

NCACC BYLAWS
(As amended through August 2010)

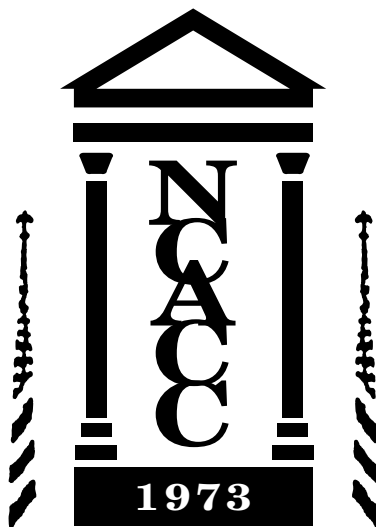


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BYLAWS
OF
THE NATIONAL CONFERENCE OF APPELLATE COURT CLERKS

ARTICLE I

Name

The name of this organization is the National Conference of Appellate Court Clerks.

ARTICLE II

Objects

The objects of this Conference are: to improve the skill and knowledge required of those performing the duties of appellate court clerks by conferences, seminars or other educational programs; to promote and improve the contribution of the offices of appellate court clerks within the area of effective court administration; to maintain facilities for the collection and dissemination of information and ideas with regard to the operation and improvement of the offices of appellate court clerks.

ARTICLE III

Membership

1. Types of Members.

(a) Regular Members. Regular membership shall be open to all clerks, assistant clerks or deputy clerks, or other similar positions bearing different titles of courts of last resort or intermediate appellate courts in any federal, state, commonwealth, or District of Columbia court system, and in the court systems of United States territories and possessions.

(b) Retired Members. Retired membership shall be open to all retired clerks, assistant clerks or deputy clerks, or other similar positions bearing different titles of courts of last resort or intermediate appellate courts in any federal, state, commonwealth, or District of Columbia court system, and in the court systems of United States territories and possessions.

(c) Associate Members. Associate membership shall be open to any person whose eligibility for regular membership has ceased for reasons other than retirement. Associate membership shall also be open to any person

serving as a clerk, assistant clerk, deputy clerk, or similar position bearing a different title, in any appellate court system not eligible for regular membership. Associate membership also shall be open to the surviving spouse of a deceased regular, retired, or associate member.

(d) Sustaining Members. Sustaining membership shall be open to any individual, unit of government, corporation, association, or organization upon invitation of the Executive Committee provided that thirty days prior to the invitation the Executive Committee has referred the name of any such individual, unit of government, corporation, association, or organization to the general membership for consideration and comment.

2. Eligibility Upon Retirement or Termination As Court Employee. Upon the retirement or termination of a regular member's service with an appellate court, should he or she accept employment with a public or private organization within the legal field, vendor or other justice related agency, while so employed he or she may not participate in the list serve and may be excluded from any programs where the free exchange of information by regular members is inhibited due to the current employment of the retired member. A regular member of this Conference may continue as a member upon retirement or termination of his or her service with an appellate court without the noted limitations if not employed in the aforementioned capacities. A retired member shall not be eligible to hold office, except that the immediate past president, if not employed with a public or private organization within the legal field, may continue to serve as a member of the Executive Committee as provided in Article VII, Section 2(b), even though no longer serving with an appellate court.

3. Eligibility for Elective Office. Eligibility for office is limited to regular members in good standing with the Conference for the two years immediately preceding the election or an appointment to fill a vacant elective office.

4. Membership Dues. Memberships are renewable by payment of annual dues. The annual dues shall be \$150.00 for regular members, \$25.00 for retired and associate members and \$150.00 for sustaining members. Dues that are payable for calendar year 2010 shall be due on the anniversary date on which the individual member joined the Conference. Beginning in 2011 Dues shall be payable on January 1 and become delinquent on July 1 of the year in which dues are payable. Dues for those who join the Conference for the first time after an annual meeting shall be payable with the membership application. A membership that has lapsed for non-payment of dues July 1 of the current year may be reinstated without affecting a

member's eligibility for office under Section 3 of this Article, if the delinquent dues are paid prior to the expiration of one year from the due date or the annual business meeting, whichever first occurs. Dues for those who join the Conference for the first time after an annual meeting shall be payable with the membership application. On its own motion or on the application of a member, the Executive Committee may waive the payment of dues for good cause shown.

ARTICLE IV

Meeting and Voting

1. Annual Business Meetings, Seminars and Educational Programs. The annual business meeting and all seminars or other educational programs of the Conference shall be held at such times and places as may be fixed by the Executive Committee.

2. Special meetings. Special meetings may be held at such times and places as may be designated by the Executive Committee. Except in cases of emergency, at least ten days notice shall be given to members of the special meetings.

3. Quorum for Meeting of Conference. Thirty-Five regular members of the Conference at the annual business meeting or any called meeting of the full conference shall constitute a quorum.

4. Voting. All matters coming before any meeting of the Conference shall be determined by a majority vote of the members present and entitled to vote. Subject to Article III, Section 2, regular and retired members who are in good standing by virtue of the payment of dues pursuant to Article III, Section 4, shall be entitled to vote. Associate and sustaining members shall not be entitled to vote.

5. Rules of Order. The most current version of Robert's Rules of Order shall govern the conduct of all business meetings of the Conference except as provided otherwise in these Bylaws.

ARTICLE V

Officers

1. Officers of Conference. The officers of the Conference shall be President, President-Elect, Vice-President, Secretary, Treasurer, and Past-President.

2. Term of Office. The officers shall serve until the close of the annual business meeting following that in which they have been elected or succeeded to the office pursuant to Section 3 of this Article, except that the Secretary and the Treasurer shall serve for two years.

3. Election and Succession of Officers. The President-Elect shall succeed to the office of the President at the expiration of the term as President-Elect. The Vice-President shall succeed to the office of President-Elect at the expiration of the term as Vice-President. The President shall succeed to the office of Past-President at the expiration of the term as President. At each annual business meeting, the Vice-President shall be elected by a vote of a majority of the members present at the meeting and entitled to vote; the Secretary and the Treasurer shall be elected for two-year terms, the Secretary in even-numbered years and the Treasurer in odd-numbered years. The Treasurer and the Secretary shall be eligible for reelection.

4. Filling of Vacancies. In case a vacancy occurs in the office of President or President-Elect, the next officer in the order of succession as stated in Section 3 of this Article shall succeed to such office and shall serve for the unexpired term and for the following year. In case a vacancy occurs after the annual business meeting in the office of Vice-President, Secretary, Treasurer, or Past-President, the Executive Committee shall choose a successor who shall serve until the close of the next annual business meeting. If the vacancy filled is that of the Vice-President, it shall be an interim appointment and an election shall be held at the next annual business meeting for the offices of President-Elect and Vice-President. If the vacancy filled is that of Secretary or Treasurer, an election shall be held at the next annual business meeting to fill the unexpired term, if any. If the vacancy to be filled is in the office of Past-President, the Executive Committee shall appoint an eligible former President of the Conference to complete the unexpired term. Eligibility shall be determined by reference to Article III, Section 3 and Article VI, Section 5.

5. Duties of Secretary. The Secretary shall be responsible for the taking of the minutes of the Executive Committee and the annual business meeting or any called meeting and for distributing them to the Executive Committee and the National Center for State Courts. The minutes of the annual business meeting or any called meeting of the full conference shall be mailed to the members of the conference with the call of the next annual business meeting; this requirement may be met by publication in *The Docket*, the NCACC newsletter. The Secretary shall be responsible for overseeing the billing of every member of the Conference for annual dues no later than March 1 of each year, the issuance of membership cards to all

members upon payment of their dues, and the maintenance of a list of all members in good standing.

6. Duties of Treasurer. The Treasurer shall be responsible for overseeing the receipt by the National Center for State Courts of all dues and other monies paid to the Conference. The Treasurer shall be responsible for the investment of funds and the finances of the conference as the Executive Committee deems proper. The Treasurer shall serve as the chairperson of the Finance and Investment Committee. The Treasurer shall serve as a member of the Educational Fund Committee and shall be responsible for overseeing the receipt and deposit of revenues into the Educational Fund which is a restricted educational account maintained for the Conference by the National Center for State Courts. The Treasurer shall be responsible for furnishing all members with a financial report by the annual business meeting each year; this requirement may be met by publishing the financial report in *The Docket*, the NCACC newsletter.

ARTICLE VI

Office of the President

1. Duties of the President. The President shall serve as the chief executive officer and shall preside at all meetings of the Conference and its Executive Committee.

2. Power of President to Appoint Committee Members; Parliamentarian. The President shall appoint or reappoint members of all committees, including the filling of vacancies, and shall designate or redesignate the Chairperson for each committee, except as provided in Article VII. The President may appoint a regular or retired member as Parliamentarian, to serve at his or her pleasure.

3. Agenda Distribution for Executive Committee Meetings. Two weeks prior to each meeting of the Executive Committee, the President shall prepare and distribute an agenda to all officers and members involved. The agenda should be a clear and reasonably explicit list of the topics to be discussed and should be accompanied by necessary and pertinent supporting materials.

4. Voting Restriction of Presiding Officer. The Presiding Officer shall have a vote in all matters coming before the Executive Committee and in all matters at the annual business meeting of the Conference if: (1) a vote is by written ballot or (2) when necessary to decide a tie non-written vote by the

members present and eligible to vote pursuant to Article IV, Section 4.

5. Eligibility for Office After Being President. Two years from the expiration of a term as Past-President, a member shall be eligible for election or appointment to any office in the Conference, provided the requirements of Article III, Section 3, have been met.

6. President as Official Representative of the Conference. The President shall serve as the official representative of the conference when attending meetings that relate to the business of the Conference. With the approval of the Executive Committee, the reasonable expenses incurred in connection with attending such meetings shall be borne by the Conference. The President may designate a Conference member as the representative of the Conference. Expenses incurred by such a designee shall be paid in the same manner as those of the President.

7. Authority of the President. Unless specifically enumerated, nothing in this Bylaw shall be construed to limit the authority of the President to perform such tasks as may be reasonably necessary to promote the goals and objectives of the Conference.

8. Absence of Officers.

(a) Absence of President. In the absence of the President, the President-Elect shall preside.

(b) Absence of President and President-Elect. In the absence of the President and President-Elect, the Vice-President shall preside.

(c) Absence of President, President-Elect and Vice-President. In the absence of the President, President-Elect, and Vice-President, the most immediate Past-President in attendance shall preside.

ARTICLE VII

Committees

1. Statement of Committees' Work. The executive and administrative work of the Conference is conducted in its committees. Conference committees shall include an Executive Committee, standing committees, select committees and special committees. Standing committees and the Educational Fund Committee, a select committee, shall have Committee Operational Guidelines. Proposed changes to these guidelines will be made in writing to the Executive Committee by April first for approval. The chairperson of

each standing, select and special committee shall submit a written status report for dissemination at the spring Executive Committee meeting.

2. Executive Committee.

(a) Powers and Duties. The Executive Committee is the Board of Directors. It shall direct the affairs of the Conference and shall meet annually prior to the annual business meeting of the Conference and at other times at the call of the President or seven members of the Committee. All matters before the Executive Committee shall be determined by a majority vote of those present. Seven members of the Executive Committee shall constitute a quorum. The Executive Committee shall decide any question raised on the interpretation and application of these Bylaws.

(b) Composition. The Executive Committee shall consist of the five officers, the immediate past President who shall serve for one year, and six members of the Conference who shall each serve for two years. Three members of the Conference shall be elected in even-numbered years and three shall be elected in odd-numbered years at the annual business meeting by a majority of the members present and entitled to vote. In case a vacancy occurs among the six members after the annual business meeting, the Executive Committee shall choose a successor who shall serve until the close of the next annual business meeting. The successor so chosen shall be eligible at the next annual business meeting for election to that or any other vacant position on the Executive Committee. Members elected to one of the six member positions on the Executive Committee shall not be eligible for election to another term thereon until one year after the expiration of their term.

3. Standing Committees.

(a) Duties. Standing committees are constituted to perform a continuing function of the Conference.

(b) Creation and Termination. Standing Committees may be created by specific provision of these Bylaws or by resolution of the Conference at any meeting called pursuant to Article IV of these Bylaws and shall remain in existence permanently, or until terminated in like manner.

(c) Composition. Except as noted in (2), (3), (4), (6), (10) and (12) of this subsection, standing committees shall consist of no more than nine members, one of whom shall be designated by the President as the Chairperson. The membership of the Program Committee and the Public Relations Committee shall also include a Vice-Chairperson appointed by the

President-Elect. The term of the members, the Chairperson and, when applicable, the Vice-Chairperson, of a standing committee shall be one year. The Executive Committee, upon request of the President or the committee Chairperson, or upon its own initiative, may remove a member of a standing committee for good cause.

(1) Awards Committee. The purpose of this committee is to recommend to the Executive Committee nominees for the J.O. Sentell Award and Morgan Thomas Award.

(2) Bylaws Committee. The purpose of this committee is to consider amendments to these Bylaws and to make written report to the Executive Committee each year by April first. The Bylaws Committee shall consist of no more than five members, including the Chairperson and any ex-officio members.

(3) Convention Assistance Committee. The purpose of this committee is to provide practical guidance, advice and assistance to Clerks who are hosts of upcoming annual meetings. The Convention Assistance Committee shall consist of an unlimited number of members.

(4) Strategic Planning Committee. The purpose of this committee is to review and evaluate ideas and suggestions referred to it by the Executive Committee and based upon its review and evaluation recommend to the Executive Committee courses of action the Executive Committee should adopt. The Strategic Planning Committee shall consist of no more than nine members, including its Chairperson and any ex-officio members. The Vice-President of the Conference shall serve ex-officio on this committee.

(5) Membership Committee. The purpose of this committee is to solicit new members and distribute information about the Conference and its activities to new or prospective members.

(6) Nominating Committee. The purpose of this committee is to recommend the nomination of regular members to office. The Nominating Committee shall consist of at least five but no more than nine members, including its Chairperson, and shall be appointed by the President, with the approval of the Executive Committee, at least six months before the annual business meeting.

(a) Nomination timetable. At least thirty days before the annual business meeting, the Nominating Committee shall report to the members its nominations for the offices of Vice-President, Secretary, Treasurer and members of the Executive Committee to succeed those individuals whose terms

will expire at the close of the annual business meeting and to fill other Executive Committee vacancies then existing or vacancies that may be created as a result of the Nominating Committee's nominations. In the event the office of Vice-President becomes vacant, the Nominating Committee shall submit nominations for the offices of President-Elect and Vice-President. In the event the offices of President-Elect and Vice-President both become vacant, the Nominating Committee shall submit nominations for the offices of President, President-Elect and Vice-President. Nominations made for anticipated vacancies shall be specified as such in the Nominating Committee's report. In the event a member declines the nomination after the committee has reported its nominations to the members, the committee shall submit the nomination of another member as soon as possible and shall report to all members before or at the annual business meeting.

(7) Program Committee. The purpose of this committee is to organize and present an educational program at the annual meeting of the Conference to further the objectives of the Conference and to enhance the skill and knowledge of appellate court clerks.

(8) Publication Committee. The purpose of this committee is to inform the membership of the activities of the Conference, to provide information to enhance the professionalism of appellate court clerks and their offices, and to publish the NCACC newsletter at least quarterly.

(9) Resolutions and Memorials Committee. The purpose of this committee is to prepare appropriate resolutions for adoption by the Conference as formal expressions of its will and intent, and to prepare and arrange memorials for deceased members.

(10) Scholarship Committee. The purpose of this committee is to recommend recipients of scholarships to the Executive Committee. The Scholarship Committee shall consist of three members, including its Chairperson, and shall be appointed by the Executive Committee.

(11) Site Selection Committee. The purpose of this committee is to solicit potential hosts for future annual meetings, to evaluate invitations from states, and to make appropriate recommendations to the Executive Committee.

(12) Finance and Investment Committee. The purpose of this committee is to recommend finances and investments to the Executive Committee. The Finance and Investment Committee shall consist of the Treasurer, who shall serve as its Chairperson, and four members appointed by the Executive Committee.

(13) Pictorial Directory Committee. The purpose of this committee is to update and maintain the pictorial directory of the Conference, including the annual meeting summaries contained therein.

(14) Technology Committee. The purpose of this committee is to provide technical support and advice to appellate court clerks and their staffs and to coordinate communications between the Conference and other organizations regarding technology issues.

(15) Public Relations Committee. The purpose of this committee is to promote the mission and objectives of the NCACC by providing information about the Conference and its members to the appropriate individuals and groups.

(16) Contract Committee. The purpose of this committee is to review any contract referred to it by the President or the Executive Committee. The committee shall report its recommendation to the President and the Executive Committee.

4. Select Committees. Select Committees are constituted to perform a continuing function of the Conference.

(a) Creation and Termination. Select Committees may be created by specific provision of these Bylaws or by resolution of the Conference at any meeting called pursuant to Article IV of these Bylaws and shall remain in existence permanently, or until terminated in like manner.

(b) Composition. Select committees are made up of members specified in these Bylaws or appointed by other than the President.

1) Past-Presidents' Committee. The purpose of this committee is to assist the President and Executive Committee as needed. The Past-Presidents' Committee shall be composed of all living Past-Presidents of the Conference.

2) Educational Fund Committee. The purpose of this committee is to develop sources of income to be invested in a restricted fund, the proceeds of which shall be used for educational purposes as more fully set out in the Operational Guidelines. The Educational Fund Committee shall be composed of the President-Elect, the Treasurer, and one Executive Committee member to be named by the President. The President shall appoint one of these members as the Chairperson.

5. Special Committees. Special Committees may be constituted by the Conference, the President or the Executive Committee, as the need arises, to

carry out a specified task in furtherance of the purposes of the Conference. At the completion of the task, or the presentation of the special committee's final report to the Conference, the special committee automatically ceases to exist.

ARTICLE VIII

Host Clerk

1. Assigned Duties. A host clerk shall have the obligation to establish a separate financial account for registration fees and any other incoming funds for the annual meeting. The account may be reviewed by the Treasurer at any time. The host clerk shall prepare, with the assistance of the Treasurer, a detailed budget and accounting of income and expenses that relate to the management of the annual meeting. The financial statements shall be made a part of the reports by the Treasurer to the Executive Committee.

2. Alternate Duties. Other responsibilities may be assumed by the host clerk as provided in the procedures developed by the Convention Assistance Committee.

ARTICLE IX

Secretariat

The National Center for State Courts (hereinafter "Center") shall serve as the Secretariat of the Conference. The President, with the approval of the Executive Committee, shall negotiate a contract with the Center annually for the calendar year. The contract shall delineate what services the Center will provide and specify the costs to be borne by the Conference. Secretariat services will cover, as a minimum, the following: membership; distribution of publications; annual corporate reports; billing and collection of revenue; disbursement of expenses; accounting and reporting; monthly and yearly reports; tax returns; investment of funds; use of Center facilities; and fees, billing, and payment.

ARTICLE X

Dissolution Clause

Upon the dissolution of the corporation, the Executive Committee shall, after paying or making provision for the payment of all of the liability of the corporation, dispose of all assets of the corporation in such manner, or to such organization or organizations organized and operated exclusively for

charitable or educational purposes, as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1954 (or corresponding provision of any future United States Internal Revenue Law), as the Executive Committee/Board of Directors shall determine.

ARTICLE XI

Amendments

1. Procedures for Amending Bylaws. These Bylaws may be amended at the annual business meeting of the Conference by a majority vote of the members of the Conference present and entitled to vote, provided that each amendment to be considered shall have been submitted to the Executive Committee by mailing (postmarked) to the Secretary no later than April first of that year. The text of each amendment to be considered shall be included in the call for the annual business meeting; this requirement may be met by publication in the NCACC NEWSLETTER.

2. Procedures for Considering Late Amendments to Bylaws. Notwithstanding the foregoing provision, amendments to the Bylaws submitted after April first may be considered by the membership at the annual business meeting provided that the membership consents to a suspension of the provisions of Article XI, Section 1, by a vote of seventy-five percent (75%) of the members then present and entitled to vote, and provided further that the quorum requirements of Article IV have been met.

3. Effective Date of Amendments. Amendments to these Bylaws become effective on the adjournment of the annual business meeting of the Conference at which the amendments are adopted unless an earlier time is specified by the Conference at the time an amendment is adopted.

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NATIONAL CONFERENCE OF APPELLATE COURT CLERKS CODE OF PROFESSIONAL CONDUCT

Preface

This Code of Professional Conduct was adopted by the National Conference of Appellate Court Clerks on August 11, 1983, at its annual meeting in New Orleans, Louisiana, and amended on August 6, 1992, at the twentieth annual meeting in Washington, D.C., on August 5, 1993, at the twenty-first annual meeting in Nashville, Tennessee, and on August 6, 2009, at the thirty-sixth annual meeting in Sacramento, California.

Preamble

The National Conference of Appellate Court Clerks, mindful that the character and conduct of its members should never be objects of indifference, and that declared ethical standards should become habits of life, adopts these principles which should govern the personal practice of appellate court clerks. The administration of justice requires appellate court clerks to adhere to the highest ideals of personal and official conduct.

The members of the National Conference of Appellate Court Clerks are dedicated to the highest standards of personal integrity and professional conduct. Their role in appellate courts casts upon them duties concerning their relationship to the other branches of government, the citizenry and all who come in contact with him or her. Therefore, the National Conference of Appellate Court Clerks adopts this Code of Professional Conduct as a guide of appropriate professional conduct and to promote the development and application of education, professional judgment and skill within the judiciary they serve. The provisions of this code should be construed and applied to further these objectives.

Where any state or federal statutory requirements or court rules and policies address the same areas, they will take precedence over this code.

CANON I

Members of the National Conference of Appellate Court Clerks
Should Maintain the Highest Standard of Professional Conduct
in the Performance of their Duties

An independent and honorable judiciary is indispensable to justice in our society. Members of the National Conference of Appellate Court Clerks

participate in establishing, maintaining, and enforcing the law, and should themselves observe high standards of conduct so that the integrity, impartiality and independence of the judiciary may be preserved.

Adopted effective August 11, 1983. Amended effective August 6, 1992; amended effective August 5, 1993; amended effective August 6, 2009.

CANON II

Members of the National Conference of Appellate Court Clerks Should Avoid Impropriety and the Appearance of Impropriety in All Activities

(A) A member should respect and comply with the law and should conduct himself or herself at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

(B) A member should not allow family, social, or other relationships to influence his or her official conduct or the conduct of his or her office. A member should not lend the prestige of his or her office to advance the private interests of others; nor should a member convey or permit others to convey the impression that they are in a special position to exert such influence.

(C) A member may accept a gift donated to a group of employees, e.g. all the employees of an office or unit of the court system, provided that the value and circumstances of the gift are such that it could not be reasonably inferred that the gift would influence the employees in the performance of their official duties or that such influence was the purpose of the donor, and provided that any employee accepting such a gift promptly reports the gift to the supervisor, who shall be responsible for its proper distribution. Gifts received with the understanding that they will influence employees' official actions, decisions, or judgments are prohibited.

Adopted effective August 11, 1983. Amended effective August 6, 1992; amended effective August 5, 1993; amended effective August 6, 2009.

CANON III

Members of the Conference of Appellate Court Clerks Should Perform the Duties of Office Impartially and Diligently

(A) A member should be patient, dignified and courteous to litigants, lawyers, and others with whom he or she deals in an official capacity, and should require similar conduct by staff and others subject to their direction and control.

(B) A member should exercise great care and discretion in initiating or considering *ex parte* or other communications concerning a pending or impending proceeding. However, a member may be called upon in the course of his or her duties to explain to litigants and their counsel the rules, operating procedures, and other practices of the court. Such explanations should always be rendered in an impartial manner, so as not to advantage or disadvantage any litigant. A member should never offer explanations to one party that the member would not share with the opposing party.

(C) A member should not disclose to any unauthorized person or persons any confidential information concerning authorship of pending opinions, internal calendar memos, internal discussions relating to pending decisions, content of proposed opinions, or any other information designated by the court as confidential.

(D) A member should abstain from public comment on the merits of a pending or impending proceeding in any court, and should require similar abstention on the part of all court personnel subject to his or her direction and control. This subsection does not prohibit members from making public statements in the course of their official duties or from explaining for public information the procedures of the court.

(E) A member should support the reputation and integrity of the judicial system and, because statements of a member may carry considerable weight with the public, should not make derogatory comments that would undermine public confidence in or promote disrespect for the judicial system.

(F) A member should maintain the files and other records of the court in a conscientious and accurate manner and continue to develop policies and procedures for reducing time delay and improving efficiency of the appellate process.

(G) A member should diligently discharge responsibilities, maintain professional competence in judicial administration, and facilitate the performance of the responsibilities of other courts and court officials.

(H) A member should require staff and other personnel subject to his or her direction and control to observe the standards of fidelity and diligence that apply to the member.

Adopted effective August 11, 1983. Amended effective August 6, 1992; amended effective August 5, 1993; amended effective August 6, 2009.

CANON IV

Members of the National Conference of Appellate Court Clerks Should Engage in Activities to Improve the Law, the Legal System and the Administration of Justice

(A) A member should encourage dialogue between his or her office and bar associations, judges, legal secretary associations, trial court and appellate court clerk associations and court reporters in an effort to promote better understanding of the court's processes. The member may participate in or conduct educational seminars for the benefit of those doing business with the office.

(B) A member should be alert to the need for improvements in the rules, court procedures and administrative functions of the court and offer suggestions for appropriate changes and improvement of the appellate process.

Adopted effective August 11, 1983. Amended effective August 6, 1992; amended effective August 6, 2009.

CANON V

Members of the National Conference of Appellate Court Clerks Should Regulate Outside Activities to Minimize Risk of Conflict With Court Related Duties

(A) **Avocational Activities.** A member may engage in avocational activities as long as they do not take undue advantage of their position, demean their office or interfere with the performance of their duties.

(B) **Civic and Charitable Activities.** A member may participate in civic and charitable activities that do not reflect adversely upon their impartiality or interfere with the performance of their duties. A member may serve as an officer, director, trustee, or nonlegal advisor of an educational, religious, charitable, fraternal, or civic organization except that a member should not serve if it is likely that the organization will be engaged in proceedings that would ordinarily come before the member's court or will be regularly engaged in adversary proceedings in any court.

(C) **Financial Activities.**

(1) A member should refrain from financial and business dealings that tend to reflect adversely on his or her impartiality, interfere with the performance of the member's duties, or exploit the member's position.

(2) Subject to the requirements of subsection (1), a member may hold and manage investments, including real estate, and engage in other remunerative activities, but should not participate in nor permit his or her name to be used in connection with any business venture or commercial advertising program, with or without compensation, in such a way as would justify a reasonable inference that the power or prestige of the member's office is being utilized to promote a business or commercial product.

(3) A member should not request or accept any remuneration, gift, bequest, favor, or loan that is made with the intent to influence or that creates an appearance of influencing the member in the exercise of court related duties.

(4) Acceptance by members who are elected of campaign contributions should be governed by any applicable state laws or court rules.

Adopted effective August 11, 1983. Amended effective August 6, 1992; amended effective August 5, 1993; amended effective August 6, 2009.

CANON VI

Members of the National Conference of Appellate Court Clerks Should Avoid Political Activities Which May Give the Appearance of Bias or Impropriety

A member is entitled to entertain personal views on political questions and is not required to surrender rights or opinions as a citizen. Many jurisdictions expressly prohibit political activity on the part of employees of the judicial branch of government. To the extent that political activity is not expressly prohibited, a member should avoid political activity which may give rise to a suspicion of bias or impropriety in any matter pending or impending before his or her court.

Adopted effective August 11, 1983. Amended effective August 6, 1992; amended effective August 6, 2009.

CANON VII

Members of the National Conference of Appellate Court Clerks Should Seek To Improve His or Her Professional Competence and That of His or Her Staff

(A) A member should seek to improve his or her professional competence and that of his or her staff by participating in educational programs

and seminars such as those provided by the Conference, reading profession-related materials, and attending and participating in other activities likely to enhance the level of competence of the member and his or her staff.

(B) A member should participate actively in the exchange of ideas for rule change and improvement in appellate court programs and procedures with other appellate courts in the United States and with other national organizations focused on court management.

Adopted effective August 11, 1983. Amended effective August 6, 1992; amended effective August 6, 2009.

CANON VIII

A Member of the National Conference of Appellate Court Clerks Should Not Engage in Discrimination Based on Race, Sex, Religion or Political Affiliation

(A) A member should not discriminate based on race, sex, religion, national origin, disability, age, sexual orientation, socioeconomic status, or political affiliation in dealing with attorneys, secretaries, paralegals, court reporters, their staffs, other court related personnel, or others doing business with the court or in hiring practices.

(B) A member should not discriminate in the hiring or the promotion of personnel based on sexual or other favors.

Adopted effective August 11, 1983. Amended effective August 6, 1992; amended effective August 6, 2009.