

AMENDED
MICHIGAN DISTRICT JUDGES ASSOCIATION
CONSTITUTION AND BYLAWS
2019

PREAMBLE

We, the Judges of the District Court of the State of Michigan, having been entrusted by the people of said State with the responsibilities and authority incidental to that office, in recognition that the future of our free and democratic society under God, depends for its perfection and maintenance upon the fair, impartial, independent, and efficient administration of justice, do hereby ordain and establish the Michigan District Judges Association Constitution and Bylaws, and do pledge ourselves to the attainment of the purposes and objects hereinafter set forth.

CONSTITUTION

Article I

NAME:

The name of the Association shall be the MICHIGAN DISTRICT JUDGES ASSOCIATION

Article II

OBJECTS AND PURPOSES:

The object and purposes of this Association shall be:

1. To further understanding and cooperation among members of the judiciary of the State of Michigan and members of the legislative and executive branches of state, county, and local governments.
2. To actively promote a public awareness of the functions, responsibilities and activities of the District Court in the State of Michigan.
3. To actively promote and support activities designed to improve and maintain a sound and efficient administration of justice in the District Court.
4. To encourage among members of the Association and the practicing bar, the highest level of judicial and legal competence.

Article III

MEMBERSHIP:

Active members of the Association shall consist of all persons serving as Judges of the District Court and the State of Michigan, including Probate Judges also serving as District Judges, Judges

of Municipal Courts in Michigan, Michigan Tribal Court Judges and retired Judges who have paid their annual dues and otherwise complied with the provisions of the Constitution and Bylaws of this Association. Honorary members shall consist of former active members who are no longer Judges and whose membership application has been approved by majority of those members of the Board of Directors present and voting on the questions and who have otherwise complied with the requirements set forth in the Constitution and Bylaws of this Association.

Article IV

OFFICERS AND THEIR ELECTION:

The officers of this Association shall consist of a Past President, President, President Elect, Vice-President, Secretary and Treasurer, who shall be elected by a majority vote of the active members present at the annual meeting registered at the time the vote is taken provided that the office of Past President will automatically be filled by the President and the office of President will automatically be filled by the person elected to be "President-Elect" the previous year. When there are two or more nominees for any office, then the vote shall be by written ballot. They shall take office on January the First, following their election, and shall serve for one calendar year.

Article V

MEETING:

Section 1. This Association shall have an annual membership meeting to be held at a time and place designated by the Board of Directors which shall be known as the annual meeting. Additional general membership meetings of the Association may be called at the option of the President or the majority of the Board of Directors, to be held in a manner specified in a notice given to members in good standing. Forty (40) members shall constitute a quorum at the annual or any general membership meeting. A quorum must be present to vote on any matter except adjournment.

Section 2. The Board of Directors and Committee meetings are scheduled by the President and Committee Chairs to be held in a manner specified by the President or the Committee Chairs as are needed to conduct business of the Association. Meeting of the Board of Directors and Committees may be conducted by telephone, electronic media or similar communication modes in the same manner as provided herein. A majority of the Board of Directors constitutes a quorum for voting on any matter except adjournment of a meeting.

Section 3. Notice of any membership meeting shall be given by the Secretary at least 28 days before the meeting. Notice to amend either the Constitution or the By-Laws shall be given by

either the Secretary or other proponent of an amendment at least 14 days prior to the meeting at which the proposed amendment is to be considered.

Notice may be given in a manner specified by the Board, such as by mail, through a digital medium, benchmarks, posted on the official website of this organization, or in a manner otherwise specified by the Board. Any dispute regarding the adequacy of the notice shall be resolved by a majority of the Members present and voting.

Article VI

MEMBERSHIP DUES:

The annual dues shall be in the sum as set annually at the initial meeting of the Board of Directors and shall be payable to the Treasurer of the Association on or before the last day of the first month thereafter. Membership dues are considered a proper expense of the office that the individual and the membership of a member who shall resign, is deceased, or is removed during the course of the year shall devolve on the successor without further payment of dues for that year.

Article VII

AMENDMENTS:

This constitution may be amended by a two-third's vote of those active members registered and attending any annual meeting or other general membership meeting at the time the vote is taken. An amendment shall become effective at the adjournment of the meeting at which it was adopted.

BYLAWS

Article I

ELECTION OF OFFICERS:

Section 1. There shall be a Nominating Committee consisting of the President and two members elected from the Association at the annual meeting. No later than June 1 prior to the date of the Annual Meeting, the Nominating Committee shall send a notice to the full membership of the Association indicating the following:

- (1) All positions which will be elected at the annual meeting,
- (2) The names of all incumbent Regional Directors seeking reelection,

- (3) The names of all incumbent officers seeking election and the position they intend to seek,
- (4) The procedure for expressing interest in nomination by the committee, and
- (5) A statement of all of the options for nomination.

The notice shall be in writing and may be sent by U.S. mail or through a digital medium to each member. The Committee may also actively solicit specific nominees to run for any office(s). If there is more than one applicant for a position, then the Committee may draft and distribute questionnaires to all such applicants pertaining to the interest and qualifications of the applicants to serve. If there is more than one applicant for a position, then the Committee may arrange to interview all such applicants, in person or by video or phone conference call or any other manner agreed upon. The Nominating Committee shall select one nominee for each office to be filled, including the elected members of the Nominating Committee, except as otherwise provided in the case of Regional Directors. Notice of the nominees shall be given to all members of the Association in good standing 14 days prior to the annual meeting. Immediately following the report of the Nominating Committee, an opportunity shall be given for nominations from the floor. Only those members who have consented in advance to serve shall be eligible for nomination either by the committee or from the floor. Members of the nominating committee are not eligible to be nominated by either the committee or from the floor.

Section 2. A vacancy, due to resignation, death, or removal from judicial office, occurring in any office shall be filled for the unexpired term by a person elected by a majority vote of the remaining members of the Board of Directors, except the office of the President which shall automatically devolve upon the President-Elect.

Article II

DUTIES OF THE OFFICERS:

Section 1. The President shall preside at all meetings of the Association and of the Board of Directors and shall perform all duties and functions which are incidental to the office including the appointment or removal of the Chairs and Co-Chairs of all standing committees and the appointment and dissolution of all annual committees and the Chairs and Co-Chairs of the annual committees. The President shall not appoint or remove members of the Nominating Committee.

Section 2. The President-Elect shall act as an aide to the President and shall act in the absence of the President and perform such duties as the President may assign.

Section 3. The Vice President shall act as an aide to the President and shall act in the absence of the President-Elect and shall perform such duties as the President may assign.

Section 4. The Secretary shall perform all duties customarily instrumental in connection with the office; record the minutes of all meetings of the Association and of the Board of Directors;

perform such other duties as may be delegated to the office; preserve the records of the Association; and be responsible for passing such records on to the successor in office.

Section 5. The Treasurer shall collect and receive all monies payable into the Association and pay out the same on orders containing those signatures as required by resolution of the Board of Directors when payment therefore has been authorized either by the Association or the Board of Directors, and shall perform such other duties as are customarily instrumental to that office including the preparation of an annual budget for the Association to be submitted for Board approval at the first Board meeting of the year. The Treasurer shall prepare and present an accurate financial report to the Association at the annual meeting and shall make such other reports as are called for by the President or the board of Directors. The Treasurer shall be bonded for amount set by the Board of Directors not later than December 31st of the preceding year.

Article III

BOARD OF DIRECTORS:

Section 1. The Board of Directors shall consist of the six Officers, the Regional Directors and the Chairs (including Co-Chairs) of the current standing committees and annual committees, and shall not exceed a total of 22 members. Each Director may vote on Board actions. The function and purpose of the Board of Directors shall include but not be restricted to bringing about the following:

- (a) To conduct the affairs of this Association in the best interest of the citizens of the State of Michigan and of the members of the Association.
- (b) To promote and preserve the independence and integrity of the judiciary of the State of Michigan.
- (c) To work steadfastly for sound and efficient administration in the district court including the improvement of rules of procedure and legislation affecting the administration of justice in the State of Michigan.
- (d) To conduct programs and activities designed to promote confidence on the part of the public in the judicial system and of the State of Michigan and to inform the public as to the function and responsibilities of the district court.

REGIONAL DIRECTORS:

Section 2. Regional Director Districts are identical to the State Court Administrative Office Regions. The Regional Directors shall be a liaison between the Association and each of the State Court Administrative Office's Regional Administrators and shall report to the Board such regional activities and regional issues that concert district court judges and their constituents. A Regional Director from each district shall be elected at the annual meeting by the general membership to serve a term of one year commencing the following January 1st.

Candidates for Regional Director may be nominated in one of three ways:

1. By petition, signed by five Association members, and signed by the candidate to indicate the willingness of the candidate to accept the duties of the office. The petition must be filed with the President at least fifty six (56) days before the start of the annual meeting or;
2. By nomination by the Nominating Committee. If no candidate has been, within the time allowed, nominated by petition, the Nominating Committee shall, with the consent of the candidate, nominate one person for each vacancy or;
3. With the written consent of the candidate, filed with the President before the commencement of the elections at the annual meeting, any active member may nominate any other active member as a write-in candidate for Regional Director.

STANDING COMMITTEES AND FUNCTIONS:

Section 3. The standing committee of the Association and their functions shall be as follows:

The Program Committee shall provide a program and make all necessary arrangements for the annual meeting, other general membership meetings and other events as directed by the Board.

The Legislative Committee shall take an active interest in the legislation affecting the welfare of the members of the association, the function and responsibilities of the district court, the public served by the District Court, and keep the members informed in regard to such legislation.

The Rules Committee shall study and promote changes in rules and forms that advance the just and efficient administration of justice in the District Courts of the State of Michigan.

The Communication Committee, chaired by the Benchmarks editor in addition to any co-chair, shall gather and publish information of specific interest to the membership of the Association in "Benchmarks". A summary of the activities of the Board of Directors shall also be included in each issue of "Benchmarks". The committee shall also promote and support activities to bring about increased public awareness of the activities of the District Court for the purpose of increasing interest and respect in the Administration of Justice, and promote effective and ethical use of social media.

The Membership Committee shall solicit and maintain memberships in the Association. The Committee shall:

- a. organize general regional meetings across the state as directed by the President,
- b. inform new judges about the Association and its purposes and solicit their membership in the Association,
- c. contact lapsed members regarding membership renewals,
- d. create and maintain a membership application and a membership pamphlet,
- e. suggest to the Board for adoption any programs and benefits of interest to the membership, and
- f. work as a liaison with the Program Committee to address membership concerns in planning the Annual Conference.

ANNUAL COMMITTEES:

Section 4. Annual committees may also be created by the President-Elect following the procedure set forth in Section 5. The President-Elect shall name each annual committee and provide the Board a written description of duties for each. All annual committees exist for one year unless continued by the next President-Elect.

COMMITTEE CHAIRS:

Section 5. With the advice and consent of the outgoing Board of Directors, the President-Elect shall appoint the Chairs and Co-chairs of the standing committees, and annual committees. The President shall make these appointments at the last meeting of the year, prior to the beginning of the President's term in office. After the commencement of the term of office of a President no additional directors may be appointed except to replace an appointed director who dies, ceases to hold office as a District Judge, resigns or is removed from the Board. With the advice and consent of the Board of Directors, the President may appoint a member to fill the vacancy for the remaining term.

REPLACEMENT OF REGIONAL DIRECTORS

Section 6. A duly elected Regional Director who dies, ceases to hold office as a district judge, resigns from the Board or fails, without valid excuse, to attend three consecutive meetings of the Board of Directors, or fails, without valid excuse, to attend any six meetings in one calendar year, vacates the office of regional director. With the advice and consent of the Board of Directors, the President shall appoint a Regional Director to complete the term.

COMMITTEE MEMBERSHIPS

Section 7. Except as expressly otherwise provided herein the President shall appoint all members of all committees and designate the Chair or Co-Chair thereof and may revoke the same. The President may appoint an Officer or Regional Director as Chair or Co-Chair of any committee. All officers and the immediate Past President are ex-officio members of all committees except the nominating committee.

Article IV

PARLIAMENTARY AUTHORITY:

Robert's Rules of Order Newly Revised shall govern all meetings of the Association and proceedings of any committee formed or appointed pursuant to these Bylaws in all cases not provided for in the Constitution or Bylaws of the Associations.

Article V

AMENDMENTS:

These Bylaws may be amended in like manner and effect as provided for amendments to the Constitution of this Association.

Last Amended and Approved August, 2019 at the Annual Meeting