

# **GALVESTON COUNTY CRIMINAL DEFENSE LAWYERS ASSOCIATION**

## **BY-LAWS**

### **ARTICLE I**

#### **NAME**

The name of this organization shall be the Galveston County Criminal Defense Lawyers Association (the Association).

### **ARTICLE II**

#### **PURPOSE**

The purpose of the Association shall be to protect and insure by rule of law those individual rights guaranteed by the laws of the State of Texas, the Texas and Federal Constitutions in criminal cases and to resist the constant efforts which are being made to curtail these rights; to encourage cooperation between lawyers engaged in the furtherance of these objectives through educational programs and other assistance; sponsor educational programs and seminars on a local basis; receive reports on legislation on the State level involving criminal law and promote legislation in furtherance of justice and the common good in criminal law; promote local court rules and procedures in furtherance of justice and the common good; promote relations with local judicial and law enforcement officers; through this cooperation, education, and assistance to promote justice and the common good and otherwise further the common goals, interest and education of the criminal defense bar of Galveston County, Texas.

### **ARTICLE III**

#### **MEMBERSHIPS**

Section 1. Regular Membership:

(a) Membership shall be composed of all licensed attorneys who practice criminal law in the courts of Galveston County and who have paid their dues...

(b) All voting privileges will be limited to members who have paid their dues.

Section 2. Honorary Membership: A person who has made an outstanding contribution to the welfare and has aided the achievement of the goals of this Association may be elected an honorary member of the Association. An affirmative vote of a majority of the members present and eligible to vote is required to elect any honorary members. Honorary membership shall extend for an indefinite period. An Honorary member shall not be eligible to vote.

Section 3. Student Membership: A person who is enrolled in a school of law in this state is eligible for student membership in the Association. A student member shall not be eligible to vote.

Section 4. Affiliate Membership: A person active in a field which contributes regularly to the defense of criminal cases and the goals of the Association is eligible for affiliate membership in the Association. Examples include full-time professors of law or criminal justice, non-sitting judges, legal assistants and other support staff persons working for regular members, licensed private investigators, technical experts, law librarians, out-of-state lawyers and other persons approved by the Board of Directors. An Affiliate member shall not be eligible to vote.

Section 5. Voting: All voting privileges will be limited to members who meet the qualifications set forth above and have paid their dues.

**ARTICLE IV  
DUES & COSTS**

Section 1. Annual Dues:

(a) Until modified by the Board of Directors, the dues schedule is as follows:

Renewing Regular Member	\$25.00
First Time Regular Members	\$10.00
Honorary Member	No dues required
Affiliate Member	\$10.00
Student Member	\$10.00

(b) Any member whose annual dues are more than three months in arrears shall cease to be a member of the Association in good standing.

Section 2. Dues Schedule: Annual dues shall be paid on or before the 1<sup>st</sup> day of July each year.

Section 3. Expenses:

(a) Administrative costs shall be paid by the Treasurer upon submission to and approval of the Board of Directors.

(b) Any funds collected over and above regular dues shall be expended for the purposes for which they were collected or in furtherance of the purpose and goals of the Association, pursuant to approval of a majority of the members present and voting.

Section 4. Fiscal Year:

The calendar year shall be July 1 through June 30 of each year.

## ARTICLE V MEETINGS

### Section 1. General Meetings:

(a) Monthly meetings shall be held on the third Friday of each month or at a time and place to be designated by a majority of the Board of Directors. There are no general monthly meetings for the months of June for the Rusty Duncan Seminar and December.

(b) The general monthly meetings shall be open to members of the public and shall provide educational programs.

(c) The business of the Association requiring a vote of the regular members shall be conducted in Special meetings, as needed.

Section 2. Board Meetings: The Board of Directors shall hold regular quarterly meetings, at such time and place as designed by the President and approved by the Board of Directors.

Section 3. Special Membership Meetings: Special meetings of the members of the Association may be held held, as the Board of Directors deems necessary.

Section 4. Special Board Meetings: The Board of Directors shall hold such special meetings as may to be called by the President or upon written request by a simple majority of members of the Board of Directors.

### Section 5. Notice of Meetings:

(a) Written notice of the general and board meetings shall be given to each member at least ten (10) days in advance of the meeting.

(b) Written notice of each monthly and any special meeting shall be given to each member at least ten (10) days in advance of the meeting, including a proposed agenda for any special

meeting. The agenda for a special meeting may be enlarged by approval of two-thirds of those present and voting at the special meeting.

(c) Written notice here and elsewhere in these bylaws is accomplished by posting at the Galveston County Courthouse.

Section 6. Voting At Meetings:

(a) A quorum of the general membership or the Board of Directors, respectively, in good standing must be present to transact business. A quorum shall constitute a majority of members or Board of Directors in good standing, present and voting.

(b) The transaction of business at all meetings shall be by majority vote of the members or Board of Directors in good standing, present and voting.

**ARTICLE VI  
OFFICERS**

Section 1. Officers: The officers of the Association shall consist of at least a President, Vice-President [President-Elect](#), Secretary, and Treasurer.

Section 2. Qualifications: All Officers shall be voting members in good standing.

Section 3. Term of Office: Officers shall hold their respective offices from July 1 to June 30 of the following year.

Section 4. Duties:

(a) The President shall preside at all meetings of the Association, and it shall be his or her responsibility to have Continuing Legal Education speakers available for each meeting.

(b) The Vice-President President-Elect shall be responsible for proper CLE credit for all members present at CLE presentations. In the absence or during incapacity of the President, the Vice-President President-Elect shall perform the duties and exercise the powers of the President.

(c) The Secretary shall keep the minutes of each meeting of the Association and each and each meeting of the Board of Directors; he or she shall keep a current membership list and shall be responsible for notifying all members of all meetings and other events. At the end of his or her term of office, the Secretary shall deliver to the newly elected Secretary all permanent minutes, membership list and other Association documents that are in his or her possession.

(d) The Treasurer shall be responsible for the moneys belonging to the Association, collect all dues and lunch fees, deposit same in the Association's checking account, pay all regular bills of the Association and make a financial report at every regular Association meeting.

At the end of his or her term of office, the Treasurer shall provide a final accounting to all members during the regular May meeting and shall deliver to the newly elected Treasurer the checkbook together with the bank statement for the preceding 12 months. The Treasurer shall transfer the bank account of the Association to the new treasurer and at least one other officer within 7 days of the day of the election by executing all instruments that the bank may require.

#### Section 5. Terms:

(a) Officers shall be elected for a term of one year.

(b) No Officer may be elected to serve for more than four (4) full consecutive terms.

Section 6. Organization: The President of the Association shall serve as chair of general and any special meetings. In absence of the President, the Vice-President [President-Elect](#), or in his or her absence the Treasurer, shall serve as chair.

Section 7. Assumption of Office: The Vice-President [President-Elect](#) shall assume the office of President upon the expiration of the term of the preceding President. In the event of the death, resignation, or removal from office of the President, the Vice-President [President-Elect](#) shall accede to the office of the President, holding said office for the remainder of said term, and for the full succeeding term.

Section 8. Vacancies: Any vacancy occurring in the Officers cause by the death, resignation, or removal of the person elected thereto may be filled by special election after nomination and majority vote by the members present and eligible to vote.

Section 9. Removal and Absences: An elected officer may be removed for cause by a vote calling for such removal by a majority of the members eligible to vote and present at such meeting, after notice and an opportunity to be heard. Removal may result from failure to attend three (3) consecutive meetings of general meetings and special meetings without good cause.

## ARTICLE VII BOARD OF DIRECTORS

Section 1. Membership: The business and affairs of the Association shall be managed by the Board of Directors. The Board of Directors shall consist of the elected officers of the Association and a Director elected as Liaison to the Courts and Judges of Galveston County, Texas.

The Board of Directors shall [may](#) appointed as needed --

\*a [A](#) Liaison to the Galveston County District Attorney's Office;

- \*aA Liaison to Law Enforcement;
- \*aA Liaison to the Bail Bond Companies;
- \*aA Liaison to the Galveston County Community Supervision and Corrections Department (formerly as Probation Department). One person may be appointed as Liaison to up to two entities.

Section 2. Duties of Directors and Liaison:

(a) The Director elected as Liaison to the Courts and Judges of Galveston County, Texas shall

serve as a contact person for the Courts and Judges. The Liaison shall seek to promote the local court rules and assist in the development of procedures and practices in furtherance of justice and the common good with regard to the rights of those accused of criminal law violations as guaranteed under the law. The Liaison may attend Judges meetings as applicable to the interest of the Association and the criminal defense bar of Galveston County, Texas. The Liaison to the Courts and Judges shall not be a candidate, nominee or appointee for elected judicial office in Galveston County, Texas.

(b) The Liaison to the Galveston County District Attorney's Office shall serve as a contact person with the Galveston County District Attorney's Office. The Liaison shall seek to promote cooperation between defense and prosecution lawyers and to assist in the development of procedures and practices in furtherance of justice and the common good with regard to the rights of those accused of criminal law violations as guaranteed under the law. The Liaison to the Galveston County District Attorney's Office shall not be a candidate or nominee for the elected office of Galveston County District Attorney.

(c) The Liaison to Law Enforcement shall serve as a contact person with Law Enforcement Agencies and Officer of Galveston County, Texas, including the Galveston County Sheriff's Department, local police agencies, Constables Offices and other law enforcement organizations. The Liaison shall seek to promote relations with law enforcement officers and



to assist in the development of procedures and practices in furtherance of justice and the common good with regard to the rights of those accused of criminal law violations as guaranteed under the law. The Liaison to Law Enforcement shall not be a licensed law enforcement officer nor an active or reserve member of any law enforcement agency or organization, excluding honorary memberships.

(d) The Liaison to the Bail Bond Companies and Bail Bonds Workers shall serve as a contact person with the Bail Bond Companies and Bail Bonds Workers in Galveston County, Texas. The Liaison shall seek to promote relations with Bail Bond Companies and Bail Bond Workers and to assist in the development of procedures and practices in furtherance of justice and the common good with regard to the rights of those accused of criminal law violations as guaranteed under the law. The Liaison may attend Bail Bond Board meetings as applicable to the interest of the Association and the criminal defense bar of Galveston County, Texas. The Liaison to the Bail Bond Companies and Bail Bond Workers shall not be an employee, representative, advisor, owner, officer, director or legal counsel to any Bail Bond Company or business.

(e) The Liaison to the Galveston County Community Supervision and Corrections Department (formerly known as Probation Department) shall serve as a contact person with the Galveston County Community Supervision and Corrections Department. The Liaison shall seek to promote relations with the Galveston County Community Supervision and Corrections Department, their administrators, supervision officers and staff members and to assist in the development of procedures and practices in furtherance of justice and the common good with regard to the rights of those accused of criminal law violations as guaranteed under the law. The Liaison may attend Probation Board meetings as applicable to the interest of the Association and the criminal defense bar of Galveston County, Texas.

(f) The Liaison to the Galveston County Bar Association shall serve as a contact person with the Galveston County Bar Association. The Liaison shall seek to promote cooperation between lawyers, aide with presentation of educational programs and seminars on a local

basis in the field of criminal law and assist in the development of procedures and practices in furtherance of justice and the common good with regard to the rights of those accused of criminal law violations as guaranteed under the law. The Liaison to the Galveston County Bar Association shall be a member of the Galveston County Bar Association.

Section 3. Assistants: The Liaisons may appoint members in good standing to assist in the performance of their duties, including but not limited to attendance at meetings applicable to the interest of the Association and the criminal defense bar of Galveston County, Texas.

Section 4. Terms:

(a) Liaisons shall serve for a term of one (1) year.

(b) No Liaison may serve for more than four (4) full consecutive terms.

Section 5. Organization: The President of the Association shall serve as chair of meetings of the Board of Directors. In absence of the Present, the Vice-President [President-Elect](#), and in his or her absence, the Treasurer shall serve as chair.

Section 6. Procedures: The Board of Directors may act in person, by telephone, by e-mail, or any method approved by the Board of Directors.

Section 7. Vacancies: Any vacancy occurring in the Board of Directors caused by the death, resignation, or removal of the person elected thereto may be filled by appointment of any eligible member by the President, subject to confirmation by the Board of Directors.

Section 8. Removal and Absences: A Director may be removed for cause by a vote calling for such removal by a majority of the members eligible to vote and present at such meeting, after notice and an opportunity to be heard. Removal may result from failure to

attend three (3) consecutive meetings of the Board of Directors, general meetings or special meeting without good cause.

## ARTICLE VIII COMMITTEES

### Section 1. Nominations Committee:

(a) Prior to March of each new fiscal year, the Vice-President [President-Elect](#) shall appoint a chair of the Nominations Committee. The members of the committee shall be selected by the chair of the Nominations Committee. The Nominations Committee shall receive applications and seek applications from members for each of the officer and director positions open.

(b) The membership shall be given notice in writing [or other means](#) of the nominees  10 days prior to the May Special Meeting. Such notice may be given as provided by Section 5 of Article 5 and shall also advise the membership that any qualified member in good standing may seek election for the Board of Directors and any officer position. Any disputed questions regarding an election shall be resolved by those members in good standing who are present and voting at the May Special Meeting.

Section 2. Other Committees: Any other such special or study committees as recommended by the President or Board of Directors may be appointed upon majority vote of the members present and eligible to vote.

## ARTICLE IX ELECTIONS

Section 1. Date of Election: Election of the Vice-President [President-Elect](#), Secretary, Treasurer and Directors shall be held at the May Special Meeting of each year.

Section 2. Method of Voting: Election shall be by a majority of vote of those members present, eligible to vote and voting. Votes may be cast by written ballot, by voice call or show of hands as designated by the Board of Directors.

Section 3. Effective Date: Upon adjournment of the meeting resulting in the election of Officers and Directors, the Vice-President [President-Elect](#) shall assume the office of the President and all elected officers and directors shall take office.

## ARTICLE X AMENDMENTS

All future changes to the By-laws of the Association shall be brought by the Executive Committee to the entire membership of the Association. Notice of proposed amendments shall be given to the membership at least 30 days prior to the vote. All amendments to the by-laws require a simple majority of the members present.

## ARTICLE XI ROBERTS RULE OF ORDER

The meetings of the Association shall be governed by Roberts Rules of Order, Newly Revised Edition, unless otherwise governed by these bylaws.

## ARTICLE XII DISSOLUTION

Upon the dissolution of the Association, the Board of Directors of the Galveston County Criminal Defense Lawyers Association shall, after making provisions for the payment of all liabilities of the Association, disposed of the assets of the Association exclusively for the purposes of the Association in such a manner, or to such organization or organizations organized and operated exclusively for the charitable, education, religious or scientific purposes as shall at the time qualify to exempt said organization or organizations under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1954, as amended, or the corresponding provisions of any future United States Internal Revenue Law, as the Board of Directors shall determine. Any such assets not so disposed of shall be disposed of by a Court of proper jurisdiction of Galveston County, Texas, exclusively for such purposes or such organization or organizations as said Court shall determine, which are organized and operated exclusively for such purpose.

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Jeffrey Gelb, President

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Daylene Marsh, President Elect

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Byron Fulk, Secretary

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Oktavia Carstarphen, Treasurer Treasurer