

**BYLAWS
OF THE
CONFERENCE OF CHIEF JUSTICES**

(Adopted by the Board of Directors, September 28, 1983)

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BYLAWS
OF THE
CONFERENCE OF CHIEF JUSTICES

ARTICLE I

Name

The name of this organization is:

CONFERENCE OF CHIEF JUSTICES

ARTICLE II

Purpose

2.1 Purpose. The purpose of the Conference is to provide an opportunity for consultation among the highest judicial officers of the several states, commonwealths, and territories, concerning matters of importance in improving the administration of justice, rules and methods of procedure, and the organization and operation of state courts and judicial systems, and to make recommendations and bring about improvements on such matters.

2.2 Affiliation. The Conference may be affiliated with such organizations and may send representatives or delegates to such other organizations having purposes consonant with those of the Conference as the Conference or its Board of Directors may from time to time determine. Each such representative or delegate shall be a Chief Justice, and his or her position as representative or delegate shall become vacant if he or she ceases to be a Chief Justice.

ARTICLE III

Membership and Voting Rights

3.1 Members. Membership in the Conference shall be limited to the highest judicial officer of each state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Territory of American Samoa, the Territory of Guam, the Territory of the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and of such other political entities as the Board of Directors shall approve from time to time, all while serving in such office (hereinafter referred to as Chief Justices); provided, however, that the member of the Board of Directors of the Conference who is appointed by the President-elect, and any presiding judge of a court of criminal appeals which is a court of last resort having jurisdiction limited to criminal matters, shall also be members of the Conference while serving in such offices.

3.2 Voting Rights. Each member of the Conference, excluding those serving on a court of last resort having jurisdiction limited to criminal matters, shall have one vote which shall be cast by the member, or, in his or her absence, by his or her official designee in attendance at the meeting. The designee of a member shall be a justice of the member's court.

ARTICLE IV

Meetings of Members

4.1 Annual, Midyear, and Special Meetings. The Conference shall hold an annual meeting in the summer and a midyear meeting in the winter. The time and place of future annual and midyear meetings shall be determined by the Conference after

recommendation by the Board of Directors. Special meetings may be called by the Board of Directors.

4.2 Notice of Members' Meetings. Written notice stating the place, day, and hour of any meeting of members and, in case of a special meeting, the purpose or purposes for which it is called, shall be mailed to each member not less than ten nor more than fifty days before the date of the meeting; except that notice of a meeting to act on an amendment to the articles of incorporation or an amendment to these bylaws shall be mailed not less than twenty-five (25) nor more than fifty (50) days before the date of the meeting. Signed waivers of notice from all members entitled to vote at the meeting shall be the equivalent of giving notice.

4.3 Quorum and Action by Members. At any meeting of members, a quorum shall consist of members and designees of absent members totaling a majority of the number of members of the Conference entitled to vote at the meeting. All elections and all other matters voted on at any meeting of members shall be determined by a majority of those present and eligible to vote, except that amendment of the articles of incorporation shall require the vote of more than two-thirds of those persons present and eligible to vote. Action without a meeting may be taken by the signed consent of all members entitled to vote.

4.4 Conference Attendance. Attendance at meetings of the Conference shall be limited to the following:

- (a) Members of the Conference, as defined in Article III, or if a member is unable to attend, his or her official designee who shall be a Justice of the member's court.

- (b) Official participants, who shall be limited to:
 - (1) Members of the Board of Directors of the Conference who are not Chief Justices;
 - (2) The next incoming Chief Justice, at the invitation of the member from that state; and
 - (3) Former members of the Conference, at the invitation of the member from that state.
 - (4) Former Presidents of the Conference, provided that they shall not have a vote except in the Standing Committee of Past Presidents.
- (c) Other attendees, who shall be limited to:
 - (1) Spouses and families of members in attendance, of the designees of absent members, and of official participants;
 - (2) Program participants, their spouses and families;
 - (3) Persons specially invited by the President or by the member whose state is host for the meeting; and
 - (4) Secretariat staff and others necessary for the proper conduct of the meeting.

The Board of Directors may prescribe such special regulations and limitations on attendance for any meeting as may be necessary due to the limitation of facilities, notwithstanding the above provisions.

4.5 Participation. At all meetings of the Conference, each member in attendance, or, in the absence of the member, his or her official designee in attendance, shall be accorded all privileges of the Conference and of the meeting, including the right to vote, subject, however, to the provisions of section 3.2 of these bylaws. Official participants and other attendees shall not be entitled to vote and shall have only such privileges as may be granted from time to time by the President.

4.6 Attendance Fees. The Board of Directors shall prescribe in advance of each meeting a schedule of registration, tuition, or seminar fees to be paid by members, designees, official participants, and other attendees.

4.7 Program. The Board of Directors shall have final approval of the program for each Conference meeting.

4.8 Resolutions. All resolutions submitted for approval of the Conference shall be referred to the Resolutions Committee. Resolutions proposed by a Conference committee shall be reviewed for style and content by the Resolutions Committee and reported back to the initiating committee with the comments and suggestions of the Resolutions Committee. All other resolutions, with such changes as the Resolutions Committee may deem appropriate, shall be reported to the Conference with the committee's recommendation. The Resolutions Committee, subject to the approval of the Board of Directors, shall establish appropriate procedures for the processing of resolutions to assure their adequate consideration by the Conference.

4.9 Rules of Order. Insofar as practicable, except as otherwise provided in these bylaws, meetings shall be conducted in accordance with Robert's Rules of Order.

ARTICLE V

Board of Directors

5.1 Management. The Board of Directors shall be the governing body of the Conference and shall manage its affairs between meetings of the members.

5.2 Board Members. The Board of Directors shall consist of fourteen directors as follows:

- (a) Five directors ex officio: the President, the President-elect, the First Vice President, the Second Vice-President, and the Immediate Past President;
- (b) Eight directors elected by the members of the Conference at annual meetings, at least one of whom shall be elected from among voting members from jurisdictions where the highest judicial office rotates periodically with a term of five years or less; and
- (c) One director appointed by the President-elect at the annual meeting from among present members or former members who are still serving on the highest court of a state, excluding those serving on a court of last resort having jurisdiction limited to criminal matters.

5.3 Terms. The terms of the ex officio directors and the appointed director shall be for one year. The terms of the directors elected by the Conference shall be for two years and shall be staggered so that the terms of four directors expire in even-numbered years and the terms of the other four expire in odd-numbered years. The terms of each director shall commence at the close of the annual meeting at which he or she is

elected or appointed and shall end at the close of the annual meeting at which his or her successor is elected or appointed.

5.4 Ineligibility. If a director ceases to occupy the position of Chief Justice in his or her state, he or she shall not continue to serve as such director; except that the Immediate Past President, the Second Vice President, and the director appointed by the President-elect may each continue to serve as a director for the balance of his or her term as long as he or she is serving as a justice of the highest court of his or her state, excluding courts of last resort having jurisdiction limited to criminal matters.

5.5 Vacancies. Any vacancy on the Board of Directors, except in the position of director appointed by the President-elect, may be filled for the unexpired term by the affirmative vote of a majority of the remaining directors, though less than a quorum. If a vacancy exists at the time of the annual or midyear meeting, it shall be filled by the Conference. A vacancy in the position of the director appointed by the President-elect may be filled by the President.

5.6 Directors' Meetings. The Board of Directors shall meet at the call of the President on not less than five (5) days' notice and shall meet at each annual and midyear meeting of the Conference. Signed waivers of notice from all directors shall be the equivalent of notice. The attendance of a director at a meeting waives notice of the meeting unless the director attends for the express purpose of objecting that the meeting was not duly called or convened.

5.7 Quorum and Action. Seven directors shall constitute a quorum. Actions by the Board of Directors shall be determined by a majority vote of the directors at the meeting. Action without a meeting may be taken by the signed consent of all directors.

Directors may participate in a meeting by means of a conference telephone call, and such participation shall constitute presence in person at such meeting.

ARTICLE VI

Officers

6.1 Officers. The officers of the Conference shall be a President, a President-elect, a First Vice President, a Second Vice President, and a Secretary-Treasurer.

6.2 President. The President shall serve a one-year term and thereafter shall not be eligible for that or any other office. The President shall preside at meetings of members and meetings of the Board of Directors and shall perform such other duties as may be assigned by the Board of Directors. The President shall be, ex officio, a member of all committees.

6.3 President-elect. The President-elect shall be elected at the annual meeting of members to serve a one-year term. The President-elect shall succeed to the office of President at the expiration of the President's term. The President-elect shall assist the President in the performance of his or her duties and, in the absence of the President, shall perform his or her duties.

6.4 First Vice President. The First Vice President shall be elected at the annual meeting of members to serve a one-year term. The person holding the office of First Vice President shall not automatically succeed to the office of President-elect at the expiration of the current President-elect's term, but may be elected to that office, and shall succeed to it if it becomes vacant.

6.5 Second Vice President. The Second Vice President shall be elected at the annual meeting of members to serve a one-year term. He or she shall be elected from

among those members of the Conference, excluding those serving on a court of last resort having jurisdiction limited to criminal matters, from jurisdictions where the highest judicial office rotates periodically with a fixed term of three years or less. The person holding the office of Second Vice President shall not succeed to the office of First Vice President in the event of a vacancy and shall not be eligible to serve consecutive terms as Second Vice President.

6.6 Secretary-Treasurer. The Secretariat for the Conference shall perform the customary duties of Secretary and Treasurer. The Board of Directors of the Conference shall annually appoint a staff member of the Secretariat to hold the office of Secretary-Treasurer at the pleasure of the Board.

6.7 Terms. The one-year term of each officer shall commence at the close of the annual meeting at which he or she is elected or appointed and shall end at the close of the next annual meeting, subject, however, to the provisions of paragraph 6.6 above and paragraphs 6.8 and 6.9 below.

6.8 Ineligibility. If an officer (other than the Secretary-Treasurer) ceases to occupy the position of Chief Justice of his or her state, he or she shall not continue to serve as such officer, except that the Second Vice President may continue in office for the balance of his or her term while serving as a justice of the highest court of his or her state, excluding courts of last resort having jurisdiction limited to criminal matters.

6.9 Vacancies. In the event of a vacancy in the office of President, the President-elect shall automatically succeed to that office and shall serve the remainder of the vacated term and the full term he or she would ordinarily serve. If the office of President-elect becomes vacant, the First Vice President shall automatically become the

President-elect and shall serve the remainder of the vacated term. In the event of concurrent vacancies in the office of President and President-elect, the First Vice President shall become President and shall serve the remainder of the vacated term and the succeeding full term. Except as otherwise provided above, a vacancy in any office may be filled for the unexpired term by the Board of Directors. If such a vacancy exists at the time of the annual or midyear meeting, it shall be filled by the Conference.

ARTICLE VII

Committees and Secretariat

7.1 **Committee Members and Chair.** Membership on committees shall be limited to members and former members of the Conference. The President shall be, ex officio, a member of all committees. Committee chairs shall be members of the Conference. Committee chairs, with the approval of the President, may call for assistance upon persons not eligible for committee membership.

7.2 **Appointment of Committee Members.** The President shall appoint committee members and committee chairs to serve during the President's term of office. The President-elect may establish committees and appoint committee members and committee chairs to become effective when he or she becomes President, except that the program committees for the midyear and annual meetings to be held during his or her term as President shall become effective upon their appointment.

7.3 **Committee Action.** All actions of a committee shall be determined by a majority vote of the members voting.

7.4 **Nominating Committee.** Following each annual meeting, the President shall appoint a nominating committee which shall prepare a slate of nominees for officers

and directors to be presented to the membership at the next annual meeting. Such slate shall be mailed to the membership no later than twenty-five (25) days before the annual meeting. Additional nominations may be made by any member of the Conference by written notice mailed to all members and to the Secretariat at least ten (10) days prior to the commencement of the annual meeting.

7.5 Other Committees. The Conference, the Board of Directors, and the President may each establish such other committees for such purposes as each of them may determine from time to time.

7.6 Secretariat. The National Center for State Courts shall act as Secretariat for the Conference and its committees. It shall keep the official records of the Conference, provide necessary secretarial and clerical services for the Conference, send out notices of all meetings of members and of the Board of Directors, and perform such other functions as the Conference, the Board of Directors, or the President may direct.

ARTICLE VIII

Amendments

8.1 Amendments to Articles of Incorporation. Proposed amendments to the Articles of Incorporation shall be submitted to the Board of Directors. If the Board adopts a resolution finding that the proposed amendment is in the best interest of the Conference, the Board shall submit it to a vote at a meeting of members. A vote of more than two-thirds of the persons present and eligible to vote at the meeting of members shall be required for the adoption of any such amendment.

8.2 Amendments to the Bylaws. The bylaws may be amended at any meeting of the Conference by a majority vote of persons present and eligible to vote.

8.3 Notice of Amendments. A copy of any proposed amendment to the Articles of Incorporation or to the bylaws shall be mailed to all members at least twenty-five (25) and not more than fifty (50) days prior to the meeting at which it is to be voted upon.

Notes: On January 30, 1992, Article III, Section 3.1 was amended to include the Northern Mariana Islands and other political entities the Board of Directors may approve.

On August 5, 1999, Article V, Section 5.2 (b) was amended to reflect seven directors. Article V, Section 5.3 was amended to reflect the expiration of three director terms in even-numbered years and the four director terms in odd-numbered years. Article V, Section 5.7 was amended to constitute seven directors a quorum.

On August 2, 2001, the Bylaws were amended (to become effective at the conclusion of the August 2002 Annual Meeting) to create the opportunity for Chief Justices with terms of five years or less to become involved in the leadership of the Conference. The amendments eliminated one of the Vice President positions and reserved one of the director positions for a Chief Justice serving a term of five years or less. See Article V, Sections 5.2 and 5.4 and Article VI, Sections 6.1, 6.4, 6.7 and 6.8. (The amendments never took effect because of subsequent amendments adopted at the 2002 Annual Meeting).

On August 1, 2002, the Bylaws were amended to reinstate the First and Second Vice-President positions.

On January 30, 2003, the Bylaws were amended to formalize the attendance of Past Presidents at meetings of the Conference.