

## Article 1

### NAME, MISSION STATEMENT, PRINCIPLE OFFICE

#### Section I: Name

The Name of this association shall be the South Carolina Association of Pretrial Intervention Programs, and be referred to hereinafter as "the Association".

#### Section II: Mission Statement

The Association is to provide a focal point for identification of interests and concerns of pretrial service agencies. Furthermore, it is to provide an opportunity for active participation in professional educational development for those employed by or interested in the betterment of pretrial services in South Carolina. The Association is to provide avenues for development of consistency and dependability in program services statewide. Thereby, this shall establish and maintain program credibility while reflecting the uniqueness in each judicial circuit. The Association is to provide to each circuit solicitor available resources and assistance to maintain and improve pretrial services in South Carolina.

#### Section III: Principle Office

The location of the principle office of the Association is that of the State Pretrial Intervention Office. The Board may establish other offices of the Association wherever it deems necessary.

## ARTICLE II

### SEAL, RECORDS, ACCOUNTING

#### **Section I: Seal**

The seal of the Association shall be circular in form and shall have inscribed on it the name of the Association within a double circle and within the double circle a silhouette of the State of South Carolina enclosing the scales of justice. The seal shall be kept with the permanent Association records.

#### **Section II: Records**

Current records must be kept at the principle office of the Association. These include approved minutes of all business meetings and financial transactions of the Association, Code of By-laws, a list of Association members, to include mailing addresses. All aforementioned records shall be open for inspection to members during business hours.

#### **Section III: Accounting Year and Method**

The accounting year of the Association shall begin January 1 and end December 31. The general accounting method of the Association is the cash method of accounting.

**ARTICLE III**  
**MEMBERSHIP**

**Section I: Membership**

The Association shall have four (4) classes of membership.

**Professional Member:** An individual who subscribes to the purposes and goals of the Association shall be eligible for a professional membership. A professional member in good standing who has paid the annual dues shall be entitled to vote, hold office and serve on standing or advisory committees of the Association.

**Associate Member:** An individual, group, organization, program, business, or corporate entity which subscribes to the purposes and goals of the Association shall be eligible for Associate membership. The duly designated associate member shall be eligible to serve on standing or advisory committees of the Association but shall not be able to vote or hold office in the Association.

**Honorary Member:** An individual who has distinguished himself in furthering the purposes and goals of the Association shall be eligible for honorary membership. Such membership shall be awarded by the Board to deserving individuals. Such membership shall be for a period of two (2) years. An honorary member shall be entitled to serve on standing or advisory committees of the Association, but shall not be able to vote or hold office in the Association.

**Lifetime Member:** An individual who has dedicated, with years of service, to furthering the purposes and goals of the Association. This honor is awarded by the Board. A Lifetime member shall be entitled to serve on standing or advisory committees of the Association, but shall not be able to vote or hold office in the Association.

## ARTICLE IV

### MEETING OF THE MEMBERS

#### **Section I: Place and Notice of Meetings**

Meeting date, time, and place of the Association Board shall be published on the Association Website. All regular meetings shall be open to any member in good standing. All meetings, Association and Board, shall be conducted under Roberts Rules of Order, as amended.

#### **Section II: Annual Meeting**

There will be an annual meeting of the Association members for the election of officers and directors and for the transaction of such other business as deemed necessary.

If an annual meeting has not been held for any reason, the meeting shall be held at any time thereafter as a special meeting called for the purpose of electing officers.

#### **Section III: Advisory Meetings**

Advisory meetings of the membership may be called by the President, the Secretary, a majority of the Board or by written request signed by at least one-tenth of the members of the Association.

## ARTICLE V

### OFFICERS AND ASSOCIATION BOARD MEMBERS

#### Section I: Number of Association Board Members and Terms of Office

The business and affairs of the Association shall be managed by an Association Board. Each Board member shall be a professional member in good standing of the Association. All policy making powers of the Association shall be vested in the Association Board. This includes the adoption of resolutions, which are subject to recall by the membership at the next duly convened meeting of the Association.

The Association Board shall consist of nine members: four officers (president, vice president, secretary and treasurer), two regional directors (east and west), two at-large directors and a State Pretrial Intervention Office representative.

The Association Board members shall be elected by a majority vote of eligible professional members. The President and Treasurer shall be elected on even years for a two (2) year term. The Vice President and Secretary shall be elected on odd years for a two (2) year term. The Western Regional Board Member shall be elected in even numbered years and the Eastern Regional Board Member shall be elected in odd numbered years. The Regional Board Members shall reside in and represent the east and west regions, which shall be composed of eight (8) judicial circuits, and shall serve a term of two (2) years. The At-Large Board Members shall server a term of two (2) years with one elected in even numbered years and one elected in odd numbered years. The At-Large Members are elected statewide.

A vacancy on the Association Board may be created by a failure to perform positional

duties. A failure to perform positional duties shall be deemed to have occurred by the considered opinion of majority of the Association Board. Voting shall be by person, telephone, email or fax (to be confirmed in writing), during the course of a duly convened Association Board meeting. The findings of a failure to perform positional duties shall be grounds to remove a member from the Association Board. Written notification of the Board's consideration to revoke a member from their position on the Association Board for failure to perform duties shall be provided to the member in advance of the scheduled board meeting. The member shall be allowed the opportunity to attend and respond before revocation is taken. The membership may, by 2/3 vote of those present and voting at a duly convened meeting of the membership, revoke a member from their position of the Association Board for failure to perform their duties as defined. Any vacancy in the Association Board may be filled by majority vote of the remaining members of the Association Board.

## **Section II: Terms of Offices**

The elected officers of the Association shall be President, Vice President, Secretary and Treasurer. No officer may be elected for more than two consecutive terms to the same office. An officer appointed to fill a vacancy shall be eligible for election to that office for the following two terms. A vacancy caused by death, resignation, or revocation of an officer shall be filled by a majority vote of the remaining members of the Board at the next duly convened meeting. Should the office of the President become vacant, the Vice President shall be appointed President.

## **Section III: Assumption of Office**

Newly elected members of the Association Board shall take their seats upon election.

The outgoing President of the Association shall invite the newly elected members of the Board to attend a transitional Association Board meeting.

#### **Section IV: Meetings of the Association Board**

A majority of the Association Board members shall be a quorum for the transaction of business. The act of the quorum present shall be the act of the Association Board. A Board member shall be deemed present at a meeting for the purpose of constituting a quorum and transaction of business if the participation is by telephone and if the Board member shall subsequently approve and sign the minutes of such meeting. All members in good standing of the Association may attend regularly scheduled meetings of the Association Board as non-participants.

#### **Section V: Election of Association Board Members**

The election of all Association Board members will be accomplished by mail following the annual business meeting which is held at the Annual Fall Conference. Candidates may announce their intent to run for office through a letter of candidacy, but they must be formally nominated and seconded at the Annual Business Meeting in order to appear on the ballot. Nominations will close at the end of said meeting. Any member eligible to run for office must be a member in good standing.

All ballots will be printed with the names of the candidates for each respective office. Space will also be provided for write-in candidates for each position subject to election. The ballots will be mailed to all voting members ten business days after the Annual Business Meeting.

Ballots must be returned postmarked within 30 business days of the Annual Business Meeting.

**Section VI: Members in Good Standing**

A member is in good standing when dues are paid and all other conditions are met as stated in the Bylaws. The treasurer shall forward a list of all members in good standing to the Secretary and the State Pretrial Office Board member.

## ARTICLE VI

### POWER AND DUTIES OF ASSOCIATION BOARD MEMBERS

The duties of the Association Board members shall be as implied by their respective titles and as specified in these Bylaws. Each Association Board member shall be supplied with a current notebook to update and to turn over to his successor.

#### **Section I: President**

The President shall conduct all meetings of the Association, and perform all duties relating to the office. This includes appointing all committees and representing the Association. The President must have served on the Board within the last five years. With the approval of the Association Board members, the President may apply to governmental and private agencies for funds or grants to carry out programs consistent with the goals of the Association. The President shall be an ex-officio member of all committees, standing or advisory, and shall report to the Board members all action. The President of the Association may, at any time during the term office, invite the immediate predecessor, to attend any functions of the Association Board members.

#### **Section II: Vice President**

The Vice President shall perform all the duties and have the powers of the President in the absence of the President. In addition, the specific duty of Parliamentarian will be assigned to the Vice President. Other duties may be designated to the Vice President by the President or the Association Board members.

### **Section III: Secretary**

The Secretary shall keep an accurate and permanent written record of all meetings. The Secretary shall maintain a directory \with current addresses and telephone numbers of each member of the Association. The Secretary shall maintain a current mailing list of all committee chairpersons and their respective members. The Secretary shall ascertain the presence of a quorum at any meeting, and send a copy of all notices of Board, annual and special meetings to all members. The minutes of such meetings shall be mailed to all board members. The Secretary shall tabulate all written ballots and report the results to the presiding officer and the Board. The Secretary shall make a report at each meeting of the activities of the Association unless such a report shall be waived. All correspondence for the Association shall be conducted by the Secretary. All documentation of value to the Association shall be sent to the State Pretrial Intervention Office to be kept for permanent record.

### **Section IV: Treasurer**

The Treasurer shall keep the account of the Association in an accurate manner and shall receive all monies of the Association and deposit them in an interest bearing account. The Treasurer shall collect all dues and notify delinquent members of his past due account with a copy of such notice to the Association Board Members. A Treasurer's Report shall be submitted at each meeting and shall be reported at the annual meeting on the fiscal business of the Association for the prior year. A copy of such report shall be sent to the State Pretrial Intervention Office to keep as a permanent record. The funds of the Association shall be subject to withdrawal upon the Treasurer's signature and the signature of the President of the Association or one other officer of the current Board. The Treasurer shall keep an

itemized record, in a permanent file, of all receipts and expenditures, and prepare and present a financial report to the Association Board. All accounts and annual reports shall be subject to audit. The Treasurer shall be responsible for filing and updating necessary federal documents including, but not limited to eleemosynary status forms and IRS returns, if applicable.

## ARTICLE VII

### COMMITTEES

#### **Section I: Committees, Terms of Office, Reports**

The Association may have committees to include Membership and Publication/Public Relations. The President shall appoint all committees as needed, giving consideration to representation from a variety of Pretrial positions, geographic locations, and special competence. The term of office of each committee member shall be at the pleasure of the president. All committees shall file written reports to the Association Board members annually and shall present oral or written reports when requested or needed.

#### **Section II: Duties of Committees**

**Membership:** It shall be the duty of each Board member to actively promote the Association to qualified persons or entities for Association membership.

**Publication/Public Relations:** It shall be the duty of the Publication/Public Relations committee to publish and distribute information to all members in good standing. The committee shall gather, maintain, and disseminate upon request, information on exemplary PTI programs with South Carolina as well as those out of state.

A majority of the membership of each standing or advisory committee of the Association shall be composed of professional members in good standing. An advisory committee composed solely of Honorary or Lifetime members may be established by the President of the Association to advise the Board on policy matters.

A member in any category of membership can be revoked by a majority vote of the Board.

### **Section III: Membership Dues**

In order to obtain and continue membership in the Association, each class of members, except Honorary and Lifetime, shall pay the established sum to the Association every calendar year as dues, which shall become due on January 1. Each professional member shall pay the sum of thirty five (\$35.00) dollars per year; each associate member shall pay the sum of twenty five (\$25.00) dollars per year. The secretary or designated board member shall send an application for membership to all members thirty (30) days prior to the due date. If after sixty(60) days on the date the notice was sent the dues owed by the member has not been paid, such person shall immediately cease to be a member of the Association.

### **Section IV: Continued Education**

Members are required to complete 12 hours of CEU's. The Association will provide ample opportunities to accumulate the needed hours during Spring and Fall Conferences.

## **ARTICLE VIII**

### **RESOLUTIONS**

#### **Section I: Resolutions**

All resolutions shall be submitted for a vote at a duly convened meeting of the Board.

Whenever possible, resolutions shall be submitted sufficiently in advance to permit the dissemination.

## **ARTICLE IX**

### **ASSOCIATION REPRESENTATION**

#### **Section I: Association Representation**

No Association member shall speak and/or represent the Association in any official capacity without approval of the President and/or the Association Board members. Any official representative of the Association shall adhere to the goals and objectives of the Association while in this capacity regardless of personal views or beliefs.

ARTICLE X

AMENDMENTS AND BY-LAW REVIEW


Section I: Amendments to By-laws

The power to make, alter, or repeal any part of this Code of Bylaws is vested in the Association Board members. The affirmative vote by three-fourths majority of the Association Board members shall be necessary to effect any changes of this Code of Bylaws. However, qualified voting members of the Association may amend these By-laws by a two-thirds vote by written ballot. This proposed amendment must be received at the state office sixty (60) days prior to a duly convened meeting of the Association membership. The proposed amendment must be disseminated to all Association members thirty (30) days prior to the meeting for a vote on proposal.

Section II: By-Law Review

The Association Board members shall review the Bylaws every five (5) years for the purpose of revision.

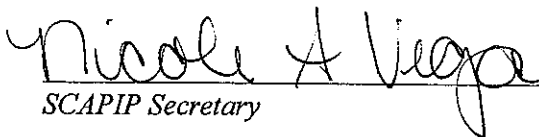
IN WITNESS WHEREOF, *the undersigned certifies that the Code of bylaws amended most recently on September 24, 2006, by a three-fourths majority of the Association Board, and/or by two-thirds majority of the voting membership of the Association at duly convened Annual or Special meeting.*



SCAPIP President

7/9/08

Date



SCAPIP Secretary

7/9/08

Date