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BY- LAWS OF THE ALABAMA
MUNICIPAL COURT CLERKS AND MAGISTRATES ASSOCIATION

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BY- LAWS OF THE ALABAMA
MUNICIPAL COURT CLERKS AND MAGISTRATES ASSOCIATION

ARTICLE 1: NAME AND PURPOSE

- 1.1 **NAME:** This organization shall be known as the Alabama Municipal Court Clerks and Magistrates Association, and shall be referred to herein as the "Association". The Board of Directors of the "Association" shall be referred to herein as the "Board". The President and Vice-President of the "Association" shall be referred to by the name of the particular office; and, the general membership of the "Association" shall be referred to herein as the "Membership" or as the "Member" or "Members".
- 1.2 **PURPOSE:** The purpose of the Association shall be to gather and study information in order to develop and improve methods of Municipal Court Administration; to develop and improve technical, administrative and educational standards for municipal courts and municipal court personnel; to support the interest of the judicial branch of government with respect to training, certification, continuing education and procedural reviews; to disseminate information to the "Membership"; and, to foster and promote the Association within the State.

ARTICLE 2: MEMBERSHIP

- 2.1 **LEVELS OF MEMBERSHIP:**
- (a) **ACTIVE MEMBERSHIP:** Shall be comprised of any municipal court clerk, magistrate or judge, actively serving in a full time or part time position with any municipal court in the State of Alabama.
- (1) Active Membership rights include serving on the Board of Directors, as an Officer of the Association and one member vote on issues before the Association, except that no sitting municipal court judge may serve on the Board of Directors or as an Officer of the Association.
- (2) Dues for the Active Membership shall be One Hundred Dollars (\$100.00) per year payable before January 1, or each calendar year beginning January 1, 2009. The Dues increase to One Hundred Fifty Dollars (\$150.00) if they are paid on or after the 5th of January of the year they are due.
- (3) Dues for large courts, with 10 magistrates or more shall be One Thousand Dollars (\$1,000.00) per calendar year beginning January 1, 2009. The dues plus fees will amount to One Thousand Five Hundred Dollars (\$1,500.00) should the annual dues be paid on or after the 5th of January in the year they are due.
- (b) **ASSOCIATE MEMBERSHIP:** Any attorney who serves as a judge pro tem in a municipal court in the state of Alabama shall be eligible to become an associate member of this Association after being sponsored by an active member for membership, and a majority vote in favor of their membership at any meeting of the Association or its Board of Directors.
- (1) Associate Membership rights include one member vote on issues before the Association however, an associate member may not serve as an officer or board member of the association.
- (2) Dues for Associate Members shall be Fifty Dollars (\$50.00) if paid by the 5th of January of each year beginning January 1, 2009, otherwise, a late fee of Twenty Five Dollars (\$25.00) will be added to the amount due.

- (c) **RETIRED MEMBERSHIP:** Any prior Active or Associate Member may retain their membership upon retirement from their position should they so desire.
 - (1) Retire Membership rights include one membership vote on issues before the Association, however, a retired member may not serve as an officer or board member of the association.
 - (2) Dues for the Retired Members shall be Twenty Five Dollars (\$25.00) if paid by the 5th of January of each year beginning January 1, 2009, otherwise, a late fee of Ten Dollars (\$10.00) will be added to the amount due.

- 2.2 **TERMINATION OF MEMBERSHIP:** Any Member of the Association shall automatically cease their membership upon failure to pay dues in full (may renew their membership upon payment of dues within 45 days of the due date), or; is dismissed from employment by their Municipality for conduct unbecoming a court clerk or magistrate. Judges, or any attorney who holds an associate membership, who cease to be a member of the Alabama Bar Association shall automatically lose their eligibility for membership in the AMCCMA.

ARTICLE 3: ASSOCIATION MEETINGS

3.1 ANNUAL MEETING

- (a) The annual meeting for members shall be held during the month of June, July, August or September, within the state of Alabama. The date, time and location shall be determined by the Officers and Board of Directors.
- (b) The dates, times, location and agenda for the annual meeting for members shall be published to all members at least One Hundred Twenty Days (120) in advance of said meeting.
- (c) The annual meeting for members shall be the first item on the agenda of the first day of the annual conference.
- (d) Elections will immediately follow the annual meeting for members.

3.2 REGULAR SCHEDULED BOARD MEETINGS

- (a) There will be four (4) regular scheduled board meetings held within the calendar year. A regular scheduled board meeting may be held with any of the five (5) voting members in attendance. Voting members not in attendance may vote via phone for two (2) of the four (4) regular scheduled board meetings.

3.3 SPECIAL MEETINGS

- (a) A special meeting of the board may be called by the President or by a majority of the members of the Board of Directors. Said meeting will follow the specific agenda for the purpose of the meeting being called and no other business of the association will be considered at that time. At least thirty (30) days notice shall be given for each special meeting.
- (b) No special meeting of the Association may be held without a Quorum present.

- 3.4 **QUORUM:** A Quorum consists of any three (3) of the five (5) voting members.

ARTICLE 4: BOARD OF DIRECTORS

4.1 POWERS AND FUNCTIONS:

- (a) The Alabama Municipal Court Clerks and Magistrates Association (AMCCMA) does hereby create a board of directors consisting of the following:
 - President of the Association (Two Year Term)
 - (Votes only to break a tie vote by the Board)
 - President Pro-tem of the Association (Non-voting member) (Two Year Term)
 - Vice-President/President-Elect (Voting Member) (Two Year Term)
 - Secretary/Treasurer (Non-Voting Member) (Four Year Term)
 - Elected Members at Large (FOUR) (Voting Members) (Three Year Term)
- (b) The elected members at large will act in a voting capacity on all financial and organization issues of the Association.

4.2 ELIGIBILITY FOR ELECTION TO THE BOARD OF DIRECTORS

The seat of vice-president is an elected position on the board of directors. Board member places 1, 2, 3 and 4 are elected positions on the board of directors. To be eligible for nomination for any of the five (5) elected positions on the board of directors, a nominee must meet the following requirements:

- (a) Must be a member of the association in good standing;
- (b) Must be a certified court clerk or magistrates and
- (c) Must be in attendance at the annual meeting.

4.3 REMOVAL FROM OFFICE: Any officer or member of the Board of Directors who fails to attend Two (2) meetings of the board without adequate reason determined by the remaining board members and officers after the member has an opportunity to discuss same with the board, shall be removed from that office or as a member of the board and their term will be filled by another member chosen by the president and ratified by the remaining board members. The vote to remove the officer or board member and ratify the member chosen to replace them must pass with Four (4) members in favor.

4.4 DUTIES OF THE BOARD OF DIRECTORS

- (a) **PRESIDENT:** The President shall preside over the annual meeting, shall be responsible for normal business of the Association, on a day to day basis, under the direction of the Board of Directors, Articles of Incorporation and By-Laws. The President shall preside at the meeting of the Board of Directors as described in Article 3.
- (b) **PRESIDENT PRO TEM:**
The President Pro Tem shall act in an advisory capacity. This position is a non-voting position on the board.
- (c) **VICE-PRESIDENT/PRESIDENT ELECT:**
The President Elect is the first assistant to the President of the Association and shall preside at the Annual Meeting, Board Meetings and any special called meeting in the absence of the President.

(d) **SECRETARY/TREASURER:**

The Secretary/Treasurer shall be employed as a three (3) year independent contractor for the Association.

- (1) The Secretary/Treasurer shall maintain and keep all records of meetings, legal and business transactions and annual elections.
- (2) The Secretary/Treasurer shall attend the Annual Conference. The Secretary/Treasurer shall be responsible for all accounts receivables and accounts payable. An accounting of the Association treasury shall be distributed to the Officers of the Board.
- (3) The position of Secretary/Treasurer shall be a non-voting position-appointed by the President and confirmed by the Board of Directors. The Secretary/Treasurer is specifically designated as an independent contractor position. The contract fee is to be set by the Board of Directors.
- (4) The Secretary/Treasurer is responsible for keeping records on the expiration date of each board seat.
- (5) The Secretary/Treasurer shall not draw any check against said account of the Association or create any obligation against said account funds except when authorized by the President of the Association.

(e) **SEATS ON THE BOARD OF DIRECTORS**

- (1) All corporate powers shall be exercised by and under the authority of the appropriate Officer and the Board of Directors. All business matters shall be managed with the direction of the Board of Directors.
- (2) The number of seats on the Board of Directors shall be as above with a total of Five (5) voting members and One (1) non-voting member. The President of the Association votes only in the event of a tie vote of the board. Members of the Board of Directors and their voting capacity at any Board Meeting are as follows:
 1. President of the Association – Tie breaking vote only
 2. President Pro Tem – Non-voting member of the Board
 3. Vice-President/President-Elect – Voting member of the Board
 4. Elected Members at Large (4 seats) – Voting Member of the Board
 5. Secretary/Treasurer (contract employee) – No Board Vote
- (3) The seat of the President is not subject to election at the annual conference. The term of office for the President is two (2) years. In the event the President dies, resigns, becomes incapacitated or is otherwise removed from office, the Vice-President shall assume the unexpired term of the President. At the end of said term, the Acting President shall then fill his/her two year term as President based on his/her elected term as Vice-President.

- (4) The seat of the Vice-President is subject to election at the annual conference. The term of office for the Vice- President is two (2) years. In the event the Vice-President dies, resigns, becomes incapacitated, has to fill the remaining term of office of the President, or is otherwise removed from office, the Board shall appoint a member in good standing to fill the unexpired term of the Vice-President. At the end of said term, the Vice-President shall then fill the two year term as President. Therefore, the office of Vice-President will be up for election.
- (5) The seats of the elected members at large are subject to election at the annual conference. The term of office for the elected members at large is three (3) years. In the event any elected member at large dies, resigns, becomes incapacitated, moves up to fill the term of vice-president or otherwise removed from office, the Board of Directors shall appoint a member of the association to fill the unexpired term of said elected member at large (board member). To ratify the member chosen the vote must pass with Four (4) members in favor.
- (6) The Board of Directors shall establish an appropriate chain of responsibilities for any organization structure and committees which it may create.
- (7) All terms will begin at the end of the annual association meeting.
- (8) All scheduled board meetings will be attended by the president, vice-president and the (four) 4 elected members at large and the secretary/treasurer. The board shall meet a minimum of four (4) times per year.

ARTICLE 5: EXPENSES

5.1 BOARD OF DIRECTORS

The following expenses will be paid for the President, Vice President and the four (4) elected board members at large:

- (a) AMCCMA Annual Conference
 - 1. Registration Fee - If the board member registers on his/her own, to request reimbursement the board member must submit a claim, along with the judicial college receipt
 - 2. Lodging Fee for three (3) nights – If the board member pays the lodging fees on his/her own, to request reimbursement the board member must submit a claim, along with the original receipt of payment from the hotel.
 - 3. Mileage - to and from the conference at the current state rate per mile, unless the board member drives a city vehicle or the conference is held in the member's home town
 - 4. Per Diem – three (3) days at \$75.00 per day (based on over-night stay involved) and one (1) day at \$30.00 per day (based on no over-night stay involved).
- (b) Mileage to and from any regular scheduled board meeting or special board meeting based on the current state rate per mile. (No mileage will be reimbursed if the board member drives a city vehicle or if the meeting is held in the board members home city)
- (c) Actual mileage incurred during the performance of an official task for the Board. (No mileage will be reimbursed if the board member drives a city vehicle)

- (d) Purchases made on behalf of the Board. (must submit the original receipt – no photo copies will be accepted)

5.2 SECRETARY/TREASURER

The Secretary/Treasurer shall be reimbursed for all actual expenses incurred during the performance of her duty.

- (a) AMCCMA Annual Conference
 1. Registration Fee - unless the Alabama Judicial College waives the registration fee.
 2. Lodging Fee for three (3) nights – unless the Alabama Judicial College adds the room fees to the master bill.
 3. Mileage - to and from the conference at the current state rate per mile.
 4. Per Diem – three (3) days at \$75.00 per day (based on over-night stay involved) and one (1) day at \$30.00 per day (based on no over-night stay involved).
- (b) Mileage to and from any regular scheduled or special board meeting. (no mileage paid for meetings held in Montgomery)
- (c) Actual mileage incurred during the performance of an official task for the Board.
- (d) Purchases made on behalf of the Board. (must submit the original receipt – no photo copies will be accepted)

5.3 MILEAGE RATE

The rate of pay per mile will be based on the current rate paid by the State of Alabama.

CERTIFICATION OF ADOPTION

The undersigned Secretary/Treasurer of the Alabama Municipal Court Clerks and Magistrates Association hereby certifies that the preceding By-Laws were duly approved and adopted by a majority vote of the Membership present in person at the annual meeting held on the 3rd day of June 12, 2011.



Joy Evans, Secretary/Treasurer
Alabama Municipal Court Clerks and Magistrates Association