

RHODE ISLAND ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

BY-LAWS

ARTICLE I – NAME, OFFICES

Section 1. The name of this organization is the Rhode Island Association of Criminal Defense Lawyers.

Section 2. The Association may have offices at such place as the Executive Committee may from time to time appoint.

ARTICLE II – OBJECTIVES AND PURPOSES

Section 1. Objective and Purposes. The objectives and purposes of the Association are to foster, maintain and encourage the integrity, independence and expertise of lawyers engaged in the practice of criminal law; to work toward achieving justice and dignity for criminal defense lawyers, persons accused of crime, and the criminal justice system; and to influence the criminal law for the betterment of the criminal justice system and members of the Association.

ARTICLE III – MEMBERSHIP

Section 1. Regular Membership. Membership in the Association shall be available to any lawyer admitted to the Rhode Island Bar who is actively and substantially engaged in the practice of criminal defense. Each regular member shall be entitled to one vote on each matter brought for a vote to the membership.

Section 2. Associate Membership. Membership as an associate shall be available to any individuals whose work or expertise is substantially related to the field of criminal defense. Such associate member shall be a non-voting member of the Association.

Section 3. Student Membership. Membership shall be available to any law student who is interested in the field of criminal defense. Such student member shall be a non-voting member of the Association.

Section 4. Annual Dues. There shall be annual dues, payable on or before September of each year, the amount determined by majority vote of the regular members. Renewal dues shall be paid at such time. Dues shall be paid by any person applying for membership at the time of such application.

Section 5. Expulsion from Membership. If at any time a member is in arrears of his or her dues for a period of 2 months, a notice shall be sent by the Director of Membership informing said member of the arrearage. Following arrearage for a period of 4 months, a second notice, by registered mail, return receipt requested, shall be sent; and if said dues remain unpaid for a period of 30 days thereafter, said member shall be suspended from the Association. Any member may be expelled from membership for cause or for his or her failure to meet the criteria for membership, by a vote of 2/3 of the members present and voting, after proper notice to said member of the meeting at which expulsion is proposed.

ARTICLE IV – OFFICERS

Section 1. Designation. The Officers of the Association shall be a President, President-Elect, Director of Finance, Director of Communications, and Director of Membership.

Section 2. Election. The Officers shall be elected at the biennial meeting of the Association and shall hold office until the biennial meeting and until their successors are elected and qualified. The Officers shall be elected from candidates proposed at the biennial meeting by a Nominating Committee and such other candidates as are nominated by a regular member at the time of the election. Off year elections shall be held for the election of a President-Elect. Said elections shall be held consistent with all other provisions of these By-Laws.

Section 3. Qualifications for Officers. All regular members are qualified to stand for election as Officers. Expulsion of an Officer from membership in the Association shall automatically forfeit such Office.

Section 4. Vacancy. In the event of a vacancy by reason of death, incapacity, resignation or expulsion, an election shall be held at the next lawful meeting of membership, and nominations shall be received from the Nominating Committee if it has met during the interim between the vacancy and the meeting, and any, from any regular member.

Section 5. Duties of the Officers. The duties and powers of the elected Officers shall be as follows:

(a) President. The President shall be the Chief Executive Officer of the Association, and it shall be his or her responsibility to oversee and coordinate the activities of the Association and to call for and preside at its meetings. The President shall appoint the Chairs of all standing and special committees, and shall appoint the members of said committees. S/he or his or her delegate shall be the spokesman for the Association and whenever practicable shall appear publicly for the Association and speak its policies. The President shall be responsible for declaring the agenda of all regular and special meetings. The President may authorize the expenditure of up to \$200.00 without the approval of the Executive Committee.

(b) President-Elect. The President-Elect shall assist the President in the performance of his or her duties and perform such other duties as may be prescribed for him or her by the President. In the absence of the President, the President-Elect shall preside over all meetings of the Association. In the event of the death, incapacity, resignation or removal from office of the President, the President-Elect shall carry out the duties of the President until that Office is filled by election.

(c) Director of Finance. The Director of Finance shall maintain the funds and pay the obligations of the Association as directed by the President or the Executive Committee. The Director of Finance shall also collect the monies received from the dues of members.

(d) Director of Communications. The Director of Communications shall attend and keep minutes of all meetings of the Association and shall have such other powers and perform such other duties as are incident to the office of Director of Communications or as may be assigned to him or her from time to time by the President or by the Executive Committee.

(e) Director of Membership. The Director of Membership shall actively seek and respond to the needs and interests of new members through events, meetings, phone calls, and electronic mail. The Director of Membership shall also review the membership base and mailing lists and will focus on expanding the Regular, Associate, and Student Membership of the Association.

Section 6. Executive Committee. The purpose of the Executive Committee shall be to act on Association business and transactions during the interim periods between regular membership meetings. The Executive Committee shall consist of the Officers of the Association, eight (8) members of the Association elected at the biennial meeting by the voting membership, the editor of the RIACDL ELECTRONIC NEWSLETTER, the Chairs of the standing committees, the presiding Public Defender and all former Presidents of the Association. The Executive Committee shall meet regularly between meetings of the memberships, and the times and agendas of said meetings shall be available to the membership upon request. The Executive Committee may authorize expenditures by the President or the Treasurer in excess of \$200.00. The Executive Committee shall also have authority to seek and apply for grants from any other agency where such grants will further the interests of the Association.

ARTICLE V – MEETINGS

Section 1. Biennial and Regular Meetings. There shall be a biennial meeting of the Association in September of the even numbered years. Regular meetings shall be held each year, at a time and place designated by the President, and the President is authorized to schedule such other regular meetings as she/he deems appropriate to carry out the purposes of the Association. Notice of meetings shall be afforded to all members by individual mail or by posting in such a manner as is reasonably likely to give notice. The agenda for each regular meeting shall be available to all members at least 48 hours in advance of such meeting.

Section 2. Quorum. Those members who are eligible to vote and present at any biennial or quarterly meeting of the Association shall constitute a quorum for the transaction of business at said meetings.

Section 3. Program. The program of the biennial and regular meetings shall be devoted primarily to the furtherance of the aims purposes and objectives of the Association.

Section 4. Special Meetings. A special meeting may be called by written notice to the President, signed by members constituting at least 10 percent of the regular membership of the Association. A special meeting may be called only for a designated purpose, and no business beyond that purpose shall be entertained at such special meeting. Notice of a special meeting, including the designated purpose of the meeting, shall be given to all members in accordance with the notice required for regular meetings.

Section 5. Any regular member in attendance may vote at any annual, quarterly or special meeting. Any regular member who is unable to attend an annual, quarterly, or special meeting may vote by proxy provided that: (1) the non-attending member notifies, in writing, the Secretary of the Association of his/her inability to attend the meeting; (2) that said notice of proxy shall be signed by the member, and shall designate a proxy; and (3) that both the member requesting the proxy and the designated proxy be members in good standing. This amendment will allow for the use of proxy votes for the elections of officers, the Executive Committee, and any other issue put to a vote at any regular or special meeting, and would be effective upon passage.

ARTICLE VI – COMMITTEES

Section 1. Standing Committees. At each biennial meeting, following the election, the President shall appoint a Chair of the following Standing Committees: By-Laws Committee, Continuing Education Committee, Legislative Committee, Judiciary Committee and Computer Committee. The President shall appoint the Chair and members of those committees from the membership, regular and associate, of the Association. Committee members shall serve until the next biennial meeting.

(a) By-Laws Committee. The By-Laws Committee shall review any changes to the By-Laws proposed by the President, the Executive Committee or any member of the Association, and shall recommend such changes it deems appropriate to the regular membership at any biennial or quarterly meeting, or at any special meeting called for that purpose.

(b) Continuing Education Committee. The Continuing Education Committee shall propose a program of continuing education for attorneys engaged in the practice of criminal defense and shall carry out any programs approved by the members by majority vote at any meeting. The expenses any program shall be submitted for consideration and may be authorized by the Executive Committee or by the membership.

(c) Legislative Committee. The Legislative Committee shall review all proposed legislation which affects the practice of criminal defense, and shall make such recommendations for policy of the Association as it deems appropriate to the membership or to the Executive Committee. The members of the Legislative Committee upon specific designation by the President or the Chair of the Committee, may lobby for or against legislation which affects the practice of criminal defense, if the policy position of the Committee has been approved by the membership or the Executive Committee.

(d) Judiciary Committee. The Judiciary Committee shall review appointments for judicial office and shall be responsible for developing recommendations and programs to effect the best interests of the Association in the administration of justice. The committee shall also have the responsibility for making the Courts aware of the Association's views on such subjects as calendaring and assignments of judicial space.

(e) Computer Committee. The Computer Committee is charged with bringing the Association into the 21st century. The committee's focus will be to devise a point of dissemination of materials and information for the membership. The information should include recent decisions issued by any presiding Justice of the District, Superior or Supreme Courts, any information informants, witnesses for hire, evidence of perjured testimony by any law enforcement personnel and any other information that may be useful to the membership. Dissemination of these materials shall be facilitated through the use of e-mail, and if at all possible, by the formulation of a web-site and by any and all means available through the various computer networks.

Section 2. Special Committee. The President shall appoint a Chair and members of any special committee which the Executive Committee or the membership authorize from time to time. Such Special Committee shall serve for such periods, and shall have such responsibilities, as the President shall designate.

Section 3. Nominating Committee. The Nominating Committee shall, at least 15 days prior to the biennial meeting, forward to the president and Executive Committee its nominations for election to the Offices of the Association. The Nominating Committee shall ascertain, prior to making a nomination, that the candidate is a regular member of the Association and is willing to accept the nomination. The Chair of the Nominating Committee shall not have a seat on the Executive Committee.

ARTICLE VII – BY-LAWS

Section 1. Changes. Any member may propose a change to the By-Laws, which shall be forwarded to the By-Laws Committee for its recommendation. After review by the By-Laws Committee, that committee or any member may submit the proposed change to the membership. Any proposed change to the By-Laws shall be available upon request to any member at least 48 hours prior to the meeting at which it shall be entertained. The By-Laws may be changed by a

vote of 2/3 of the members present at such meeting.

Section 2. Waiver. The notice required by Section 1, and the review by the By-Laws Committee may be waived by the unanimous vote those members present and voting any regular quarterly meeting at which a change to the By-Laws is proposed. The foregoing By-Laws, as amended, of the Rhode Island Association of Criminal Defense Lawyers, are effective as of November 15, 2002; as amended November 13, 2008, and June 24, 2011.