or membership may be held at any time or place as may be designated by the president and a majority of the executive committee.
- C. The executive committee shall meet at least biennially at a time and location designated by the executive committee.
- D. The board of directors shall meet at least biennially at a time and location designated by the executive committee.
- E. Conferences or other meetings designated for the membership shall be held at such times and places as are designated by the executive committee or by petition signed by not less than ten percent of the active membership of the Association.
- F. For a meeting of the board of directors, a quorum shall consist of one-third of the members thereof, plus at least two members of the executive committee.

- G. Notice of each meeting of the Board of Directors stating the place, date and hour thereof shall be given by e-mail, fax, mail or telegram not more than ninety days prior to the meeting. If transmitted electronically, such notice shall be deemed to have been received if a return receipt is confirmed.

## VI. VOTING AND RESOLUTIONS

- A. Except as otherwise provided in these bylaws, action taken at meetings of the executive committee, board of directors or the membership shall be by vote of a majority of the members present and voting. Voting by electronic means such as facsimile or e-mail or by regular mail, will be acceptable for votes of the board of directors, the executive committee, any other committee established pursuant to Bylaw IIIA-F or the membership.
- B. Each regular individual member or official representative of a regular organizational member of the Association and current<sup>1</sup> in the payment of the required dues, shall be entitled to vote. All regular members shall be entitled to one vote each, to be cast in person, by fax or by electronic mail upon any questions presented at any official meeting the Association. Voting by proxy is permitted. Associate and Student Members shall not be entitled to vote.
- C. No resolution shall be presented or published as a resolution of the Association unless adopted by (i) at least a two-thirds vote of the board of directors voting on the resolution, or (ii) a simple majority of the regular Association members voting on the resolution.

## VII. QUORUM

- A. A simple majority of the regular membership, represented either in person, by telephone, by fax or by electronic mail shall constitute a quorum at any meeting or for any vote of the Association. The secretary of the Association shall certify whether a quorum exists in the minutes of the Association.

## VIII. TERMINATION OF MEMBERSHIP

- A. The membership of any member who fails to pay dues within three months after the due date thereof shall thereupon terminate, subject to readmission on such terms as the Treasurer may fix with the approval of the Board of Directors.
- B. Any member may resign by filing a written resignation with the secretary. A resignation shall not relieve the member so resigning of the obligation to pay any dues or other charges theretofore accrued and unpaid, but payment of such dues or other charges may be waived by the treasurer.

---

<sup>1</sup> To be considered current in dues, a member must not be more than sixty (60) days delinquent in the payment of dues.

C. Membership in this Association is not transferable or assignable.

#### IX. DUES AND DONATIONS

A. Regular members shall pay annual dues in such amounts as may from time to time be set by the board of directors in furtherance of the Association's expenses and planned activities. Student member dues shall be discounted. The Association may accept gifts, grants, and bequests for the accomplishment of its objectives. Membership dues generally will be scaled to the economy of the country in which the members are resident. The Board of Directors may reserve the right to selectively waive the dues requirement for regular members from impoverished countries and governments.

#### X. REMOVAL

A. Any officer or board member shall be removed by two-thirds majority vote of the Board of Directors for malfeasance or misfeasance in the performance of official or Association duties. An opportunity for a hearing shall be afforded before a panel of board members selected by the president, or if the president is the official accused of malfeasance or misfeasance, the panel of board members shall be selected by the Secretary General.

#### XI. GEOGRAPHICAL REGIONS

A. The seven geographic regions are as follows:

1. Africa representing all countries in the African Continent;
2. Central Asia representing all countries in Central Asia;
3. Europe representing all countries in Western, Central, and Eastern Europe;
4. Middle East representing all countries in the politically defined Middle East<sup>2</sup>;
5. North America;
6. South and Central America, including Mexico
7. South-East Asia and Australia<sup>3</sup>.

---

<sup>2</sup>Afghanistan, Pakistan, Bahrain, Jordan, Iran, Iraq, Israel, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, Syria, Turkey, United Arab Emirates, and Yemen.

<sup>3</sup>Australia, Bangladesh, Brunei, Cambodia, India, Indonesia, Laos, Malaysia, Myanmar, New Zealand, Philippines, Sri Lanka, Thailand, and Vietnam