

ARIZONA ASSOCIATION OF DRUG COURT PROFESSIONALS

BY-LAWS

The Arizona Association of Drug Court Professionals does hereby adopt these By-laws as embodying the procedures by which the Association's operations are to be governed.

ARTICLE 1

NAME

The name of this organization is the Arizona Association of Drug Court Professionals, herein referred to as the "Association."

ARTICLE 2

ADDRESS

The business address of this Association shall be the business address of the state drug court coordinator or in the alternative, the duly elected President of the Association.

ARTICLE 3

PURPOSE

The Arizona Association of Drug Court Professionals is established to provide a professional organization through which its members may make efforts to reduce substance abuse, crime and recidivism by promoting and advocating for the establishment and funding of Drug and Problem Solving Courts and providing for the collection and dissemination of information, technical assistance and mutual support. A "Drug Court" or "Problem Solving Court" is a court specifically designed to administer cases referred for judicially supervised substance abuse treatment, to include alcohol and/or other drugs, and rehabilitation.

ARTICLE 4

OBJECTIVES

The following objectives are hereby adopted to achieve the purpose of the Association:

1. To reduce substance abuse, crime and recidivism;
2. To promote and advocate for the establishment and funding of effective Drug Courts and Problem Solving Courts in Arizona;
3. To promote a "team" approach in addressing substance abuse issues;

4. To provide technical assistance, training, education and mutual aid to Association members;
5. To encourage development of other judicially supervised treatment programs and rehabilitation, where appropriate, and support the expansion and improvement of resources for addressing substance abuse issues;
6. To develop, promote and analyze policies, standards and practices for Drug Courts and Problem Solving Courts, and provide a forum for the exchange of information and ideas;
7. To collect, provide and disseminate information related to the purposes of the Association; and;
8. To perform other related activities to accomplish stated goals and objectives.

ARTICLE 5

MEMBERSHIP

Section 1: Membership

The Association will have one class of members or membership. Any individual who has an affiliation with a Drug or Problem Solving Court is eligible for membership on approval of the membership application by the Executive Committee of the Association and on timely payment of such dues and fees as the Executive Committee may fix from time to time. Types of affiliation may include judges, Drug and Problem Solving Court coordinators, probation officers, assigned prosecuting and defense attorneys, counselors and treatment providers, law enforcement officers, court administrators, funding agencies and any person dedicated to the purposes of the Association. Members shall be entitled to vote, hold office, make motions and enjoy other benefits and privileges afforded by the Association. Members shall vote electronically on specific issues posted by the Executive Committee for the consideration of the membership.

Section 2: Dues

Annual dues for membership shall be established by the Executive Committee. Membership shall be for one full calendar year from the date of submission, and renewal shall be assessed by the secretary on or before membership expires. Dues may be waived upon approval of the Executive Committee. All rights and privileges attributed to members are subject to the payment of such dues. Members who have not paid their dues for three (3) months shall be considered in arrears and will be prevented from voting, holding office or making motions. If dues are six (6) months in arrears, the member shall lose his/her membership and be deleted from the Association roll until such time that all arrearages are made current. No dues shall be refunded to any member who leaves the Association or whose membership terminates for any reason. Any and all Association properties shall be returned upon termination of membership, either by voluntary resignation or other termination.

ARTICLE 6

OFFICERS

The elected officers of this Association shall be President, Vice President, Secretary and Treasurer. All officers shall be regular members of the Association in good standing.

No later than three months prior to the election of officers, the President shall appoint three members from the general membership which includes members of Executive Committee to serve as a Nomination Committee. The Nomination Committee cannot comprise any member who seeks another term as an Officer of the Board. Nominations for vacancies on the Executive Committee shall be submitted to the Nomination Committee in writing by the general membership no later than two months prior to the annual meeting. The Nomination Committee shall review the nominations for vacancies from the general membership and create a ballot of the most qualified nominees.

No later than one month before the annual meeting the general membership will vote on the ballot submitted by the Nomination Committee and return the ballot to the Nomination Committee. The Nomination Committee shall tally the ballots and submit the results to the Executive Committee. The results shall be announced at the annual meeting.

The officers shall be elected by majority vote of the ballots received and take office at the conclusion of the annual statewide conference. No person may serve in two offices of the Association concurrently. The officers shall serve a term of two years or until their successors have been elected and taken office. The President shall serve a two year term followed by a one year term as Past President. The elected officers, upon majority vote, may serve more than one term in the same office but not more than two in succession.

If a vacancy of any elected office occurs other than the Office of the President, the Executive Committee shall appoint a replacement selected from eligible members for the remainder of the term. If a vacancy occurs in the Office of the President, the Vice President shall immediately assume these responsibilities until an election can be held at the next meeting. The assumption of such responsibilities shall not prohibit the new President from serving two full consecutive terms in this capacity if so elected.

A vacancy exists upon the resignation, removal, retirement, or death of a duly elected officer or upon circumstances which would preclude an officer from fulfilling the duties of the office. If necessary, an office vacancy may be filled through appointment by the Executive Committee, until such time as an election may be held at the next Association meeting. Any officer may be removed from office upon majority vote of the membership.

ARTICLE 7

DUTIES OF OFFICERS

Section 1: President

The President shall be the executive officer of the Association and plan and preside at general or special meetings of the Association and the Executive Committee. The President shall appoint standing and ad hoc committees as necessary to carry out the business and further the purposes of the Association; represent the Association in all matters of concern and perform such other duties as provided by the By-laws.

Section 2: Vice-President

The Vice-President shall assist the President in discharging his/her duties and assume the full duties of that office in the President's absence. The Vice-President shall chair the bylaws committee when it is convened by the President.

Section 3: Secretary

The Secretary shall keep minutes of all Association meetings and the Executive Committee; maintain an accurate record of the membership of the Association; prepare and distribute, upon approval of the President, a record of the proceedings and a list of those in attendance of all meetings to all members of the Association; advise the President of all official correspondence received addressed to the Association; prepare and send all correspondence on behalf of the Association upon direction of the President; and perform such other duties as assigned.

Section 4: Treasurer

The Treasurer shall receive and distribute all monies received by the Association; keep an accurate record of all receipts and disbursements; present a financial report at the annual meeting and Executive Committee meetings showing all monies on hand at the beginning of the new term and monies received and expended during the term of office; ensure that all checks are signed by the Treasurer and the President or Vice-President; submit Association records for audit upon request of the Executive Committee; and assist the President and other officers of the Association in discharging their duties.

ARTICLE 8

EXECUTIVE COMMITTEE

Section 1: Committee Membership

The Executive Committee shall consist of President, Vice-President, Immediate Past President, if applicable, Secretary, Treasurer, State Drug Court Coordinator, and such other members as the Executive Committee may designate. The Delegate at Large shall serve only in an advisory capacity. If one or more Delegate at Large is chosen to serve on the Nomination Committee, the Delegate at Large will have voting privileges for the purposes of the Nomination Committee.

Section 2: Term of Office

All board members shall serve in staggered terms to maintain stability of the organization. The President shall serve a two year term followed by a one year term as Past President. The election of offices of Vice President and Treasurer will be on odd calendar years and the election of the offices of President and Secretary will be held on even calendar years. With the exception of the Past President, each officer shall serve a two-year term.

Members of the Executive Committee shall serve in that capacity as long as they are officers of the Association, or in the case of the Immediate Past President, until a second successive President is elected and takes office. If a member of the Executive Committee resigns as an officer of the Association, his/her Executive Committee membership shall be forfeited.

Section 3: Powers

The Executive Committee shall have the following powers:

1. Control all funds, property and investments of the Association not otherwise provided for by law;
2. Take positions on legislation, policies, court rules or other regulations impacting the courts and speak publicly on behalf of the Association about these issues;
3. Adopt Association policies and procedures;
4. Appoint sub-committees as needed;
5. Collect income and payments due the Association;
6. Control all necessary papers for the Association;
7. Approve the agenda for all Association meetings;

8. Act on behalf of the Association if action is required before the next scheduled general meeting and/or insufficient time exists to call a special meeting;
9. Encumber and commit funds for a special purpose and authorize the Treasurer and President or Vice-President to expend within a specified limit;
10. Order an audit of Association financial records; and
11. Perform such other duties as required by the By-laws.

Section 4: Meetings

The President, upon approval of the Executive Committee, shall determine the time and place of all general meetings of the Association. The Association shall meet at least once a year at which time the elected officers should be present. The President shall give notice of a meeting to all Association members at least thirty (30) days prior to a meeting. Members may attend any general meeting of the Association. Members of the Association may meet prior to general meetings or at other times as needed. A quorum may be declared at any Association meeting if it is determined that there are a sufficient number of members to carry out the business of the meeting.

The President may call special meetings upon approval of the Executive Committee. Notice of a special meeting shall be given to the membership no later than fourteen (14) days prior to the scheduled meeting.

A member that is not in good standing shall not vote, hold office, or make motions, at any Association meeting.

The Executive Committee shall meet at least once prior to the annual meeting of the Association upon the call of the President or by majority vote of the Executive Committee. A majority of Committee members must be present at an Executive Committee meeting to constitute a quorum for business purposes. Executive Committee members may participate in a meeting by conference telephone call and such participation shall constitute presence in person at such meeting. Association members may attend any meeting of the Executive Committee and be heard on any matter pending before such meetings.

Section 5: Duty of the Executive Committee

The Executive Committee shall report to Association members at general meetings, special meetings and at other times as may be required by the Association.

ARTICLE 9

BY-LAW AMENDMENTS

Any voting member of the Association may propose an amendment to the By-laws to the President or any member of the Executive Committee. By-laws may be amended by a two-thirds majority vote of the ballot casted. Members can vote electronically on nominees during the voting period. Any proposed amendment submitted to the membership for a vote shall be forwarded to Association members by the Secretary at least fourteen (14) days prior to the meeting where amendments will be considered. Proposed amendments require a two-thirds majority vote of the membership for incorporation into these By-laws.

ARTICLE 10

PARLIAMENTARY AUTHORITY

The Rules of Parliamentary Practice comprised in Robert's Rules of Order (Revised) shall govern all proceedings of the Association subject to such special rules as may be adopted.

ARTICLE 11

RATIFICATION

These By-laws shall be in full force and effect immediately upon the favorable vote of a majority of the voting members at the annual meeting.

(These By-laws were adopted on June 7, 2000 at a meeting of the Arizona Association of Drug Court Professionals.)

(Article 5 Section 2 and Article 6 of these By-laws were amended on March 2, 2006 at a meeting of the Arizona Association of Drug Court Professionals.)

(Article 2, Article 3, Article 4, Article 5 Section 1, Article 6, Article 7 Sections 2 and 4, Article 8, Article 9, and Article 11 of these By-laws were amended on May 14, 2013 at a meeting of the Arizona Association of Drug Court Professionals.)

(Article 5 Section 2, Article 6, Article 7 Section 2 and 4, Article 8 Section 1, 2 and 3, Article 9, and Article 11 of these By-laws were amended on April 28, 2015.)

(Article 6 and Article 8 Section 1 of these By-laws were amended on December 11, 2017.)