

NATIONAL JUDGES ASSOCIATION

An Association of Judges of Limited Jurisdiction

Council of State Representatives Policies

As Amended

June 5, 1988

June 9, 1988

May 12, 1991

May 9, 1993

November 11, 1993

May 10, 1995

November 5, 1999

June 17, 2001

May 7, 2002

June 22, 2003

May 16, 2004

May 21, 2006

June 26, 2007

October 11, 2007

October 29, 2008

October 10, 2009

June 20, 2010

October 10, 2010

Accepted at the Board of Directors Meeting of the NJA, 21 June 1987, at Jackson, Wyoming and to supercede any and all previous Board of directors Policies and approved guidelines, in accordance with NJA By-Laws.

The following Policies of the Council of State Representatives shall be binding on all actions of the Council of State Representatives, the Executive Committee and all appointed Committees, unless amended by two-thirds majority vote of the Council of State Representatives at any meeting.

1. The FIRST PRESIDENT of the NJA, Zane E. Azbarea, shall be carried as a Life Member with no dues payment required.
2. THE MACEACHERN AWARD - The following rules shall apply regarding the MacEachern Award, hereinafter called the Award:

- A. The Award committee shall consist of past recipients of the Award, in good standing and the Executive Director. The Executive Director shall not have a vote unless he or she is a past recipient of the Award.
- (1) A Quorum of this committee shall consist of a majority of the registered committee members present at each Conference.
 - (2) The award committee shall elect a Chairperson annually to preside over the meetings, take notes of the meetings and forward material from the meetings to the other members of the committee. The Executive Director shall be prohibited from being elected as the Chairperson.
- B. Nominations shall be submitted to the Executive Director by March 1st each year on NJA Form 3. Any nominations received after March 1st shall not be considered for that year but be held over to the following year.
- C. NJA Form 3 shall be available at the Annual conference and reprinted in the January issue of THE GAVEL with explanation of its purpose therein. The October issue of THE GAVEL shall summarize the Award and state the forms are available from the Executive Director.
- D. Upon receipt of all nominations, the Executive Director shall immediately forward copies of the nominations, ballots and any supporting materials to each member of the Award committee. The Committee members shall in turn submit the results of their voting to both the Chairperson and the Executive Director no later than the 15th of April. The Award Committee members must register their votes for first, second and third choices. The chairperson and the Executive Director shall then confer and confirm the ballots they each received match one another. In the absence of a majority vote, the Executive Director and the Chairperson shall submit via conference call to each one of the members the names of the top three nominees for a final decision.

- (1) In the event of a tie vote, the Executive Director shall mail a second ballot to each member of the committee and a new vote shall be taken the same manner as above by each member sending a copy of their ballot to the Executive Director and the Chairperson. If after the second ballot a tie still exists, the Executive Director shall mail a third ballot to all members except the Chairperson, and a new vote shall be taken in the aforementioned manner. The Executive Director and Chairperson shall confer and confirm the ballots as above.
- E. No past recipient of the Award may nominate, endorse, solicit endorsements, or campaign for any nominee. Should it be determined this has taken place the nominee's name shall be withdrawn from consideration for a period of two (2) years.
 - F. At the presentation of the Award only the biography of the winner shall be read. Of the three finalists, the two runners-up shall receive their certificate through the mail immediately following the Annual Conference. At no time shall the name or names of the other nominees be disclosed.
 - G. Any nominee not winning the award may be re-nominated the following year and the same documentation may be used for judging. No nominee may be carried over for more than one (1) year. The 1992-93 nominees are herewith grand-fathered for a period of one year. The Executive Director shall write to the nominator of those runners-up to determine if they wish to have their candidate re-nominated for the following year.
 - H. All information regarding the Award is to be held in strictest confidence; however, the voting members may share information regarding the nominees with any other voting member. The final outcome of the voting shall not be revealed to any person prior to the actual presentation.
 - I. The Junior Past Recipient shall present the award to the current recipient. Should the Junior Past Recipient not be available, another shall be named by

the Executive Director to make the presentation.

- J. The committee shall not be required to present the Award if it deems the nominee or nominees are not qualified to receive it.
 - K. No past recipient shall be nominated for a second Award.
 - L. The Chairperson of the Committee shall be responsible for an article regarding the current recipient in the first issue of THE GAVEL immediately following the annual meeting.
 - M. The top nominee shall be invited to the Annual Conference by the Executive Director. His registration fee, but not travel costs nor per diem, shall be paid by the Association with an appropriate check to the Conference Committee, along with a simple note that this person's fee is being paid for, but with no explanation. In addition, the winner will be awarded at least \$200.00. If the winner of the Award does not attend the annual conference, neither the registration fee nor the \$200.00 will be paid. The Executive Director is responsible for bringing the Plaque, properly inscribed, to the Conference. This Plaque is an Association expense.
3. A proposed BUDGET for the next organizational year shall be prepared by the Finance Committee and submitted to the General membership at the annual business meeting. No budget shall project a net deficit. No expenditures shall be made except as provided by the budget, except for those associated with the annual conference and governed under policy numbers 2 and 4; provided, however, the Executive Committee may approve budget amendments between line items and/or emergency amendments not to exceed \$500.
4. ANNUAL CONFERENCE - Conference site proposals shall be submitted two years in advance to the Council of State Representatives at its annual conference meeting. Selection of the annual conference site for two years hence shall be made at the Fall Meeting of the Council, with recommendation to the general membership meeting following. Site proposals shall consist of a general prospectus,

proposed program and schedule (with specific dates), and a proposed budget. The Council shall not approve a budget that does not realistically forecast a net income. The Council shall then designate the Conference Chairperson, who is authorized to:

A. The Council of State Representatives will dictate an amount and a time in which that amount will be advanced to the Conference Host Committee, and the advance should be returned.

(1) The conference chairperson shall prepare a final, written, conference financial report to be presented to the Council at its Fall Meeting following the annual conference. The conference chairperson shall forward the net conference income, along with a copy of the report, to the Executive Director/Treasurer to be deposited in the general account of the Association within sixty (60) days of the close of the conference.

(2) Open and maintain a checking and/or savings account in the name of the Association, to deposit funds into same and to draw checks on same for the purpose of paying conference expenses, consistent with the approved budget and Policy on conference expenditures. A second signature shall be registered on this account, preferably by a member of NJA who resided in another state, but two signatures shall not be required on checks.

(3) Receive registration fees, contributions and other monies on behalf of the Association, as income for the conference.

(4) Make commitments and incur expenses in the name of the Association consistent with approved conference budget.

(5) Enter into written agreements on lodging and meeting rooms.

(6) Commit the Association conference to payment of travel costs (but not honoraria or remuneration) for speakers, consistent with the approved program and budget, and in keeping with Policies

on conference expense.

- (7) Repealed May 20, 2006
- (8) Annual Conference EXPENSES shall be governed by the following, which shall be paid by the conference committee, not the Association general fund.
 - a. Provision of a room for the President at Conference. If not used by the President, it will be provided for the President-Elect, at single rate.
 - b. All provisions for the Executive Director are an NJA Budget line item, not a Conference expense.
 - c. NO additional expenses will be paid for any officer, including meals, room service, telephone, etc. Conference facility is instructed to bill occupants for such expenses - NJA WILL NOT PAY.
 - d. NJA will provide hospitality room, beginning with the day of registration and ending with the awards banquet, with a NO HOST bar available. Any alcohol in the hospitality suite will not be purchased by Organization funds.
 - e. Conference facility is instructed NOT to accept any telephone charges on hospitality room telephone, nor any room service charge for this room.
 - f. Room rate (single), coach class air travel, or lower and actual meal costs for out-of-state speakers (no more than two), for day of presentation plus travel time, decision left to the Conference Committee.
 - g. Council of State Representatives Luncheon will be provided for all members of the Executive Committee, the Executive Director, Editor of THE GAVEL, Chairpersons of

Committees reporting and State Representatives; NJA will pay for Alternate ONLY if State Representative is not present. This is an Association Expense.

1. Although welcome, anyone attending the Council of State Representatives Luncheon on the Sunday prior to the conference who is not a Council of State Representatives Member or Executive committee member, shall be required to pay for that meal, excluding Editor of THE GAVEL and Chairperson of Committees reporting.
- h. Conference facility will be instructed to accept charges to NJA Conference ONLY if signed by the conference chairperson.
- i. Conference packets to be provided for each member registered to include copy of proposed budget, any proposed by-laws amendments,
- j. MAXIMUM Registration Fee to be charged for the Annual Conference will be set by the Council of State Representatives.
 1. If any tours are offered to the group, fee to be included in conference registration fee for all Judge registrants, whether they participate in the event or not. Instruction to be offered in this time period to those not taking the tour. The conference chair may decide if guests can purchase tickets to individual events during the conference.
 2. Conference Registration Fees for Retired Judges who do not attend the education programs, shall be set by the Council of State Representatives.
- k. In event of cancellation of registration for annual conference at 30 days or less, \$25.00 of fee will be non-refundable; cancellation at ten days or less, ALL registration fee to be retained by NJA. Exceptions may be

approved by the Executive Committee only in extreme circumstances.

5. THE NOMINATING COMMITTEE (See by-laws ART VI 1(f)(2) and ART VIII) shall consist of five regular members and shall interview each nominee for an office, unless a nominee is unable to attend, in which case a written letter of acceptance may be accepted in lieu of the interview. NO OTHER MEMBER OF THE COUNCIL SHALL MAKE ANY REPRESENTATIONS to any nominee or prospective nominee of the availability of any nominations or of any standing to influence nominations, other than to request a member's agreement to submission on a nomination form. ALL nominations SHALL be made on a written form to be submitted to the Nominating Committee. Nominations must contain the full name of candidate. The Nomination Committee shall review each nomination, interview nominee to verify information furnished in support of nomination and determine nominee's eligibility for office. The Nominating Committee may serve as the Election Board. Upon completion of the balloting, the Election Board shall collect the ballots, count them and certify the results to the membership in writing (with original to Secretary and copy to Executive Director).

A. Nominating Committee shall be chaired by the Senior Representative or in his absence a Past Senior Representative.

6. THE GAVEL shall be the official publication of the National Judges Association and as such notices required in the by-laws may be published therein and considered to meet the requirements of the by-laws. Publication to be at least three times per year; 45 days after the Annual conference; Fall meeting; two months before the Annual Meeting; at the beginning of the month to give information in a timely manner regarding meetings to be held, or reporting results of meetings.

A. Members of NJA receive the publication as part of their membership package, others may subscribe for \$25 per year, with subscriptions being sent to the Editor and billing from the Editor. All advertising is invoiced from the Editor with tear sheets sent to advertiser by the Editor.

B. The Publisher Editor is to send complete financial

statement to the Executive Director by May 1 each year to include full accounting of number of issues, cost of publishing and postage, total number mailed each issue, amount of advertising for the year and number of individual subscriptions.

- C. Official notices to be included each year: MacEachern Award information (see #2), proposed by-law changes adopted at Fall Council of State Representatives meeting in the January and/or April issue, Secretary's notice of annual meeting in the April issue.
 - D. STATE REPRESENTATIVES are to keep the Editor informed of news from the individual states, including the death of any member of NJA, or their immediate families and will also notify the Chaplain. In addition, a copy of any state publication submitted to the Editor would be helpful.
 - E. The NJA FOUNDATION needs to keep THE GAVEL informed of pertinent information.
 - F. Executive Director/Treasurer is to provide the Publisher with address labels for all current members.
7. STATE DIRECTOR RESPONSIBILITIES shall be:
- A. To assure the election of a Representative and Alternate, from the state and report same to the Executive Director.
 - B. Attend all meetings of the Council of State Representatives and of the Association membership.
 - C. Act as liaison between the Association and their state members, sharing information with all members within their state.
 - D. Be responsible for recruiting new members and maintaining current members.
 - E. Keep THE GAVEL Editor informed of news from the state and/or write articles of interest to other members for publication therein.
 - F. Monitor state (or government entity) caucus.

- G. Provide news of NJA for in-state publications - either state association or local news media.
 - H. Encourage the attendance of both himself and the alternate, plus all state members at general membership meetings - being "visible" to both state members and the NJA.
 - I. Advise the Education Committee of all members in their state/entity eligible for any Judicial Education Achievement Awards not less than sixty (60) days prior to the annual meeting.
 - J. Work with Membership Committee on any Regional education efforts/seminars.
 - K. Repealed May 20, 2006
 - L. When list of delinquent members in state received from Executive Director in January, make contact with those former members and encourage continued membership, notify Executive Director/Treasurer of status of those persons.
 - M. Notify Executive Director/Treasurer of dates of state conferences, education sessions, as early as possible.
 - N. ALTERNATE REPRESENTATIVES shall fulfill same responsibilities as State Representative as needed.
8. Receipting of ANNUAL DUES - dues year is the same as office year, July 1 through June 30. Dues received after January 1 will be credited for 18 months FOR NEW MEMBERS ONLY.
9. All VOUCHERS shall have receipts attached and be approved, in writing, by the President or President-Elect as well as the Executive Director/Treasurer before payment.
10. MEMORABILIA - Policy on the sale of Memorabilia to be determined by the Council of State Representatives.
11. PRESIDENT-ELECT shall plan mid-year Council of State Representatives meeting, with the assistance of the Executive Committee and submit a tentative date and place to the Council of State Representatives meeting at the Annual Conference. The

President Elect shall notify the membership at the Annual Meeting of all Committee assignments and appointments of Officers for the coming year.

12. SECRETARY shall turn over all files to newly-elected secretary within 30 days of year's end, with copies of pertinent correspondence to Historian and to Executive Director/Treasurer.

13. When REPORTS are presented to Council of State Representatives, General Membership Meeting or Executive Committee Meeting, written copies should be prepared for the Secretary's official minutes, Executive Director/Treasurer files and for the Historian. Any correspondence relating to the NJA members should be filed (or a copy thereof) in the Executive Office, with another copy to the Historian if pertinent. (A lot of our history is missing because this was not done carefully in the past.)

14. EXECUTIVE DIRECTOR is responsible to bring to all meetings the President's gavel and the name plates. To the Annual Conference: the MacEachern Award Plaque and information and the Past President's Plaque, in addition to the aforementioned.

- A. Each January the Executive Director/Treasurer shall send a list of DELINQUENT MEMBERS to the appropriate State Representative and Alternate, along with a list of current membership for the state.
- B. The National Judges Association shall be responsible for EXPENSES of the Executive Director/Treasurer (on official NJA business including Annual Conferences), and Council of State Representatives meetings, at the rate of coach class air fare or mileage in accordance with IRS allowance and a per diem allowance of \$8-Breakfast, \$12-Lunch, \$24-Dinner; and a reasonable room rate, plus any Conference Fees.
- C. Within fourteen (14) days after receiving any minutes of the Annual Meeting, Executive Committee of Council of State Representatives Meetings from the Secretary, the Executive Director shall mail a copy of the minutes to the members of the Executive Committee, Historian, Editor of THE GAVEL and any member who requests a copy.
- D. The Executive Director will provide a list of members

whose dues are paid current to the Conference Chairman immediately before the Annual Conference.

E. The Executive Director will be the keeper of all original historical documents and items.

F. Each year the Executive Director will send to each member in good standing a certificate of good standing showing the members name and the year. The Certificate will be 8 ½ x 11 inches in size.

15. The EXECUTIVE DIRECTOR/TREASURER shall strive to stay within all line items of the Budget and will not exceed the Budget on any line item without the written approval of the Executive Committee.

A. After adoption of the annual budget at the annual General Membership meeting and beginning the first of January following, the Executive Director/Treasurer will closely monitor the line item expenses paid and compare them to the adopted budget line items.

B. On 1 April, 1 October and 1 January, he will recapitulate the expenses paid and send this report to the Finance Committee for review. The Chairman of this committee will then consolidate the Committee member's comments and forward them to each member of the Council of State Representatives before the Fall Council of State Representatives meeting and before the Annual Conference for action as deemed appropriate.

C. Any line item expense of \$500 or more, whether budgeted or not, will require a Voucher as well as the approval signatures of the Executive Director/Treasurer and President or President Elect before payment, the Conference Advance not included.

D. Reimbursement for Travel and related expenses of NJA directed business will be submitted for payment to the Executive Director/Treasurer accompanied by receipts for motel and travel.

E. The Executive Director/Treasurer will pay all bills within a reasonable time after receipt.

16. ANY MEMBER (including President, other elected officers or Membership Committee members, but NOT limited thereto) TRAVELING

ON BUSINESS officially authorized by NJA and within the approved budget, MAY be reimbursed actual coach class airfare or mileage in accordance with IRS allowance and a per diem allowance of \$8-Breakfast, \$12-Lunch, \$24-Dinner; and a reasonable room rate, all to be supported by receipts attached to voucher requesting payment with written report required to Secretary, Executive Director/Treasurer and Historian.

17. ANNUAL DUES.

A. REGULAR MEMBERS

- (1) Judicial Salary: \$0-\$3500 = \$30 Dues.
- (2) Judicial Salary: \$3501 - \$7000 = \$60 Dues.
- (3) Judicial Salary: \$7001 - \$29,999 = \$90 Dues.
- (4) Judicial Salary \$30,000 and up = \$120 Dues.
- (5) Retired Judges = \$30 Dues.

B. ASSOCIATE MEMBERS, ETC. \$60 Dues.

18. SCHOLARSHIPS: In order to encourage greater participation at the Annual Conference of the NJA;

A. At the beginning of each Annual Conference the Council of State Representatives will determine which State has the most participants and that State Representative will receive one Registration Scholarship to the next Conference. The Executive director will notify the recipient within 30 days after the Conference.

B. The names of all New Members who have joined NJA since the last Conference will be placed into a drawing at the first Council of State Representatives meeting of the conference. The President will draw the name(s). Any state having more than five (5) new members will have a separate drawing for that state, with the drawing to be done as allowed for any drawing for scholarships. All other new members from states having less than five (5) new members will be entered into a common drawing. For every 5 names placed in the drawing one will be drawn as follows: 12 names entered, 2 names drawn; 20 names entered, 4 names drawn; 7 names entered, 1 name drawn. The state representatives are to award the scholarships to judges in their

state who will be attending the annual conference, with preference given to new judges. State representatives are to notify the Executive Director by March 1 of the names of the judges in their state who are receiving scholarships.

19. PRESIDENT'S AWARD OF MERIT Any member of NJA may nominate another individual who is not a Judge or an organization of Judges, none of which need to be members to qualify and who has provided this Association with support by providing funds, instruction year after year just for expenses or for some secretary or clerk who has labored above and beyond that required to help with a conference or any act that selfishly promotes the goals of NJA.

A. The written nomination should be sent to the Executive Director before March 1st. The Executive Director will then mail the nomination(s) to the members of the Executive Committee who will select the recipients. The name(s) of the recipient(s) shall be sent to the Executive Director by the 1st of April for presentation at the President's Luncheon during the following conference. This award shall be the premier award at the Luncheon. The Executive Director is responsible for having this award made and available at the conference.

20. PRESIDENT'S AWARD OF EXCELLENCE. This award will be given at the President's discretion.

21. FALL COUNCIL OF STATE REPRESENTATIVES MEETING EXPENSES. The Association is responsible for payment of the President's room and the Secretary's room, not to include travel and per diem up to three nights.

22. DUTIES OF OFFICERS.

A. CHAPLAIN - Offer prayer or arrange for someone to offer prayer at the Council of State Representatives meeting, and at the Annual association meeting. Plan and conduct a devotional service on Sunday morning at the annual Conference.

B. SERGEANT-AT-ARMS - arrange for the flag to be properly displayed at all Council of State Representatives and Annual association meetings. Lead Pledge of Allegiance at the Council of State Representatives and Annual meetings.

C. HISTORIAN - Take pictures at all association meetings and organize by year in a history book:

- (1) A history book to include agendas of all conferences and meetings.
- (2) Arrange a display of previous event at the Annual Conference.

D. PARLIAMENTARIAN. - Attend all meetings and check that all procedures are in accordance with the Constitution, By-Laws of the Council of State Representatives Policies and Procedures. Verify that all meetings are in conformity of Roberts Rules of Order.

E. EDITOR OF THE GAVEL. - To publish and distribute to the Association Membership at least three editions of The Gavel yearly.

23. DUTIES OF COMMITTEES.

A. MEMBERSHIP COMMITTEE - To work directly with the Vice-President to formulate and plan to recruit judges from a particular state chosen by the Vice-President. Help State Representatives recruit new members.

- B. BY-LAWS COMMITTEE. -
- (1) Recommend appropriate and timely changes in the By-Laws.
 - (2) Draft and publish recommended changes to the Association Membership in accordance with the By-Laws.

- C. CREDENTIALS COMMITTEE. -
- (1) Attend all meetings to verify that a quorum is present before any official action is taken.
 - (2) Verify at all meetings that people voting are members of the Association in good standing and they need to be checked.

- D. EDUCATION COMMITTEE.
- (1) Assist the President and membership with all educational needs.
 - (2) Develop and provide a suggestive curriculum for the host of the Annual Education Conference.
 - (3) Develop and provide the Conference attendees a form which critiques each speaker or teacher, and compile results to assist with future conference curriculum.
 - (4) Confirm before the conference and have the

- approval of the Supreme Court of the whole state;
the number of education hours to be awarded.
- (5) Maintain a directory of none teachers and presenters with their area of expertise for the future conference host.
 - (6) Establish a five year curriculum of education.

F. FINANCE COMMITTEE.

- (1) Oversee the Association's yearly budget.
- (2) Review records of the Treasurer.
- (3) Present budget for approval at the General Membership Meeting.
- (4) Conduct annual audit during the Annual Education Conference and present a report to the General Membership Meeting.

G. RESOLUTION COMMITTEE. - Write and present for consideration at the association Annual Business meeting, resolutions of acknowledgment, condolences, recognitions, etc.